



**FAIRFAX COUNTY BOARD OF SUPERVISORS’  
2011 GENERAL ASSEMBLY  
FINAL LEGISLATIVE REPORT  
March 1, 2011**

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

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## ***Fairfax County Vision Elements***

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

*Maintaining Safe and Caring Communities*

*Building Livable Spaces*

*Connecting People and Places*

*Maintaining Healthy Economies*

*Practicing Environmental Stewardship*

*Creating a Culture of Engagement*

*Exercising Corporate Stewardship*

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## ***Final Report to Board of Supervisors 2011 General Assembly***

### **Section I –Report on Priorities, Initiatives, and Preliminary Budget Analysis**

The General Assembly convened on January 12, 2011, for its final session prior to the November 2011 elections, which will feature newly-drawn districts as part of the Constitutionally-required decennial reapportionment process. With all House and Senate seats on the ballot in November, election-year pressures were palpable in the list of hot-button issues addressed by legislation filed this year, including school vouchers, immigration, and abortion. The discussion of SJ 344 (Stuart) on the House floor encapsulated the concerns of legislators facing the voters in a few short months. This Constitutional amendment would have permitted localities to cap the personal property taxes levied on certain large boats, which, proponents argue, have been leaving the state to seek more favorable tax treatment elsewhere. After being derisively dubbed a tax break for millionaires' yachts, the resolution, which had been relatively uncontroversial, being touted by local commissioners of the revenue from coastal jurisdictions as a jobs measure for local marinas, was overwhelmingly defeated on a vote of 19-78.

National political trends made their presence felt in Virginia this year as well, as Virginia drew headlines for a resolution requesting a constitutional convention to consider an amendment permitting the repeal of any federal law or regulation by a vote of two-thirds of state legislatures. Other resolutions would have memorialized Congress to adopt a balanced budget amendment or to curtail the Environmental Protection Agency's regulation of greenhouse gases. Virginia also drew national attention late in the session, when, after a protracted and emotional floor debate, the Senate narrowly approved a House amendment requiring that facilities in which five or more first trimester abortions are performed per month must meet certain standards applied to hospitals.

While there were many controversial measures considered during the 2011 session, there were also many measures on which there was broad agreement. Numerous legislators introduced bills to ban synthetic marijuana, or "spice," due to its harmful health effects, with legislation ultimately passing unanimously. Similarly, legislation broadening the class of persons who may request protective orders also passed unanimously. In a departure from previous sessions, the issue of transportation funding was significantly less contentious this year. While there was little appetite on either side of the aisle to consider bills containing one aspect of the Governor's proposal--privatizing the state's Alcoholic Beverage Control stores—the General Assembly overwhelmingly approved the bulk of the Governor's plan, albeit without the additional General Fund dollars he had proposed. The legislation will not provide long-term, dedicated, sustainable, new revenues for transportation, but it does provide short-term funding for projects, and Senator Edd Houck likely spoke for many legislators when he said, "There is a time for everything, and now is the time for this. It's a time to build."

Several legislators cited a similar sentiment when they announced their retirements at the end of the Session. Delegate Albert Pollard and Senators Ticer and Whipple announced that they will not seek reelection in November, and their colleagues saluted them in moving floor speeches, sometimes through tears. Legislators also paid tribute to the late Chief Justice of the Virginia Supreme Court, Leroy R. Hassell, who died February 9 and whose body lay in state at the Capitol prior to his funeral.

Despite these sober moments, there was also time for levity this session, as delegates participated in the annual bestowing of mock awards on members who frequently "pop up" on the floor to speak, and the House and Senate competed in a charity basketball tournament. Delegates agreed with the Senate to name the striped bass the state saltwater fish, at the request of a fourth-grade class, though not without contemplating bestowing the honor on the menhaden instead.

In what is becoming more the rule than the exception, the regular session had to be extended to allow budget conferees an additional day to complete negotiations. However, despite the frustrations expressed by some conferees (in a report to his Senate colleagues on the floor on Saturday evening, Senator Saslaw characterized the House's bargaining position as "What's mine is mine and what's yours is negotiable"), the conference report was adopted unanimously in both chambers—a rare occurrence in recent times. The 2011 Regular Session adjourned *sine die* on Sunday evening, February 27, setting the stage for the immediate convening of a special session on reapportionment. The special session is

scheduled to reconvene on April 4 to consider bills containing redistricting plans for House of Delegates, state Senate, and House of Representatives seats.

## **COUNTY PRIORITIES**

### **Funding Core Services – K-12 Education**

***Principle: It is essential that the state fully meet its Constitutional responsibility to adequately fund K-12 education.***

As the 2011 GA session began, local governments throughout the Commonwealth were already experiencing the effects of millions of dollars in state funding cuts, prior to Governor McDonnell's 2010-2012 biennium budget amendments. The state's General Fund (GF) appropriation to localities has decreased by \$1 billion since FY 2009. In the area of K-12, the 2010 GA adopted permanent, structural, statewide cuts totaling over \$325 million per year, in addition to the \$376 million per year cut to K-12 support positions made the previous session. While in actual dollars state funding for FCPS has increased in FY 2011, this is primarily due to the decrease in the County's Composite Index of Local Ability to Pay (LCI), resulting from the housing market's decline and the County's increasing school enrollment. The budget conference report adopted by the GA included an additional \$75.6 million over the introduced budget for K-12 at the behest of the Senate, which at least begins the process of restoring the state and local funding partnership.

Unfortunately, the GA also passed a bill with a costly, albeit well-intentioned, new mandate for schools throughout the state, SB 966. The bill would require 150 minutes of physical education each week — not including recess — for children in public elementary and middle schools by the 2014 school year. FCPS opposes this new mandate, and according to their analysis, implementing this will require school divisions to either incur a very large unfunded local expense to hire new physical education teachers or extend the school day to preserve currently available instructional time, or reduce instructional time that is currently dedicated to core academic subjects and non-PE resource classes (art, music, foreign language, science, social studies). Preliminary FCPS estimates for staffing alone are between \$18 and \$24 million.

### **Funding Core Services – Transportation Funding**

**Principle: Adopt new revenue sources for transportation funding.**

Several bills aimed at addressing the Commonwealth's crumbling transportation infrastructure were introduced this session. The most notable among them was a plan proposed by the Governor, which was divided into several bills:

As introduced, **SB 1446** (Wampler) / **HB 2527** (Howell, W.J.) would:

- accelerate the issuance of HB 3202 (2007) bonds (\$1 billion would be sold over 3 years);
- allow the issuance of \$1.2 billion in Federal GARVEE Bonds;
- create a Virginia Transportation Infrastructure Bank (VTIB);
- change the Revenue Sharing program by increasing the total program maximum and eliminating the project cap and the tiered allocation structure;
- direct 2% of revenue growth in the General Fund to transportation, when General Fund revenue grows by more than 5%; and
- dedicate 2/3 of annual budget surpluses to transportation, immediately after deposits are made into the Revenue Stabilization Fund.

The revenue growth provision was removed in the House and Senate substitutes. The provision related to annual budget surpluses was removed from **SB 1446**. The **HB 2527** substitute changed the provision to state that after deposits into the Revenue Stabilization Fund, two thirds of a surplus would be assigned to transportation and one third would be deposited into the Water Quality Improvement Fund. **HB 2527** passed the House (65-33), **SB 1446** passed the Senate (34-6), and the bills were discussed within a Conference Committee. The Conference Report includes language that accelerates the issuance of the HB 3202 Bonds, allows the issuance of the Federal GARVEE Bonds, creates the VTIB, and changes the Revenue Sharing program to eliminate the tiered structure and raise both the project cap and the total

program maximum. It does not include any provisions related to budget surpluses or the General Fund. The Conference Report passed the House 80-16 and the Senate 33-7.

Other portions of the Governor's Plan were included in **SB 1394** (McWaters)/ **HB 2404** (Rust), which would have allocated .25% of the state sales tax in Northern Virginia and Hampton Roads to transportation projects in those regions. **SB 1394** was passed by indefinitely by Senate Finance and **HB 2404** was left in House Appropriations. Additionally, **SB 1417** (Obenshain)/**HB 2456** (Brink), which would have privatized the Alcoholic Beverage Commission (ABC) stores and licenses and sent the proceeds to the VTIB, were left in Senate Rehabilitation and Social Services and House General Laws, respectively.

### **Other Transportation Funding Legislation**

There were several bills that would have created additional transportation resources by changing the state's tax structure. However, they were left in the House Finance Committee. Among these bills were **HB 1413** (Scott), which would have changed the tax on gasoline from cents per gallon to a percentage; **HB 1531** (Howell, A.), which would have increased the gas tax by \$.10 per gallon; and **HB 1653** (Purkey), which would have imposed an additional 2.1% gas tax in transportation districts across the Commonwealth that approve a referendum doing so. **HB 1892** (Watts) included a Northern Virginia funding package and would have provided for additional funding by, among other things: imposing a motor fuels sales tax rate of 4%, phased in over four years for highway maintenance; increasing the state sales tax in Northern Virginia by 0.5% for transportation projects in Northern Virginia; and increasing the recordation tax in Northern Virginia at a rate of \$0.40 per \$100 valuation. **HB 1604** (Albo) would have changed the way the sales factor is determined, for purposes of the corporate income tax, from costs-of-performance to market-based sourcing, with the revenues being dedicated to the Highway Maintenance and Operations Fund. In the Senate, **SB 833** (Peterson) would have indexed the gas tax rate and was left in Senate Finance.

**HB 2222** (Oder) provided for transportation funding and administration in Northern Virginia, Hampton Roads, the Richmond Highway Construction District, the Staunton Highway Construction District, and the Salem Highway Construction District by capturing a portion of the growth in certain state tax revenues for each area. **HB 2222** was passed by in House Appropriations.

Delegate Oder also introduced **HJ 511**, a constitutional amendment to permanently protect the Commonwealth Transportation Fund from transfers to the General Fund. The amendment would have allowed the General Assembly to borrow from the funds for other purposes only by a vote of two thirds plus one of the members voting in each house, and stated that the loan must be repaid with reasonable interest within four years. This approach is known as the "single lockbox." A corresponding bill, **SJ 363** (Norment), would do the same, but would also limit the use of general and other non-transportation funds for transportation purposes. This approach is known as the "double lockbox." The Speaker ruled the Senate substitute for **HJ 511** was not germane. **SJ 363** was sent to a conference committee, but while the Senate acceded to the House request for the conference committee and delegates were appointed by the House, no further action was taken by the Senate.

### **Governance – Taxation**

**Principle: Oppose restrictions and caps on local taxation; support equal taxing authority.**

The County took positions on 26 bills relating to local taxation during the 2011 Session; most of these bills were problematic for the County in that they restricted or eliminated local taxing authority. However, efforts were generally successful either to kill the legislation or modify the various bills to ameliorate their consequences.

#### **Recordation**

Several bills, supported by circuit court clerks and realtors, were focused on extending a reduced recordation tax on refinancings, regardless of lenders. Despite sympathy by local governments for the intent of the legislation, there was an unknown (but negative) fiscal impact to the Commonwealth and localities. **HB 1431** (Albo) would have reduced the state recordation tax on deeds of trust from \$0.25 per \$100 of the amount financed to \$0.2375 per \$100 of such amount. The bill also eliminated the reduced recordation tax based on deeds of trust securing a refinanced mortgage with the same lender. (Under current law, the recordation tax on deeds of trust for such refinancing applies only to the extent that the

amount of the refinancing exceeds the original amount of financing.) The bill was tabled in House Finance.

**HB 1908** (Miller, J.H.) would have changed the basis on which recordation and grantor taxes were calculated on the conveyance of real estate to the consideration for the property conveyed, effective July 1, 2013. Under current law, the basis is the greater of such consideration or the actual value of the property conveyed. For a three-year period, the bill also expanded the reduced recordation tax accorded to deeds of trust securing a refinanced mortgage with the same lender, to all such refinancings, regardless of lender. Finally, the bill increased the penalty for fraudulent understatement of the consideration for the property conveyed, from an amount equal to the tax due on the understatement to twice that amount. The bill was tabled in House Finance.

**SB 780** (Reynolds) would have expanded, for a three-year period, the reduced recordation tax accorded to deeds of trust securing a refinanced mortgage with the same lender to all such refinancings, regardless of lender. Despite passage by the Senate Finance Committee on a vote of 8-5, with one abstention, and Senate passage on a vote of 24-16, the bill then was left in House Finance; the estimated fiscal impact to the County was \$8-10 million.

#### Machinery and Tools

Delegate Purkey once again initiated legislation to eliminate the local machinery and tools tax. **HB 1636** would have classified as intangible personal property, and therefore subject solely to state taxation, (i) machinery and tools purchased on or after July 1, 2011, for the first three years following the date of purchase and (ii) machinery and tools used for business purposes, for the first three years after being brought into the Commonwealth for the first time. The bill also would have classified as intangible personal property, and therefore subject solely to state taxation, machinery and tools that have been in use for at least 10 years and are located in any county, city, or town in which the assessed value of the machinery and tools is greater than one percent of the original cost. The bill was left in House Appropriations.

#### BPOL

Despite language in the budget, as recommended by Governor McDonnell, to direct a study by JLARC on the impact to local revenue streams if the basis of the BPOL tax is changed from gross receipts to net income, the General Assembly did not hesitate to legislate on the tax this session. Although not mandatory, three bills were passed to permit localities to exempt or change the basis of the local BPOL tax. **HB 1437** (Cole) will allow localities to decide whether to impose the BPOL tax on a business's gross receipts or its Virginia taxable income; **HB 1587** (Iaquinto) will permit any county, city or town to provide relief from license taxes to any business locating in such county, city or town for the first time, for the first two years after such location (the original bill was limited to Chesapeake and Virginia Beach); and **SB 1408** (Ruff) will allow localities to exempt from the BPOL tax businesses that lose money and are unprofitable during the taxable year, for taxable years beginning on or after January 1, 2012. The original version of **SB 1408** was mandatory.

#### Assessments

The most controversial and far-reaching tax bills this Session were **HB 1588** (Iaquinto), a repeat measure from the 2010 General Assembly, and **SB 1350** (Norment), a measure sponsored on behalf of the state realtors association. As introduced, the former would have shifted the burden of proof from the taxpayer to the assessor when the taxpayer appeals a real property tax assessment to the Board of Equalization or Circuit Court; the bill also would have removed the presumption that the assessor's valuation is correct, a very contentious provision to local governments. The second bill also would have changed the evidentiary standard on appeal to a preponderance of the evidence.

Because of the technical and sweeping nature of the changes to local real property tax law, a working group of local government representatives and tax attorneys was created to try to formulate a compromise with proponents of the legislation. After many hours of negotiation, this was achieved and the bills were conformed to include, as follows:

- 1) clarification and expansion of written notice to residential landowners, including the right to review/obtain copies of certain records, and the right of the landowner to request a physical examination of the property;
- 2) a change in the evidentiary standard of proof to "preponderance of the evidence;"
- 3) provision that the burden of proof remains with the taxpayer; the presumption of correctness remains with the locality; and

- 4) provision that upon a failure to give the expanded written notice, the assessor would have the burden of producing certain evidence.

#### Legislation Implementing 2009/2010 Constitutional Amendments

**HB 1645** (O'Bannon)/**SB 987** (Puller) codifies the constitutional amendment adopted by voters in November, 2010, that provides for a property tax exemption for veterans who have a 100 percent, service-related disability. The constitutional amendment required the General Assembly to enact the exemption in general law.

**HB 2278** (Keam)/**SB 1073** (Barker) authorizes local governments to establish annual income or financial worth limitations as a condition of eligibility for real property tax relief for the elderly and permanently and totally disabled. The bills implement the amendment to Article X, Section 6 (b) of the Constitution of Virginia that limits the General Assembly's ability to establish the limitations and allows the General Assembly to authorize local governments to establish the limitations. The bills contain an emergency clause and grandfather existing local ordinances in effect as of January 1, 2011.

#### Governance – Land Use

##### **Principle: Preserve local land use authority.**

Bills introduced that dealt with land use matters continued the General Assembly's trend of preempting local land use authority, although the condemnation powers of all levels of government are at risk of being further restricted by proposed constitutional amendments. This year, however, a new focus was placed on localities' regulations regarding stormwater in anticipation of the impending TMDL requirements for the Chesapeake Bay Watershed that are being finalized by the U.S. Environmental Protection Agency (EPA), agencies of the Commonwealth, and localities, such as Fairfax County's MS-4 Permit application.

Though not directly affecting local zoning authority, **HB 1844** (Athey) adds an additional process that an owner be notified when another person asks the zoning administrator or other official for a written order, requirement, decision, or determination about the owner's property and sets forth how such notice can be made. The bill also clarifies that an owner is bound by a governing body's or a board of zoning appeals' decision on an appeal from the zoning administrator only if the owner is previously given notice of the zoning administrator's decision being appealed, such as, for example, a notice of violation or interpretation of a proffer condition.

Revisiting the recently enacted Virginia Code Section 15.2-2303.1:1, which changed when cash proffers may be collected or accepted, **SB 1204** (Obenshain) permits, but does not require, an award of attorney's fees, expenses, and court costs to a party who successfully challenges a locality's ordinance or other action in conflict with this Code Section. The bill also extends the sunset provision on this Code Section from July 1, 2014, to July 1, 2015.

A benefit to Northern Virginia localities using the population projections of the Council on Government, **SB 1339** (Puller) allows a locality to designate its Urban Development Area using any official government projection that is also used for federal transportation planning purposes.

Two major actions are expected to make condemning property under eminent domain more difficult for all levels of government in Virginia. **HB 2161** (Iaquinto) requires a condemning authority, including localities, to provide an owner with all appraisals of the property in making an offer to purchase. The bill also requires a condemning authority to offer for sale to the previous owner or its heirs or successors any condemned property not put to a public use for 20 years or at any time the property is no longer needed for a public use. However, the bill exempts property that is acquired by a locality for transportation projects and property condemned or needed for construction of a project funded by bonds that were approved for issuance before July 1, 2011, among other things.

A constitutional amendment that has passed, **HJ 693** (Joannou), adds lost profits and lost access -- to be defined in a future statute -- as well as damages to the residue to the list of elements for compensation. Before it can take effect, the identical measure will have to be passed during next year's session and then be approved by voters in the November 2012 general election. The amendment also prohibits a taking if the primary purpose is for private enterprise, increasing jobs, or economic development, among other

things. The amendment does not preclude a taking to eliminate blight. The amendment applies to state and local governments, railroads and public service corporations such as Dominion Power.

The result of numerous bills introduced this session regarding the regulation of fertilizer, **HB 1831** (Scott, E.T.)/**SB 1055** (Stuart) regulate several aspects relating to the application and use of fertilizer to lawns and turfs, including rules against applying fertilizers containing phosphorus or applying fertilizer when the ground is frozen, and the inclusion of a cautionary label on application and use. The prohibitions do not apply if: (i) the turf area is newly established or under repair; (ii) recent soil tests indicate the need for phosphorus fertilizer; (iii) the turf area is a golf course that has implemented a nutrient management plan; (iv) the area is a garden or greenhouse; or (v) the product being used is manipulated manure or yard waste compost. The Department of Conservation and Recreation is required to adopt regulations and operate a voluntary nutrient management training program to enable landowners and operators to prepare nutrient management plans for their own property. Golf course owners are specifically required to develop and implement nutrient management plans. For the first time, employees of localities and governmental entities who distribute fertilizer on public lands shall be subject to training, certification, and annual reporting requirements established by the state Department of Agriculture.

Also regarding stormwater regulation, **SB 1099** (Hanger) provides the conditions for granting an off-site option for nonpoint nutrient offsets. The bill also prioritizes the options a local government's permit issuing authority can choose when considering off-site phosphorous control options for stormwater permits, with priority to nonpoint nutrient offsets available within the locality. The bill also authorizes the use of nonpoint nutrient offsets in enforcement actions to correct and compensate for nutrient control deficiencies.

## COUNTY LEGISLATIVE INITIATIVES

Due to the ongoing difficult economic situation and the need to focus on the state budget, the County again kept its initiatives to a minimum this year.

**HB 1633** (Watts)/**SB 1325** (Herring) were initiated by the Board at the request of the Police Department and were intended to assist in the protection of the elderly and other vulnerable adults by defining financial exploitation of these adults as a new criminal offense. The bills would have provided that it is a Class 5 felony to knowingly, by deception, intimidation, undue influence, coercion, harassment, duress, or misrepresentation, use, obtain, convert, or take control of an elderly or vulnerable adult's property or financial resources with the intent to temporarily or permanently deprive the adult of the use, benefit, or possession of the property or financial resources. If the violation is by a caregiver or person with a fiduciary relationship it would be a Class 3 felony. **SB 1325** was passed by indefinitely in Senate Courts of Justice after receiving an unfavorable response from the Criminal subcommittee. Due to a decision by the Chairman of the House Courts committee not to hear criminal legislation with a fiscal impact on the state, with very limited exceptions, **HB 1633** was not heard. However, both patrons have indicated their willingness to continue to work on the issue.

**HB 2203** (Comstock) removes the tier structure in the Virginia Department of Transportation (VDOT) Revenue Sharing Program. The current structure, which gives priority to locally administered projects, has disproportionately affected Fairfax County, which has its roads maintained by VDOT. Numerous bills changing this program were introduced, each of which makes similar changes to the criteria. **HB 2203** was incorporated into **HB 2021** (May), which eliminates the tiers and the total program cap, but keeps the \$1 million maximum per jurisdiction. **HB 2021** then was incorporated into **HB 2527**, the House version of the omnibus transportation plan, which includes provisions to eliminate the tiers, as well as the jurisdictional and total program caps. **SB 1329** (Herring) would have removed the jurisdictional cap and increased the total program cap, but changed the tier structure to prioritize projects that produce significant traffic congestion relief. **SB 1329** was incorporated into **SB 1446**, the Senate version of the omnibus transportation plan, which increases the jurisdictional and total program caps, but retains the tier structure. **HB 2527** and **SB 1446** were referred to a conference committee. The Conference Report on the bills increases the project cap to \$10 million and the total program cap to \$200 million. It also removes the tier structure, but stipulates that priority will be given to projects in the Six-Year Improvement Program or a locality's capital plan. The Conference Report passed the House by a vote of 80-16 and the Senate by a vote of 33-7.



**SB 1078** (Barker) allows the employees of a child care regulated by a local government to administer medication to a child if such employee (i) has satisfactorily completed a training program for this purpose approved by the Board of Nursing and taught by a registered nurse, licensed practical nurse, doctor of medicine or osteopathic medicine, or pharmacist; (ii) has obtained written authorization from a parent or guardian; (iii) administers drugs only to the child identified on the prescription label in accordance with the prescriber's instructions pertaining to dosage, frequency, and manner of administration; and (iv) administers only those drugs that were dispensed from a pharmacy and maintained in the original, labeled container that would normally be administered by a parent or guardian to the child. This legislation would provide the same authorization for employees of a child care regulated by a local government as is currently provided for child care regulated by the state. The bill was passed unanimously by the House and Senate, and awaits the Governor's signature. The Board sent a letter to Fairfax County members of the Joint Commission on Health Care on a related issue, the administration of medication to children participating in day programs, asking that the Commission examine the matter in its work after the adjournment of the 2011 Session. The letter suggested that the Commission's review include evaluating whether a comprehensive approach to authorizing adults to administer certain prescription medications, including emergency treatments, to children is preferable to the current piecemeal approach, which establishes different criteria for each situation in which the administration of controlled substances is permitted.

## **REGIONAL ISSUES OF IMPORTANCE**

### **Regional Transportation Funding**

**HB 1491** (Albo), **HB 1544** (Kory), **HB 1631** (Watts), **HB 1884** (Filler-Corn), and **HB 2331** (Lingamfelter) all would have changed current formulas for allocating transportation funds. **HB 1491**, which incorporated **HB 1884**, would have required the Commonwealth Transportation Board (CTB) to consider achieving a minimal level of disparity among highway construction districts in meeting asset performance standards. **HB 1491** was referred to the Joint Commission on Transportation Accountability, **HB 1544** and **HB 2331** were left in House Appropriations, and **HB 1631** was left in House Transportation.

**SB 1112** (Miller, Y.B.), which specifies the role of Metropolitan Planning Organizations (MPOs) in the Commonwealth's transportation decision-making process, passed the Senate. It was then amended in the House to clarify Federal requirements for MPOs and address Northern Virginia's multi-state MPO situation; the amended version was passed by both the House and Senate.

Several bills that adversely impact Northern Virginia's regional transportation authority were introduced this session. **HB 1865** (Cole) would have allowed portions of localities to withdraw from transportation districts and would have changed the Commonwealth-required tax for the transportation district into a local option tax. This could have impacted the bonding authority of the Northern Virginia Transportation Commission (NVTC) and Potomac and Rappahannock Transportation Commission (PRTC), as well as their member localities' 2.1% tax that is spent on transportation projects and services.

**HB 1999** (LeMunyon) would have required the Northern Virginia Transportation Authority (NVTA) to prioritize emergency evacuation and congestion mitigation projects when allocating its regional funds. While both important criteria, the bill would have excluded other NVTA criteria, such as improvements to safety and air quality and the connection of regional activity centers. **HB 2000** (LeMunyon) would have required NVTC to appoint one representative of the Commonwealth to the WMATA Board as a principal.

While **HB 1865**, **HB 1999**, and **HB 2000** passed the House, they were passed by indefinitely or failed to report in the Senate Finance Committee. **Budget Amendment 447#1g**, similar to **HB 2000**, was included in the House budget, but not in the Senate version. The amendment was not included in the final budget. **HB 2016** (Albo) would have required NVTC, PRTC, and NVTA to consolidate. Due to the numerous legal and financial complications that this consolidation would have required, **HB 2016** was sent to the Joint Commission on Transportation Accountability for further study.

### **Sexual Orientation**

Several bills were introduced this session to prohibit discrimination based on sexual orientation, but the bills took different approaches to the issue; none were successful. **HB 1509** (Scott, J.M.) would have prohibited discrimination in employment based on sexual orientation. **HB 1755** (Plum) would have added

sexual orientation and gender identity to the categories protected by the Virginia Human Rights Act. **HB 1964** (Rust) would have prohibited discrimination in public employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, sexual orientation, or status as a veteran. These three bills were incorporated into **HB 2046** (Ebbin), which included the non-discrimination provisions of **HB 1964**, but also provided a definition of "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression and expressly provided that "sexual orientation" shall not include any person's attraction towards persons with whom sexual conduct would be illegal due to the age of the parties. **HB 2046** was left in House General Laws after a subcommittee recommended it be tabled. Senate bills included **SB 797** (Locke), which was similar to **HB 1755** and would have added sexual orientation to the definition of unlawful discriminatory practice in the Virginia Human Rights Act. The bill failed to report in Senate General Laws on a 7-7 tie vote. **SB 747** (McEachin), which was similar to **HB 2046** and would have prohibited discrimination in state employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, sexual orientation, or status as a special disabled veteran or other veteran covered by the Vietnam Era Veterans Readjustment Assistance Act of 1974, passed the Senate 22-18, but was tabled in a subcommittee of House General Laws.

### **Weapons in Public Facilities**

No legislation was introduced this year that would afford localities general authority to prohibit the possession of dangerous weapons in public facilities. **HB 1600** (BaCote) would have provided that a locality may adopt an ordinance that prohibits firearms, ammunition, or components or combination thereof in libraries owned or operated by the locality, but a subcommittee of House Militia, Police, and Public Safety took no action on the legislation. By contrast, **SB 757** (Reynolds) removes local authority to prohibit shooting of pneumatic guns on private property if the owner permits it and if reasonable care is taken to prevent a projectile from crossing the bounds of the property. The bill passed the Senate 25-14 and the House 78-18.

## **OTHER LEGISLATION OF INTEREST**

### **Constitutional Amendments**

A Constitutional amendment must be passed by both the House and Senate twice in identical form, with an intervening election between first and second passage. Since there are elections for both House of Delegates and Senate seats this November, the 2011 Session was the appropriate venue for "first resolution" Constitutional amendments, and members introduced more than 40 such proposals. These potential amendments dealt with matters ranging from the technical (allowing counties and cities already sharing circuit court clerks to share electoral boards and general registrars) to the controversial (granting the Board of Education authority to establish charter schools within local school divisions). All but two proposed Constitutional amendments were rejected by the General Assembly.

Among the measures that failed were several proposals that would have been harmful to local governments. **HJ 539** (Cole), which required that any bill or ordinance passed by the General Assembly or a local governing body creating, imposing, or increasing a tax, license, fee, or any other charge pass by a three-fifths majority vote of elected members instead of a simple majority, was rejected by a subcommittee of Senate Privileges and Elections. **HJ 540** (Cole), which would have limited the state's or a locality's total appropriations in a year to the preceding year's total appropriations plus a percentage equal to the sum of the percentage increase in the rate of inflation plus the rate of population increase, with certain exceptions, was defeated on the House floor by a vote of 47-48. **HJ 615** (Janis) was intended to end the practice of embedding increases in taxes or fees in the state budget, but was drafted in such a manner that would have forbidden the General Assembly from enacting any statute that both raised revenue and also directed how that revenue was to be spent. **HJ 615** was rereferred from Senate Privileges and Elections to Senate Finance, where it was passed by indefinitely on a vote of 8-7.

Unfortunately, of the two amendments that passed in 2011, one is particularly problematic for local governments. **HJ 693** (Joannou) deals with eminent domain and is intended to address the Supreme Court's *Kelo* decision by prohibiting the taking of private property except for public use (which is defined in the amendment) without just compensation to the owner. However, the amendment goes significantly beyond *Kelo* reform by defining "just compensation" to include "lost profits" and "lost access." These provisions, if ultimately incorporated into the Constitution, will significantly increase the costs of public

improvements. Local governments and public service corporations argued that the amendment was unnecessary, as statutory language enacted in 2007 provides adequate protections for landowners, and premature, as that language is still being interpreted in the courts, but the amendment narrowly survived a Senate Privileges and Elections subcommittee vote (4-3) and an 8-7 vote in full committee before passing on the Senate floor by a vote of 35-5.

The other successful amendment, **HJ 679** (Englin), permits the General Assembly to agree to delay the reconvened session for a period of up to one week. The Constitution now provides that the reconvened session will be held on the sixth Wednesday after adjournment of a regular or special session. The proposed amendment would allow the General Assembly to postpone the reconvened session for a brief period, for example, to avoid convening on a religious holiday.

Constitutional amendments passed in the 2011 Session will need to pass again in 2012 in identical form before being placed on the ballot in November 2012.

### **ABC Billboards**

In the final days of the 2011 GA, news broke of a consent decree, approved by the state as the result of a lawsuit filed against the state by a billboard advertising company. The lawsuit challenged Virginia's blanket prohibition of alcohol ads on billboards anywhere but professional sports venues, as an unconstitutional violation of commercial free speech. The Virginia Attorney General's office concluded that recent US Supreme Court decisions were likely to find against the state's prohibition, and the Attorney General and Governor quietly approved the consent decree, which directed the Alcoholic Beverage Control (ABC) Board to establish new rules to allow outdoor advertising of alcohol. But members of the GA, who had not been informed of this issue, became alarmed that Virginia would have no regulations on outdoor alcohol advertising for 18 months, while the ABC Board developed new rules.

In order to prevent this, the GA amended **SB 1457**, an unrelated bill in the same part of the Code (as introduced, **SB 1457** would give ABC power to prorate license taxes for businesses damaged by an "act of God"). The emergency legislation, agreed to in negotiations with outdoor advertisers, restaurants, alcohol manufacturers and beer and wine wholesalers, would allow billboards on commercial or industrial property to advertise alcohol, but would restore state regulation of alcohol ads on stores and other businesses, and would ensure that billboards would not market alcohol within 500 feet of residences (as well as schools, playgrounds and places of worship, already protected by the decree). The bill would also prohibit alcohol ads on billboards on land zoned for farming or not zoned at all. **SB 1457**, as amended, passed the House 97-0 and the Senate 40-0.

### **Behavioral Health and Developmental Services Trust Fund**

**HB 2533** (Cox) and **SB 1486** (Northam) were Governor's bills, introduced following the release of the U.S. Department of Justice Report ("Investigation of the Commonwealth of Virginia's Compliance with the Americans with Disabilities Act and of Central Virginia Training Center") on February 11, 2011. The intent, as introduced, was to use a previously existing Behavioral Health and Developmental Services Trust Fund to receive and direct funding to address the issues raised in the DOJ findings over time. The two houses differed on the funding to be dedicated to the Trust Fund in this Biennium, and how decisions on spending should be made. The Senate preferred a plan be detailed within the Appropriations Act that should detail funding and policy actions to be taken; the House preferred to assign the responsibility for developing and implementing a plan to the administration, and included \$30 million in General Funds appropriated to the Trust Fund. The final decision on approach was incorporated into the overall Biennial Budget conference actions. The final versions of **HB 2533/SB 1486** accepted by both Houses call upon the Secretary to develop a plan for transitioning individuals from training centers to community based services with an emphasis on developing those services and appropriate housing at the community level, with the plan presented to the "money committees" by November 1, 2011. In addition, General Fund appropriations to the Trust Fund are to be used for 600 ID waivers and other one-time costs necessary to assist individuals in transitioning from the training centers to community-based settings. Reports are also required in July and December of each year beginning on July 1, 2011.

### **Comprehensive Services Act**

Two bills, **HB 1679** (Richard Bell)/**SB 1171** (Marsden), were introduced by the administration in response to one local CSA program reportedly contracting with an unlicensed provider for CSA-supported services. The administration did not believe it had sufficient authority to pursue the return of state funds provided the county for those services. However, the language as originally proposed in **HB 1679/SB 1171** could have led to a further weakening of the relationship between the local and state governments in the

sharing of CSA costs. For the first time, amendments made after negotiations between local governments and the administration will provide a clear process of review and input to the policy guidelines that will be developed over the next few months and adopted by the State Executive Council (SEC) in response to the problem.

### **Fireworks**

During the 2008 GA session, legislation restricting local authority to regulate permissible fireworks was introduced, which led to discussions between local governments and the fireworks industry after the session. Since that time, the fireworks industry has continued to press for less local regulation of permissible fireworks, returning this year with **HB 1834** (Scott, E.T.), which would have removed all local authority over the sale, use, possession, and storage of permissible fireworks as introduced. The result of such legislation becoming law would be that permissible fireworks could be sold and used year-round in every county, city and town in the Commonwealth without any local oversight.

Every major fire safety organizations in the state, as well as local fire departments and local governments opposed this bill. After much discussion in the House General Laws Housing Subcommittee, the subcommittee instructed interested parties to work towards a compromise. However, the public safety issues for local governments are so fundamental that, while the industry accepted some amendments, the overall bill remained adverse for localities. After passing the House 57-40, the bill was referred to the Senate General Laws Committee. Significant efforts by localities and firefighters, including the presence of firefighters from all corners of the state, led to a resounding defeat of the bill by a committee vote of 14-1.

### **Miscellaneous**

**HB 1399** (Janis) expands the Virginia Fraud Against Taxpayers Act to apply to civil cases filed by employees of state and local government who contend that they experienced adverse action, including discharge, discipline and harassment, in retaliation for having blown the whistle on fraudulent actions in violation of the Act. The court is required to reinstate the successful employee and award double back pay with interest, any special damages, and attorney's fees. Public employees do not have to have first exhausted the grievance procedure before filing an action in court. However, where the employee has filed a grievance action and has been awarded back pay, the court in any subsequent civil action shall be required to reduce any court judgment by the amount awarded the employee through the grievance process.

As introduced, **HB 2155** (Cline) would have authorized local governments to publish detailed information relating to warrants paid by the locality, including the names of payees, amounts paid, the serial numbers of warrants, and dates of payments. **SB 844** (Petersen), as introduced, provided that the warrant information that could be published would be the aggregate amount of warrants paid, classified by expenditure item or disbursement. As the two bills emerged from conference, they now provide that a local governing body may publish aggregated information relating to warrants paid, as classified by expenditure item, recipient, date, or disbursement.

Under **SB 762** (Puller), in addition to existing requirements, police, fire, ambulance and any other emergency vehicles proceeding past red lights or other traffic signals requiring a stop have a choice to sound a siren, slow the vehicle down to a speed reasonable for the existing conditions, yield right-of-way to the driver of another vehicle approaching or entering the intersection from another direction, or bring the vehicle to a complete stop before proceeding. Failure to execute at least one of these tasks at the intersection would make the driver subject to criminal prosecution. Similar legislation was originally introduced in 2008, and was referred to the Crime Commission, which convened a workgroup in 2010 to consider the issue.

Introduced as clarifying the intent of existing law, **SB 1160** (Quayle) allows a water or sewer authority to require adjacent property owners to connect their buildings to the authority's system upon or after the acquisition or construction of the water or sewer system. The statute previously had only the words "upon the acquisition or construction of any water system or sewer system," which arguably meant upon or after the system was in place. To resolve objections to the bill involving the City of Falls Church and the Fairfax County Water Authority, the bill was amended to have no effect on consent decrees entered between a locality and a water authority after January 1, 2010, and before July 1, 2011.

## UPCOMING AND CONTINUING ISSUES

### Redistricting

This year, the General Assembly must complete its Constitutionally-required duty to reapportion House of Delegates, state Senate, and House of Representatives districts based on the changes in population measured by the 2010 census. The state reapportionment process will be undertaken in a special session, which was called by the Governor on February 27 and convened immediately after adjournment of the regular session *sine die*. The special session recessed shortly after being convened, and will reconvene in early April to take up legislation redrawing state legislative district boundaries.

In preparation for this process, the General Assembly passed emergency legislation this session, **HB 1507** (Cole), which delays the primary elections originally scheduled for June 14, 2011 to August 23, 2011, and makes corresponding changes to filing deadlines and deadlines for the mailing of ballots to absentee voters. This change is intended to allow enough time for the General Assembly and local redistricting plans to be submitted to the Department of Justice for preclearance under the Voting Rights Act prior to the general election scheduled for November 8, 2011.

### Select Studies of Interest

As was the case in recent years, in a continuing cost-saving effort, no new legislative subcommittees were created this year, with the exception of the Autism Advisory Council, which was funded through an appropriation in the state budget. Legislators instead directed standing commissions or executive agencies to undertake studies of particular issues. Studies authorized this year of particular interest to the County are listed below.

**HJ 570** (Cox, M.K.) directs the Joint Legislative Audit and Review Commission (JLARC) to study the costs and benefits to the Commonwealth of providing financial and other incentives to localities that collaborate on capital facilities, construction projects, and other operating services. The Commission must submit its report to the 2013 Session of the General Assembly.

**HJ 580** (O'Bannon) directs JLARC to study the third-party payments for assisted living services, including current payments and the potential for expanding eligibility of services for third-party payments, and also the relationship between third-party payments for services and eligibility for federal and state benefits.

**HJ 603** (Surovell) and **SJ 292** (Puller) requests Department of Rail and Public Transportation (DRPT) to conduct a study, in consultation with associated localities, transportation authorities, and Federal agencies, for improved public transportation services to Fort Belvoir and the Marine Corps Base at Quantico. **HB 603** was left in the House Rules Committee while **SJ 292** passed both the Senate and House.

**HJ 645** (Poindexter) requests the Secretary of Technology to study opportunities to facilitate cooperative procurement and sharing of custom technology applications to leverage buying power and create efficiencies for local government.

**HJ 648** (Plum) requests the Department of Housing and Community Development, in cooperation with the Department of Rehabilitative Services, to study the feasibility and appropriateness of amendments to the Uniform Statewide Building Code to provide accessible routes for persons with disabilities into public and private buildings and facilities and promote universal features in dwelling units. The Departments must submit their joint findings and recommendations to the 2013 Session of the General Assembly. Companion legislation, **HB 2070**, which would have required the Board of Housing and Community Development to adopt regulations requiring existing buildings or facilities to have at least one accessible route connecting accessible parking to an accessible entrance of the building or facility, was passed by in House General Laws with a letter to the Board of Housing and Community Development, requesting that the Board examine the issue in the next update of the Uniform Statewide Building Code.

**SB 1269** (Houck) creates the Autism Advisory Council as an advisory council in the legislative branch of state government to promote coordination of services and resources among agencies involved in the delivery of services to Virginians with autism spectrum disorders and to increase public awareness of such services and resources. The Council will expire on July 1, 2014.

**SJ 297** (Miller, Y.B.) requests DRPT to make a one-year study of transit programs in the Commonwealth, including but not limited to the funding of such programs.

**SJ 329** (Howell) directs JLARC to study the effectiveness of economic development incentive grants in Virginia.

**SJ 334** (Whipple) requests that the Secretary of Natural Resources study the expansion of the Chesapeake Bay Watershed Nutrient Credit Exchange Program by convening a stakeholder committee of private sector interests, state and local governments, and environmental organizations.

**SJ 335** (Whipple) directs JLARC to study long-term dedicated funding sources for land conservation. In conducting its study, the Commission is directed to look to other states for innovative funding mechanisms and identify and develop viable options for potential long-term dedicated funding sources for land conservation in the Commonwealth.

**SJ 345** (Puckett) directs JLARC to study the misclassification of employees as independent contractors in the Commonwealth. In conducting the study, the Department shall (i) review the status of employee misclassification in the state, (ii) review the consequences of misclassification to the workforce, (iii) determine the amount of lost revenue to the state and local governments, and (iv) suggest strategies for alleviating misclassification or improper classification of employees.

**SJ 348** (Hanger) directs the Virginia State Crime Commission to study federal requirements regarding Virginia's sex offender registry, examine the effectiveness of the registry in preventing sexual victimization, and determine the feasibility of implementing a tiered system.

**HB 1956** (Rust) would have provided that, when a local governing body regulates towing by ordinance, such ordinance shall not limit the ability to remove a trespassing vehicle from one locality and store or release it in another as long as the stored or released location is within five miles of the actual tow. This legislation would have limited the County's ability to enforce the provisions of its towing ordinance, since vehicles could be towed outside of the County. The bill was passed by indefinitely in Senate Transportation by a vote of 9-6, but was sent to the Board of Towing and Recovery operators for study.

As introduced, **HB 2038** (Peace)/**SB 1085** (Hanger) would have limited local cigarette tax enforcement by requiring local governing bodies to adopt ordinances that adhere to guidelines and rules established by the Department of Taxation. While aimed at Norfolk, the bill as introduced would have adversely affected Northern Virginia's enforcement efforts. The bills were amended to provide instead that the Tax Commissioner must convene a working group of interested parties to review policies with regard to how the local cigarette tax is enforced and administered.

A number of studies are included in the budget conference report, including a requirement that the Auditor of Public Accounts determine the extent to which localities are collecting fines on the basis of local ordinances which parallel state statutes and penalties for the same offenses. The budget conference report also requires a JLARC study of the state's civil commitment program for Sexually Violent Predators, a review by the Commissioner of Health and the Director of the Department of Environmental Quality of the reuse of wastewater to prevent nutrient pollution, and a report by the Secretary of Administration on telecommuting policies, among other studies.

## **OVERVIEW OF THE 2010-2012 BIENNIUM BUDGET**

The 2011 General Assembly began with a bit of cautious optimism on the budget front, as the Governor announced increased revenues when he presented his 2010-2012 biennium budget amendments in December. Following the pain of numerous and substantial budget cuts in recent years, resulting from the national recession and a \$4.2 billion state budget shortfall, the news of additional revenues, however small, was welcomed in Richmond and throughout the Commonwealth. However, the key question for local governments was about the allocation of resources – would the state seek to restore the state-local funding partnership, by putting additional dollars into core services, or would other priorities and interests prevail? In an election year when the entire House and Senate would be up for re-election, it was clear that there would be a struggle between policy and politics.

### **Governor's Budget Proposal**

Governor McDonnell's budget included an increase of \$510.8 million in total general fund (GF) resources, including balances from FY 2010 (\$183.2 million); additional tax revenues (\$133.2 million), and transfers from state agency cash balances (\$13.2 million) in FY 2011; additional tax collections (\$157.3 million) and transfers (\$22.9 million) in FY 2012. The Governor cautioned that, while the projections reflected stronger than planned growth and an uptick in economic activity, he was still intent on finding savings and making state government more efficient. As a result, his budget amendments included \$191.6 million in cuts, savings, and reprioritization across state government.

Unfortunately, the Governor's budget did not include the restorations local governments had hoped for, and instead included a reduction of \$50 million for K-12 over the biennium, the quintessential core service local governments share with the state. Other items of particular interest to the County in the Governor's budget included: reducing the state match rates for therapeutic foster care under the Comprehensive Services Act (CSA); eliminating all CSA services not mandated by federal or state law; maintaining a reduction to HB 599 funding of \$18.7 million (10.5%) in FY 2012; reducing funding for fee system child care by \$5.9 million in FY 2012 statewide; and language directing a JLARC study on impact on local revenue streams of restructuring BPOL from gross receipts to net income.

The Governor primarily focused his budget resources on economic development, higher education and transportation. In the area of transportation, the Governor's amendments to the 2010 – 2012 budget contained elements of his proposed transportation funding plan, which was designed to produce \$4 billion in funding over the next three years. One key item in the budget was the dedication of \$150 million in FY 2010 GF surplus funds to capitalize the proposed Virginia Transportation Infrastructure Bank.

### **House and Senate Budgets**

The Senate budget included an additional \$177.6 million of new revenues resources for the biennium, and offset that with net new spending of \$175.3 million. In the House, resources increased by \$112 million for the biennium, which was offset by net new spending of \$104.4 million. In other words, the Senate budget plan had more resources and spending than its House counterpart. But, more importantly, it was the focus of the two budget plans that defined the significant differences, with the Senate budget focusing on core services and restoring the funding partnership with localities, while the House focused on funding VRS, reducing the burden on businesses and achieving structural balance in the budget.

The House and Senate also differed over how to treat transportation – the House supported Governor McDonnell's proposal to capitalize a transportation infrastructure bank with \$150 million from the general fund, while the Senate did not. The two budgets also differed over several issues, including: funding for K-12, HB 599, CSA, local juvenile crime control, and local social services offices; VRS contributions for teachers and local government employees; local economic development efforts; upgrades to locally-owned public wastewater treatment plants, and deposits to the Rainy Day Fund.

### **Budget Conference Report**

Going into overtime by one day, the 2011 GA approved the 2010-2012 biennium budget conference agreement unanimously in both houses. In general, both sides achieved victories in key areas. The House prevailed in largely reversing the Accelerated Sales Tax for 80 percent of dealers and providing an additional payment of \$64 million to the state's Rainy Day Fund, while the Senate prevailed in providing more funding for core services, including \$75 million for K-12, \$22.6 million for sheriffs, \$12.4 million for HB 599, filling 21 vacant judge seats, and additional funding to restore Medicaid waiver slots, respite care

hours and other community-based services for those with intellectual disabilities and mental illness. The House trumpeted the lack of tax and fee increases in the budget, and eliminated funding for non-state agencies (resulting from a recent Attorney General's opinion that such funding is unconstitutional), while the Senate ensured that the state will continue to provide funding, although reduced, for public radio and television. The budget also includes \$30 million for the Behavioral Health and Developmental Services Trust Fund, to help transition people with severe intellectual disabilities out of state-operated institutions and into community-based care, in response to a scathing report about the conditions of Virginia's facilities by the US Department of Justice.

The Governor was successful with some of his budget proposals, but not with others. The adopted budget provides additional funding for higher education, including \$13 million to increase financial aid for in-state students and funding for science, math and technology initiatives. The budget also includes \$250 million from a VDOT audit for the newly formed Virginia Transportation Infrastructure Bank (VTIB), but only deposits about \$33 million in surplus revenue, the amount required by current statute, rather than the \$150 million the Governor requested.

And, in the midst of national debate about public employees and their benefits, the budget requires state employees to begin making annual payments to their retirement fund for the first time since 1983, but eased the pain of this by agreeing to give employees an offsetting 5 percent pay raise, their first increase in four years. The budget did not, however, include a defined-benefit plan for state employees, as was discussed, and was silent on the issue of how/when/should local school divisions deal with the employee share of retirement costs for teachers (most school divisions in Virginia pay both the employer and employee share of VRS for teachers).

Overall, the budget was better than expected for local governments, finally beginning the process of restoring the state and local partnership that is so critical to the provision and delivery of services throughout the Commonwealth. However, the massive reductions in recent years, coupled with state efforts to further shift responsibilities and costs to localities in numerous areas, continue to be significant concerns. If the state is, in fact, in the midst of an economic recovery and revenues are increasing, it is essential that funding restorations for shared services receive the highest priority as new funds become available, in order to rebalance the state's resources and responsibilities.





**FAIRFAX COUNTY  
LEGISLATIVE SUMMARY**

***2011 GENERAL ASSEMBLY***

February 28, 2011

# Fairfax County Legislative Summary 2011 General Assembly

## Board of Supervisors Report Key

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

Bill No. – Patron, (District No.)  
 Bill Title

Committee/Floor  
 Actions

**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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<b><i>Fairfax County Initiatives</i></b> <b><i>(Bills Introduced at Fairfax County's Pages 26-28</i></b> <b><i>Request) :</i></b>	
<a href="#">HB 1633</a> Del. Watts (39)	Financial exploitation of elderly or vulnerable adults; penalty.
<a href="#">HB 2203</a> Del. Comstock (34)	Allocation of revenue-sharing funds; removes priority structure to localities.
<a href="#">SB 1078</a> Sen. Barker (39)	Child care; administration of certain medicines of those regulated by local government.
<a href="#">SB 1325</a> Sen. Herring (33)	Financial exploitation of elderly or vulnerable adults; penalty.
<b><i>Fairfax County Positions</i></b> <span style="float: right;"><b><i>Pages 29-33</i></b></span> <b><i>(Oppose or Amend) :</i></b>	
<a href="#">HB 1399</a> Del. Janis (56)	Virginia Fraud Against Taxpayers Act; waiver of sovereign immunity.
<a href="#">HB 1974</a> Del. Robinson (27)	Professional & Occupational Regulation, Department of; prerequisites for obtaining business license.
<a href="#">HB 1981</a> Del. Greason (32)	Traffic lights; motorcycle drivers, etc., in certain situations, to proceed through intersections.
<a href="#">HB 2161</a> Del. Iaquinto (84)	Eminent domain; condemnor is required to provide an appraisal to owner of condemned property.
<a href="#">HJ 693</a> Del. Joannou (79)	Constitutional amendment; taking or damaging of private property for public use (first reference).
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<a href="#">SB 1204</a> Sen. Obenshain (26)	Cash proffers; allows an award of fees, etc., to prevailing party when contesting certain actions.
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<a href="#">HB 1432</a> Del. Greason (32)	HOV lanes; use by vehicle with clean special fuel license plates.
<a href="#">HB 1437</a> Del. Cole (88)	BPOL tax; localities to decide to impose on business gross receipts or State taxable income.
<a href="#">HB 1507</a> Del. Cole (88)	Primary schedule in 2011; moves primary date to August 23, 2011, in anticipation of redistricting.
<a href="#">HB 1522</a> Del. Landes (25)	Water and waste authorities; eminent domain powers.

<a href="#">HB 1526</a> Del. Greason (32)	Real property tax appeal; information regarding income and expenses of income-producing property.
<a href="#">HB 1587</a> Del. Iaquinto (84)	Business license incentive program; Cities of Va. Beach & Chesapeake may establish for businesses.
<a href="#">HB 1588</a> Del. Iaquinto (84)	Real property tax assessments; appeals.
<a href="#">HB 1645</a> Del. O'Bannon, III (73)	Real property tax; exemption for disabled veterans.
<a href="#">HB 1679</a> Del. Bell (20)	Comprehensive Services for At-Risk Youth & Families, State Executive Council for; powers and duties.
<a href="#">HB 1737</a> Del. Bulova (37)	Stormwater management systems; local regulation.
<a href="#">HB 1831</a> Del. Scott (30)	Fertilizer; regulation of application and labeling.
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<a href="#">HB 1877</a> Del. Filler-Corn (41)	Immunity of officer, etc., of nonprofit organizations; shall survive termination, cancellation, etc.
<a href="#">HB 1899</a> Del. Hugo (40)	Real property tax assessment; partial exemption for certain improvements.
<a href="#">HB 1900</a> Del. Hugo (40)	Compton Road; designating as Virginia byway in Fairfax County.
<a href="#">HB 1984</a> Del. Kilgore (1)	Child welfare; placement of children.
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<a href="#">HB 2022</a> Del. May (33)	Overweight vehicles; Commissioner of DMV to develop comprehensive, tiered schedule for fees, etc.
<a href="#">HB 2038</a> Del. Peace (97)	Cigarette tax; Tax Commissioner shall convene a working group to review current policies, report.
<a href="#">HB 2100</a> Del. Bulova (37)	Child care facility; some localities require certification from national criminal background check.
<a href="#">HB 2105</a> Del. Bulova (37)	Electric vehicle charging service; excludes certain persons from retail sale of electricity.
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<a href="#">HB 2278</a> Del. Keam (35)	Real estate tax; relief for elderly and permanently and totally disabled.
<a href="#">HJ 648</a> Del. Plum (36)	Uniform Statewide Building Code; DHCD, et al., to study feasibility of amendments, etc.
<a href="#">SB 762</a> Sen. Puller (36)	Emergency vehicles; proceeding past red lights.
<a href="#">SB 784</a> Sen. Watkins (10)	Affordable housing; assessments of real property.

<a href="#">SB 785</a> Sen. Watkins (10)	Real property tax assessment; partial exemption for certain improvements.
<a href="#">SB 841</a> Sen. Petersen (34)	Immunity of officers, etc., of nonprofit organizations; termination, etc., of corporation.
<a href="#">SB 844</a> Sen. Petersen (34)	Warrants; authorizes local governments to regularly publish information relating thereto.
<a href="#">SB 862</a> Sen. Wagner (7)	Commonwealth Energy Policy; local renewable energy facility siting ordinances.
<a href="#">SB 987</a> Sen. Puller (36)	Real property tax; exemption for disabled veterans.
<a href="#">SB 1007</a> Sen. Watkins (10)	Permit fees for solid waste facilities; establishes same fee structure for sanitary landfills, etc.
<a href="#">SB 1038</a> Sen. Barker (39)	Foster care; allows child placed in care to remain at his original school.
<a href="#">SB 1055</a> Sen. Stuart (28)	Fertilizer; regulation of application and labeling, report.
<a href="#">SB 1073</a> Sen. Barker (39)	Real estate tax relief; for the elderly and permanently and totally disabled.
<a href="#">SB 1085</a> Sen. Hanger, Jr. (24)	Cigarette tax; Tax Commissioner shall convene a working group to review current policies, report.
<a href="#">SB 1099</a> Sen. Hanger, Jr. (24)	Stormwater nonpoint nutrient offsets; establish priorities to be used by permit issuing authorities.
<a href="#">SB 1112</a> Sen. Miller (5)	Metropolitan Planning Organizations (MPOs); duties and responsibilities.
<a href="#">SB 1171</a> Sen. Marsden (37)	Comprehensive Services for At-Risk Youth & Families, State Executive Council for; powers and duties.
<a href="#">SB 1178</a> Sen. Marsden (37)	Child welfare; placement of children.
<a href="#">SB 1206</a> Sen. Obenshain (26)	Traffic impact analysis; removes certain requirements.
<a href="#">SB 1226</a> Sen. Petersen (34)	Commissioners of the revenue; powers and duties.
<a href="#">SB 1339</a> Sen. Puller (36)	Urban development areas; population projections.
<a href="#">SB 1340</a> Sen. Puller (36)	Elections; acquisition of voting equipment by localities.
<a href="#">SB 1350</a> Sen. Norment, Jr. (3)	Real property tax assessments; appeals.
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<a href="#">SJ 297</a> Sen. Miller (5)	Transit-related issues; Department of Rail and Public Transportation to study those in State.
<a href="#">SJ 334</a> Sen. Whipple (31)	Chesapeake Bay Watershed Nutrient Credit Exchange Program; Secretary of Natural Resources to study.

## ***Fairfax County Positions***

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### ***Legislation No Longer Under Consideration***

***Pages 64-94***

***(Killed, Failed to Report, Tabled,  
Incorporated into Other Legislation,  
etc.) :***

<a href="#">HB 1431</a> Del. Albo (42)	Recordation tax; reduces state tax on deeds of trust.
<a href="#">HB 1510</a> Del. Scott (53)	Pawnbrokers & precious metals dealers; records required to be maintained, daily electronic reports.
<a href="#">HB 1528</a> Del. Bell (20)	Precious metals dealers; required to prepare daily reports.
<a href="#">HB 1539</a> Del. LeMunyon (67)	Tolls on Dulles Toll Road and Dulles Greenway; requires advance approval by local government, etc.
<a href="#">HB 1545</a> Del. Kory (38)	Smoking; prohibition on grounds of public elementary, intermediate, and secondary schools.
<a href="#">HB 1561</a> Del. Cole (88)	Zoning administrator; appeal of decisions.
<a href="#">HB 1589</a> Del. Iaquinto (84)	DUI ignition interlock; limitations on driver convicted of DUI.
<a href="#">HB 1632</a> Del. Watts (39)	TANF; eligibility of assistance when convicted of drug-related felonies.
<a href="#">HB 1636</a> Del. Purkey (82)	Intangible personal property tax; classification of certain machinery and tools.
<a href="#">HB 1676</a> Del. Englin (45)	Sales tax registration; allows dealers to register with local commissioner of revenue.
<a href="#">HB 1683</a> Del. Toscano (57)	Motor vehicles; passing of bicycles, etc.
<a href="#">HB 1721</a> Del. Marshall (13)	Urban development areas; makes incorporation of areas optional rather than mandatory.
<a href="#">HB 1722</a> Del. Marshall (13)	Freedom of Information Act; designation of records, penalties for certain violations.
<a href="#">HB 1801</a> Del. Surovell (44)	Transportation Board; changes composition.
<a href="#">HB 1834</a> Del. Scott (30)	Statewide Fire Prevention Code; permissible fireworks.
<a href="#">HB 1846</a> Del. Athey, Jr. (18)	Neighborhood Assistance Program; definition of professional services to include mediators.
<a href="#">HB 1865</a> Del. Cole (88)	Transportation districts; membership by portions of counties, etc., collection of motor fuels taxes.
<a href="#">HB 1866</a> Del. Cole (88)	Real estate tax relief; local government may cap taxes of elderly and disabled.
<a href="#">HB 1879</a> Del. Filler-Corn (41)	School zones; designation of zones in unincorporated planned residential communities.
<a href="#">HB 1908</a>	Recordation and grantor taxes; changes basis on which taxes are

Del. Miller (50) calculated on property conveyance.  
[HB 1956](#) Trespassing vehicles; regulation of removal by localities.  
Del. Rust (86)  
[HB 1999](#) Northern Virginia Transportation District; revises criteria for  
Del. LeMunyon (67) allocation of revenues.  
[HB 2000](#) Washington Metropolitan Area Transit Authority board of directors;  
Del. LeMunyon (67) appointments.  
[HB 2016](#) Northern VA Transportation Authority, Northern VA Transportation  
Del. Albo (42) Commission, etc.; consolidation.  
[HB 2039](#) Construction management; limits use of at-risk method for building  
Del. Cox (55) construction projects.  
[HB 2110](#) Eminent domain; just compensation, restricted access to property.  
Del. Armstrong (11)  
[HB 2154](#) Virginia Initiative for Employment Not Welfare Program (VIEW);  
Del. Cline (24) eligibility.  
[HB 2194](#) Motor vehicles; passing of bicycles, etc.  
Del. Ebbin (49)  
[HB 2232](#) Personal property tax; valuation of motor vehicles.  
Del. Anderson (51)  
[HB 2238](#) Prince William County Metrorail Improvement District; created.  
Del. Torian (52)  
[HB 2262](#) Green Public Buildings Act; definitions, building standards.  
Del. Morgan (98)  
[HB 2287](#) Nonhazardous solid waste management facilities; annual fee.  
Del. Sickles (43)  
[HB 2327](#) Photo monitoring systems; limitations on local adoption of systems.  
Del. Lingamfelter  
(31)  
[HB 2371](#) Real property tax assessment; notice to be published in newspaper  
Del. Edmunds, II 30 to 45 days prior.  
(60)  
[HB 2398](#) Treasurer; collection of local taxes.  
Del. Joannou (79)  
[HB 2399](#) Snow and ice; requires operators to remove from their vehicles,  
Del. Ward (92) penalty.  
[HB 2418](#) Virginia Railway Express; passenger surcharge when boarding in  
Del. Pollard, Jr. (99) Cities of Manassas and Manassas Park.  
[HB 2452](#) Virginia Tort Claims Act; abolishes sovereign immunity up to  
Del. Alexander (89) maximum limits of statutory cap.  
[HB 2482](#) Animal care; enforcement procedures and standards related to  
Del. Ware, Jr. (65) animal cruelty.  
[HB 2492](#) Onsite sewage systems; certain owners may be exempt from  
Del. Hugo (40) requirements for operation and maintenance.  
[HB 2497](#) Towing and Recovery Operators, Board of; abolishes Board.  
Del. Barlow (64)  
[HB 2500](#) Omnibus Citizen Bill of Rights; created.  
Del. Armstrong (11)  
[HB 2503](#) Governor's Transportation Regulatory Review Commission; created.

Del. Cosgrove (78)  
[HJ 539](#)  
 Del. Cole (88) Constitutional amendment; imposition of taxes and fees by General Assembly or local governing body.

[HJ 540](#)  
 Del. Cole (88) Constitutional amendment; state and local budgets, limits on appropriations.

[HJ 603](#)  
 Del. Surovell (44) U.S. Route 1 Corridor; joint subcommittee to study creation of Corridor.

[HJ 604](#)  
 Del. Surovell (44) Constitutional amendment; repeal of state law or regulation by localities (first reference).

[HJ 615](#)  
 Del. Janis (56) Constitutional amendment; restriction on contents of bill or law that appropriates funds.

[HJ 621](#)  
 Del. May (33) Cell phone; Virginia Tech Transportation Institute to study disincentives for use in motor vehicles.

[HJ 647](#)  
 Del. Bell (58) Constitutional amendment; taking or damaging of private property for public use (first reference).

[HJ 669](#)  
 Del. Bulova (37) Plug-in electric vehicles; Governor to appoint an interagency task force to study use thereof.

[SB 768](#)  
 Sen. Marsden (37) School zones; designation of zones in certain residential communities.

[SB 780](#)  
 Sen. Reynolds (20) Recordation and grantor taxes; expands reduced tax accorded to deeds of trust.

[SB 781](#)  
 Sen. Reynolds (20) VIEW; screening and assessment for use of illegal substances.

[SB 797](#)  
 Sen. Locke (2) Human Rights Act; adds sexual orientation to definition of unlawful discriminatory practice.

[SB 838](#)  
 Sen. Petersen (34) Debt secured by deed of trust; recordation of certificate of assignment.

[SB 842](#)  
 Sen. Petersen (34) Humane investigators; appointment.

[SB 845](#)  
 Sen. Petersen (34) Local officials; shall not be questioned on any legislative speech, etc., without leave of court.

[SB 913](#)  
 Sen. McDougale (4) Chief Executive Officer for Transportation; replaces Transportation Commissioner, etc.

[SB 928](#)  
 Sen. McDougale (4) Motor vehicles; passing of bicycles, etc.

[SB 947](#)  
 Sen. Howell (32) Primary schedule in 2011; moves primary date to September 13, 2011 in anticipation of redistricting.

[SB 949](#)  
 Sen. Howell (32) Elections; qualified voters may vote absentee in person without providing an excuse or reason.

[SB 978](#)  
 Sen. Whipple (31) FAMIS Plan; eligibility.

[SB 1018](#)  
 Sen. Puckett (38) Vehicle race; raises penalty for causing death of another person while engaging.

[SB 1030](#)  
 Sen. Barker (39) Primaries; state will reimburse localities for costs of statewide and federal elections.

[SB 1034](#)  
 Sen. Barker (39) HOV lanes; use by vehicle with clean special fuel license plates.



<a href="#">SB 1035</a> Sen. Barker (39)	Open container of alcohol; passenger in motor vehicle shall not possess, civil penalty.
<a href="#">SB 1042</a> Sen. Barker (39)	Handheld personal communications device; texting while driving.
<a href="#">SB 1047</a> Sen. Barker (39)	Driver's license holders, provisional; makes cell phone use while driving a primary offense.
<a href="#">SB 1048</a> Sen. Barker (39)	HOT lane construction contracts; requirements for minimum average speed for vehicles using facility.
<a href="#">SB 1118</a> Sen. McEachin (9)	DUI ignition interlock; person convicted is required to have on first offense, restricted license.
<a href="#">SB 1158</a> Sen. Quayle (13)	Primary schedule in 2011; moves primary date to September 13, 2011 in anticipation of redistricting.
<a href="#">SB 1167</a> Sen. Marsden (37)	HOT lanes; when a vehicle crashes on certain interstates, driver must move to nearest pull-off area.
<a href="#">SB 1179</a> Sen. Marsden (37)	Trespassing vehicles; regulation of removal by localities.
<a href="#">SB 1248</a> Sen. Vogel (27)	Passing a stopped school bus; punishes as reckless driving.
<a href="#">SB 1277</a> Sen. Obenshain (26)	Onsite treatment works; Department of Health oversight of requirements for review.
<a href="#">SB 1329</a> Sen. Herring (33)	Highway revenue sharing construction funds; removes \$1 million cap.
<a href="#">SB 1342</a> Sen. Norment, Jr. (3)	Uniform Statewide Building Code; buildings used by fraternal organizations.
<a href="#">SB 1351</a> Sen. Norment, Jr. (3)	Wireless telecommunications devices; prohibits answering a call unless in hands-free mode.
<a href="#">SB 1358</a> Sen. Stosch (12)	Real property tax; exemption for disabled veterans.
<a href="#">SB 1370</a> Sen. Blevins (14)	Highway rumble strips; requires installation along all highways with speed limits of 55 mph or more.
<a href="#">SB 1397</a> Sen. Colgan (29)	Homeowners' associations; funds for highway maintenance to be distributed.
<a href="#">SB 1467</a> Sen. Edwards (21)	Freedom of Information Act; criminal investigative records.
<a href="#">SJ 307</a> Sen. Obenshain (26)	Constitutional amendment; taking of private property for public use (first reference).

# *Fairfax County Initiatives*

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

Bills	General Assembly Actions	Date of BOS Position
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<p><a href="#">HB 1633</a> - Watts (39) Financial exploitation of elderly or vulnerable adults; penalty.</p>	<p>1/10/2011 House: Referred to Committee for Courts of Justice 2/8/2011 House: Left in Courts of Justice</p>	<p><b>12/7/2010</b></p>
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**Initiate** (11101883D)  
**Summary:** Provides that it is a Class 5 felony to knowingly, by deception, intimidation, undue influence, coercion, harassment, duress, or misrepresentation, use, obtain, convert, or take control of an elderly or vulnerable adult’s property or financial resources with the intent to temporarily or permanently deprive the adult of the use, benefit, or possession of the property or financial resources. If the violation is by a caregiver or person with a fiduciary relationship it is a Class 3 felony.

<p><a href="#">HB 2203</a> - Comstock (34) Allocation of revenue-sharing funds; removes priority structure to localities.</p>	<p>1/12/2011 House: Referred to Committee on Transportation 1/20/2011 House: Subcommittee recommends incorporating (HB2021-May) by voice vote 1/25/2011 House: Incorporated by Transportation (HB2021-May) by voice vote, which was incorporated into HB 2527 (Howell, W.J.) by voice vote.</p>	<p><b>12/7/2010</b></p>
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**Initiate** (11101885D)  
**Summary:** Allocation of revenue-sharing funds. Removes the priority structure for allocation of revenue-sharing funds to localities. This bill was incorporated into HB 2021.

<p><a href="#">SB 1078</a> - Barker (39) Child care; administration of certain medicines of those regulated by local government.</p>	<p>1/11/2011 Senate: Referred to Committee on Education and Health 1/20/2011 Senate: Reported from Education and Health (13-Y 0-N) 1/25/2011 Senate: Passed Senate (39-Y 0-N) 2/7/2011 House: Referred to Committee on Health, Welfare and Institutions 2/15/2011 House: Reported from Health, Welfare and Institutions (20-Y 0-N) 2/17/11 House: Passed House with amendment (98-Y 0-N) 2/21/2011 Senate: House amendment agreed to by Senate (40-Y 0-N) 2/25/2011 Senate: Enrolled 2/25/2011 House: Signed by Speaker 2/25/2011 Senate: Signed by President</p>	<p><b>12/7/2010</b></p>
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**Initiate** (11101882D)  
**Summary:** Allows the employees of a child care regulated by a local government to administer medication to a child if such employee (i) has satisfactorily completed a training program for this purpose approved by the Board of Nursing and taught by a registered nurse, licensed practical nurse, doctor of medicine or osteopathic medicine, or pharmacist; (ii) has obtained written authorization from a parent or guardian; (iii) administers drugs only to the child identified on the prescription label in accordance with the prescriber's instructions

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

Bills	General Assembly Actions	Date of BOS Position
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pertaining to dosage, frequency, and manner of administration; and (iv) administers only those drugs that were dispensed from a pharmacy and maintained in the original, labeled container that would normally be administered by a parent or guardian to the child.

<p><b>SB 1325</b> - Herring (33) Financial exploitation of elderly or vulnerable adults; penalty.</p>	<p>1/12/2011 Senate: Referred to Committee for Courts of Justice 1/20/2011 Criminal Subcommittee recommended the bill be passed by indefinitely. 1/24/2011 Senate: Passed by indefinitely in Courts of Justice (13-Y 1-N)</p>	<p><b>12/7/2010</b></p>
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**Initiate** (11102397D)  
**Summary:** Provides that it is a Class 5 felony to knowingly, by deception, intimidation, undue influence, coercion, harassment, duress, or misrepresentation, use, obtain, convert, or take control of an elderly or vulnerable adult's property or financial resources with the intent to temporarily or permanently deprive the adult of the use, benefit, or possession of the property or financial resources. If the violation is by a caregiver or person with a fiduciary relationship it is a Class 3 felony.

*Fairfax County Positions*  
*(Oppose or Amend)*

\* \* \*

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 1399</a> - Janis (56) Virginia Fraud Against Taxpayers Act; waiver of sovereign immunity.</p>	<p>7/22/2010 House: Referred to Committee for Courts of Justice 1/19/2011 House: Reported from Courts of Justice with amendments (22-Y 0-N) 1/25/2011 House: VOTE: PASSAGE (99-Y 0-N) 1/26/2011 Senate: Referred to Committee for Courts of Justice 2/21/2011 Senate: Reported from Courts of Justice with amendments (15-Y 0-N) 2/24/2011 Senate: Passed Senate with amendments (39-Y 0-N) 2/24/2011 House: Senate amendments agreed to by House (90-Y 0-N)</p>	<p><b>1/25/2011</b></p>
<p><b>Oppose</b> (11100012D) - Recent amendments improve the bill, but employees will still be able to pursue two separate avenues of recovery and may even opt to file suit in court and totally disregard the grievance procedure. <b>Summary:</b> Provides that the Virginia Fraud Against Taxpayers Act expressly waives sovereign immunity and creates a cause of action for an employee of the Commonwealth, its agencies, or any political subdivision against such entity if an adverse employment action is taken against the employee by his employer because the employee has opposed any practice by his employer prohibited by the Act or participated in an investigation, action, or hearing under the Act. This bill is in response to the Virginia Supreme Court's decision in Ligon v. Goochland, 279 Va. 312 (2010).</p>		
<p><a href="#">HB 1974</a> - Robinson (27) Professional &amp; Occupational Regulation, Department of; prerequisites for obtaining business license.</p>	<p>1/11/2011 House: Referred to Committee on General Laws 1/27/2011 House: Reported from General Laws with amendments (22-Y 0-N) 2/2/2011 House: VOTE: PASSAGE (98-Y 0-N) 2/3/2011 Senate: Referred to Committee on General Laws and Technology 2/9/2011 Senate: Reported from General Laws and Technology with amendments (13-Y 1-N) 2/14/2011 Senate: Passed Senate with amendments (38-Y 2-N) 2/16/2011 House: Senate amendments agreed to by House (97-Y 0-N) 2/22/2011 House: Enrolled 2/22/2011 House: Signed by Speaker 2/23/2011 Senate: Signed by President</p>	<p><b>1/25/2011</b></p>
<p><b>Oppose</b> (11100346D) - Board last year opposed linkage of BPOL taxation and DPOR licensure. <b>Summary:</b> Requires any architect or professional engineer applying for or renewing a business license in any locality to furnish prior to the issuance or renewal of the business license either (i) satisfactory proof that he is duly licensed or (ii) a written statement, supported by an affidavit, that he is not subject to licensure as an architect or engineer. The bill also prohibits any locality from issuing or renewing a business license unless the</p>		

**Bold** – Indicates BOS formal action

[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
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architect or professional engineer has furnished his license number or evidence of being exempt from licensure.

**HB 1981** - Greason (32)  
Traffic lights; motorcycle drivers, etc., in certain situations, to proceed through intersections.

1/11/2011 House: Referred to Committee on Transportation  
1/20/2011 House: Reported from Transportation with substitute (17-Y 5-N)  
1/25/2011 House: VOTE: PASSAGE (75-Y 24-N)  
1/26/2011 Senate: Referred to Committee on Transportation  
2/17/2011 Senate: Reported from Transportation with amendment (15-Y 0-N)  
2/22/2011 Senate: Passed Senate with amendment (40-Y 0-N)  
2/23/2011 House: Senate amendment agreed to by House (87-Y 11-N)

**1/25/2011**

**Oppose** (11103222D) - Board has historically opposed.  
**Summary:** Allows motorcycle and moped drivers and bicycle riders, in certain situations, to proceed through intersections controlled by traffic lights showing steady red signals. This bill incorporates HB 1991.

**HB 2161** - Iaquinto (84)  
Eminent domain; condemnor is required to provide an appraisal to owner of condemned property.

1/12/2011 House: Referred to Committee for Courts of Justice  
1/26/2011 House: Subcommittee recommends reporting with amendment(s) (10-Y 0-N)  
1/31/2011 House: Reported from Courts of Justice with substitute (22-Y 0-N)  
2/4/2011 House: Passed House (98-Y 0-N)  
2/7/2011 Senate: Referred to Committee for Courts of Justice  
2/9/11 Senate: Reported from Courts of Justice (15-Y 0-N)  
2/14/2011 Senate: Passed Senate (40-Y 0-N)  
2/17/2011 House: Enrolled  
2/17/2011 House: Signed by Speaker  
2/20/2011 Senate: Signed by President

**1/25/2011**

**Oppose** (11103741D) - This bill imposes major changes to current law governing fee simple acquisition of real property by eminent domain, including the requirement that if a parcel has not been put to the use for which it was condemned or if construction has not commenced on that parcel within 20 years of acquisition, the original landowner or heirs will have a right to repurchase the property.

**Summary:** Eminent domain; procedures. Provides that if a condemnor is required to provide an appraisal to the owner of property sought to be condemned, the condemnor must provide copies of all appraisals that the condemnor obtained prior to making an offer to acquire or initiating negotiations for the property. The bill also makes changes to the procedure for offering to sell condemned property back to the former owner to clarify when such an offer is required to be made and how such an offer is communicated to the former owner. The bill also provides that certain definitions in certain chapters of Title 25.1 (Eminent Domain) apply to the entire title. The provisions of the bill do not apply to the acquisition of real property by a railroad, public service

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

<b>Bills</b>	<b>General Assembly Actions</b>	<b>Date of BOS Position</b>
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corporation, municipal corporation, local governmental unit, or political subdivision of the Commonwealth, or any department, agency, or instrumentality thereof, or a combination of two or more such entities, that is (i) the subject of a certificate recorded prior to July 1, 2011, (ii) the subject of a petition for condemnation filed prior to July 1, 2011, or (iii) required to construct a project funded by bonds approved for issuance by a locality prior to July 1, 2011. This bill is identical to SB 1436.

<p><b>HJ 693</b> - Joannou (79) Constitutional amendment; taking or damaging of private property for public use (first reference).</p>	<p>1/17/2011 House: Referred to Committee on Privileges and Elections 2/4/2011 House: Reported from Privileges and Elections with substitute (17-Y 2-N) 2/8/2011 House: VOTE: ADOPTION (81-Y 18-N) 2/9/2011 Senate: Referred to Committee on Privileges and Elections 2/15/2011 Senate: Reported from Privileges and Elections with substitute (8-Y 7-N) 2/22/2011 Senate: Agreed to by Senate with substitute with amendments (31-Y 8-N) 2/22/2011 Senate: Reconsidered; agreed to by Senate with substitute with amendments (35-Y 5-N)</p>	<p><b>1/25/2011</b></p>
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**Oppose** (11103856D) - Board has historically opposed.  
**Summary:** Revises the prohibition on the enactment by the General Assembly of laws whereby private property may be taken or damaged. An existing provision authorizing the General Assembly to define what constitutes a public use is removed. The proposed amendment provides that private property can be taken or damaged only for a public use, only with just compensation to the owner, and only so much taken as is necessary for the public use. Just compensation must equal or exceed the value of the property taken, lost profits and lost access, and damages to the residue caused by the taking. A public service company, public service corporation, or railroad exercises the power of eminent domain for public use when such exercise is for the authorized provision of utility, common carrier, or railroad services. In all other cases, a taking or damaging of private property is not for public use if the primary use is for private gain, private benefit, private enterprise, increasing jobs, increasing tax revenue, or economic development, except for the elimination of a public nuisance existing on the property. The condemnor bears the burden of proving that the use is public, without a presumption that it is. This resolution incorporates HJR 498, HJR 515, and HJR 647.

**Bold** – Indicates BOS formal action  
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Bills	General Assembly Actions	Date of BOS Position
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<p><a href="#">SB 757</a> - Reynolds (20) Pneumatic guns; regulations, exceptions.</p>	<p>12/7/2010 Senate: Referred to Committee on Local Government 1/25/2011 Senate: Reported from Local Government with amendment (9-Y 6-N) 2/1/2011 Senate: Passed Senate (25-Y 14-N) 2/7/2011 House: Referred to Committee on Militia, Police and Public Safety 2/18/2011 House: Reported from Militia, Police and Public Safety (17-Y 3-N) 2/22/2011 House: VOTE: PASSAGE (78-Y 18-N)</p>	<p><b>1/25/2011</b></p>
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**Oppose** (11100439D) - Board has historically opposed.  
**Summary:** Pneumatic gun regulations; exceptions. Requires that any ordinance which prohibits the shooting of pneumatic guns in certain areas shall have, among its exceptions, an exception to allow the firearm to be discharged on private property with permission of the owner when discharge is conducted with reasonable care to prevent a projectile from crossing the bounds of the property.

<p><a href="#">SB 1204</a> - Obenshain (26) Cash proffers; allows an award of fees, etc., to prevailing party when contesting certain actions.</p>	<p>1/12/2011 Senate: Referred to Committee on Local Government 1/18/2011 Senate: Reported from Local Government with amendment (15-Y 0-N) 1/24/2011 Senate: Passed Senate (34-Y 4-N) 2/7/2011 House: Referred to Committee on Counties, Cities and Towns 2/10/2011 House: Subcommittee recommends reporting with amendment(s) (10-Y 0-N) 2/11/2011 House: Reported from Counties, Cities and Towns with amendment (19-Y 3-N) 2/16/2011 House: VOTE: PASSAGE (79-Y 18-N) 2/18/2011 Senate: House amendment agreed to by Senate (40-Y 0-N) 2/24/2011 Senate: Enrolled 2/24/2011 House: Signed by Speaker 2/24/2011 Senate: Signed by President</p>	<p><b>1/25/2011</b></p>
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**Oppose** (11103350D) - Board has historically opposed.  
**Summary:** Cash proffers; court costs. Allows for an award of fees, expenses, and court costs to any party who prevails when contesting an action in conflict with the provisions of §15.2-2303.1:1. The sunset provision on this legislation is extended from July 1, 2014, to July 1, 2015.

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

***Fairfax County Positions***  
***(Support or Monitor)***

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 1407</a> - Janis (56) Underage drinking and driving; punishable as Class 1 misdemeanor.</p>	<p>9/8/2010 House: Referred to Committee for Courts of Justice 2/2/2011 House: Subcommittee recommends reporting (8-Y 0-N) 2/4/2011 House: Reported from Courts of Justice (21-Y 0-N) 2/8/2011 House: VOTE: PASSAGE (99-Y 0-N) 2/9/2011 Senate: Referred to Committee for Courts of Justice 2/14/2011 Senate: Reported from Courts of Justice (13-Y 0-N) 2/16/2011 Senate: Passed Senate (40-Y 0-N) 2/22/2011 House: Enrolled 2/22/2011 House: Signed by Speaker 2/23/2011 Senate: Signed by President</p>	<p><b>1/25/2011</b></p>

**Support** (11100263D)

**Summary:** Provides that "zero tolerance" (0.02% BAC) underage drinking and driving is punishable as a Class 1 misdemeanor. Currently, the punishment is loss of license for six months and a fine of no more than \$500. This bill provides that the punishment must include forfeiture of such person's license to operate a motor vehicle for a period of one year from the date of conviction and either a mandatory minimum fine of \$500 or 50 hours of community service. This bill is identical to SB 770.

<p><a href="#">HB 1425</a> - Albo (42) Taxes, local; collection.</p>	<p>10/28/2010 House: Referred to Committee on Finance 1/26/2011 House: Subcommittee recommends reporting with amendment(s) (8-Y 0-N) 2/2/2011 House: Reported from Finance with amendments (19-Y 2-N) 2/8/2011 House: VOTE: PASSAGE (92-Y 7-N) 2/9/2011 Senate: Referred to Committee on Finance 2/16/2011 Senate: Reported from Finance with substitute (11-Y 3-N 1-A) 2/18/11 Senate: Passed Senate with substitute (33-Y 7-N) 2/22/2011 House: Senate substitute agreed to by House (90-Y 6-N)</p>	<p><b>1/25/2011</b></p>
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**Support** (11100559D)

**Summary:** Reduces the period of nonpayment of taxes, from six months to three months, before sheriffs or private collector agents may be used to collect delinquent local taxes. The bill also removes the exclusion of real estate taxes from the local taxes that treasurers may refer to private collection agents for collection.

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

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 1432</a> - Greason (32) HOV lanes; use by vehicle with clean special fuel license plates.</p>	<p>11/3/2010 House: Referred to Committee on Transportation 1/20/2011 House: Subcommittee recommends reporting (5-Y 0-N) 1/25/2011 House: Reported from Transportation with substitute (22-Y 0-N) 1/31/2011 House: VOTE: PASSAGE (90-Y 8-N) 2/1/2011 Senate: Referred to Committee on Transportation 2/17/11 Senate: Reported from Transportation (11-Y 4-N) 2/22/2011 Senate: Passed Senate (26-Y 14-N)</p>	<p><b>1/25/2011</b></p>
<p><b>Support</b> (11100423D) - See also SB 1034 (Barker). <b>Summary:</b> Extends until July 1, 2012, the sunset on use of HOV lanes by clean special fuel vehicles, regardless of the number of occupants. This bill incorporates HB 1754.</p>		
<p><a href="#">HB 1437</a> - Cole (88) BPOL tax; localities to decide to impose on business gross receipts or State taxable income.</p>	<p>11/8/2010 House: Referred to Committee on Finance 1/19/2011 House: Subcommittee recommends reporting (8-Y 1-N) 1/24/2011 House: Reported from Finance (20-Y 2-N) 1/27/2011 House: VOTE: PASSAGE (94-Y 5-N) 1/28/2011 Senate: Referred to Committee on Finance 2/9/2011 Senate: Reported from Finance (13-Y 0-N) 2/11/2011 Senate: Recommitted to Finance 2/15/2011 Senate: Reported from Finance with amendments (14-Y 1-N) 2/18/2011 House: Senate amendments agreed to by House (93-Y 1-N) 2/24/2011 House: Enrolled 2/24/2011 House: Signed by Speaker 2/26/2011 Senate: Signed by President</p>	<p><b>2/11/2011</b> <del>1/25/2011</del></p>
<p><b>Monitor</b> (11100638D) <del><b>Oppose</b> (11100638D)</del> Governor's Jobs Commission has recommended a study of the BPOL tax over the next year. <b>Summary:</b> Business, professional and occupational license tax; gross receipts or Virginia taxable income. Allows localities to decide whether to impose the BPOL tax on a business's gross receipts or its Virginia taxable income. The provisions of the bill would not apply to certain utility businesses.</p>		

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

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#"><b>HB 1507</b></a> - Cole (88) Primary schedule in 2011; moves primary date to August 23, 2011, in anticipation of redistricting.</p>	<p>12/17/2010 House: Referred to Committee on Privileges and Elections 1/14/2011 House: Reported from Privileges and Elections with substitute (21-Y 0-N) 1/19/2011 House: VOTE: PASSAGE (95-Y 0-N) 1/20/2011 Senate: Referred to Committee on Privileges and Elections 1/25/2011 Senate: Reported from Privileges and Elections (15-Y 0-N) 1/28/2011 Senate: Passed Senate (39-Y 0-N) 1/31/2011 House: Enrolled 1/31/2011 House: Signed by Speaker 2/1/2011 Senate: Signed by President 2/11/2011 House: House concurred in Governor's recommendation (96-Y 0-N) 2/17/2011 Senate: Senate concurred in Governor's recommendation (39-Y 0-N) 2/17/2011 Governor: Approved by Governor-Chapter 3 (effective 2/17/11)</p>	<p><b>1/25/2011</b></p>
<p><b>Support</b> (11104153D-H1) <b>Summary:</b> Moves the June 14, 2011, primary date to August 23, 2011, in anticipation of the 2011 redistricting process and adjusts various deadlines for filings and election preparations to accommodate the new primary date. The bill also authorizes the State Board of Elections to adjust dates and deadlines if necessary to complete the Voting Rights Act Section 5 preclearance process. The bill declares that an emergency exists and that the bill is effective upon passage. The act will expire January 1, 2012.</p>		
<p><a href="#"><b>HB 1522</b></a> - Landes (25) Water and waste authorities; eminent domain powers.</p>	<p>12/17/2010 House: Referred to Committee for Courts of Justice 1/19/2011 House: Reported from Courts (21-Y 1-N) 1/25/2011 House: VOTE: PASSAGE (91-Y 8-N) 1/26/2011 Senate: Referred to Committee for Courts of Justice 2/14/2011 Senate: Reported from Courts of Justice (15-Y 0-N) 2/16/2011 Senate: Passed Senate (38-Y 2-N) 2/22/2011 House: Enrolled 2/22/2011 House: Signed by Speaker 2/23/2011 Senate: Signed by President</p>	<p><b>1/25/2011</b></p>
<p><b>Support</b> (11100679D) <b>Summary:</b> Amends the current law so that water and waste authorities have the power to exercise eminent domain as set out in Chapter 2 (§ 25.1-200 et seq.) or Chapter 3 (§ 25.1-300 et seq.) of Title 25.1 of the Code of Virginia, rather than with the same authority as is vested in the Commonwealth Transportation Commissioner.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><b>HB 1526</b> - Greason (32) Real property tax appeal; information regarding income and expenses of income-producing property.</p>	<p>12/20/2010 House: Referred to Committee on Finance 1/26/2011 House: Subcommittee recommends reporting with amendment(s) (8-Y 0-N) 2/2/2011 House: Reported from Finance with amendment (21-Y 0-N) 2/8/2011 House: VOTE: PASSAGE (99-Y 0-N) 2/9/2011 Senate: Referred to Committee on Finance 2/16/2011 Senate: Reported from Finance (14-Y 0-N) 2/18/2011 Senate: Passed Senate (40-Y 0-N) 2/25/2011 House: Enrolled 2/25/2011 House: Signed by Speaker 2/25/2011 Senate: Signed by President</p>	<p><b>2/8/2011</b> <del>1/25/2011</del></p>
<p><b>Monitor</b> (11101237D-E) - Bill has been amended. <del><b>Amend</b> (11101237D) – Amend to require that unless income and expense information is provided at the time of the Board of Equalization appeal, such information cannot be utilized.</del></p> <p><b>Summary:</b> Provides that information regarding the income and expenses of income-producing real property may be used in a complaint to a board of equalization, even though such information was not timely presented to the assessor, provided that the income and expense information is provided to the board of equalization no later than the appeal filing deadline of the board.</p>		
<p><b>HB 1587</b> - Iaquinto (84) Business license incentive program; Cities of Va. Beach &amp; Chesapeake may establish for businesses.</p>	<p>1/6/2011 House: Referred to Committee on Finance 1/24/2011 House: Reported from Finance with substitute (18-Y 4-N) 1/27/2011 House: VOTE: PASSAGE (97-Y 2-N) 1/28/2011 Senate: Referred to Committee on Finance 2/9/2011 Senate: Reported from Finance (11-Y 0-N) 2/11/2011 Senate: Passed Senate (40-Y 0-N) 2/15/2011 House: Enrolled 2/15/2011 House: Signed by Speaker 2/16/2011 Senate: Signed by President</p>	<p><b>2/8/2011</b></p>
<p><b>Monitor</b> (11104441D-H1) - Original bill was limited to Virginia Beach and Chesapeake; bill has been expanded to apply statewide. Bill is permissive. (Note: Fairfax County supports a moratorium on all BPOL bills since the Governor's Jobs Commission has recommended a study of the BPOL tax over the next year.)</p> <p><b>Summary:</b> Local license taxes. Permits any county, city or town to provide relief from license taxes to any business locating in such county, city or town for the first time, for the first two years after such location.</p>		

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<p><a href="#"><b>HB 1588</b></a> - Iaquinto (84) Real property tax assessments; appeals.</p>	<p>1/6/2011 House: Referred to Committee on Finance 1/26/2011 House: Subcommittee recommends no action by voice vote; portions of bill to be incorporated into SB 1350 (Norment). 1/26/2011 House: Subcommittee recommends no action by voice vote 1/31/2011 House: Subcommittee recommends reporting with amendment(s) (8-Y 0-N) 2/2/2011 House: Reported from Finance with substitute (21-Y 0-N) 2/8/2011 House: VOTE: PASSAGE (99-Y 0-N) 2/9/2011 Senate: Referred to Committee on Finance 2/16/2011 Senate: Reported from Finance (12-Y 0-N) 2/18/2011 Senate: Passed Senate (40-Y 0-N) 2/25/2011 House: Enrolled 2/25/2011 House: Signed by Speaker 2/25/2011 Senate: Signed by President</p>	<p><b>2/8/2011</b> <del>1/25/2011</del></p>
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**Monitor** (11105044D-H1) - See also SB 1350; bill is now in compromise form and the most adverse provisions pertaining to burden of proof and presumption of correctness have been deleted. ~~**Oppose** (11100116D) – Board opposed same bill last year; potential fiscal/administrative/legal impact to the County would be very significant.~~  
**Summary:** Specifies that the burden of proof in a real estate tax appeal to the Board of Equalization or circuit court will remain with the taxpayer; the presumption of correctness regarding the assessment remains with the locality. The bill also requires new notice provisions that advise taxpayers of their right to request certain information and documents related to the assessment. The bill is applicable to tax years beginning on or after January 1, 2011.

<p><a href="#"><b>HB 1645</b></a> - O'Bannon, III (73) Real property tax; exemption for disabled veterans.</p>	<p>1/10/2011 House: Referred to Committee on Finance 1/31/2011 House: Subcommittee recommends reporting with amendment(s) (9-Y 0-N) 2/2/2011 House: Reported from Finance with amendment (21-Y 0-N) 2/8/2011 House: VOTE: PASSAGE (99-Y 0-N) 2/9/2011 Senate: Referred to Committee on Finance 2/16/2011 Senate: Reported from Finance with substitute (13-Y 0-N) 2/18/11 Senate: Passed Senate with substitute (40-Y 0-N) 2/22/2011 House: Senate substitute agreed to by House (97-Y 0-N)</p>	<p><b>1/25/2011</b></p>
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**Monitor** (11100714D) - See also SB 987 (Puller) and SB 1358 (Stosch). Bills implement the mandate contained in the 2010 Constitutional amendment.  
**Summary:** Codifies the constitutional amendment adopted by voters in November, 2010, that provides for a property tax exemption for veterans who have a 100 percent, service-related disability. The constitutional

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amendment requires the General Assembly to enact the exemption in general law.

<p><b>HB 1679</b> - Bell (20) Comprehensive Services for At-Risk Youth &amp; Families, State Executive Council for; powers and duties.</p>	<p>1/10/2011 House: Referred to Committee on Health, Welfare and Institutions 2/1/2011 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 2/4/2011 House: Passed House (98-Y 0-N) 2/7/2011 Senate: Referred to Committee on General Laws and Technology 2/16/2011 Senate: Reported from General Laws and Technology (13-Y 0-N) 2/21/2011 Senate: Passed Senate (40-Y 0-N) 2/25/2011 House: Enrolled</p>	<p><b>2/8/2011</b> <del>1/25/2011</del></p>
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**Support** (11104977D-H1) - Support as amended. Bill now details a process that involves participation of local governments for establishing the CSA policy related to the state's authority to withhold the state's share of CSA service costs when the local government has failed to comply with applicable state or federal law or regulation. The amendments improve the standing of local governments in the development of this policy. **Oppose** (11101406D) ~~Would require local governments to repay the state's share of CSA service payments in the event of error, but does not provide for repayment from a provider who may have fraudulently portrayed qualifications or services. See also SB 1171 (Marsden).~~

**Summary:** Authorizes the State Executive Council for Comprehensive Services for At-Risk Youth and Families to deny funding to a locality if services are not provided in compliance with applicable state law or policy or federal law. This bill also establishes timelines for development of policies governing denial of funding by the State Executive Council, and provides that the provisions of this act shall apply to services provided on or after July 1, 2011. This bill contains an emergency clause. This bill is identical to SB 1171 (Marsden).

<p><b>HB 1737</b> - Bulova (37) Stormwater management systems; local regulation.</p>	<p>1/10/2011 House: Referred to Committee on Counties, Cities and Towns 1/21/2011 House: Reported from Counties, Cities and Towns with substitute (21-Y 0-N) 1/26/2011 House: Passed House (99-Y 0-N) 1/27/2011 Senate: Referred to Committee on Local Government 2/15/2011 Senate: Reported from Local Government (12-Y 3-N) 2/21/2011 Senate: Passed Senate (33-Y 6-N) 2/25/2011 House: Enrolled</p>	<p><b>2/8/2011</b></p>
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**Support** (11104439D-H1)

**Summary:** Regulation of stormwater management systems. Clarifies statutory language and makes technical changes regarding a locality's authority to regulate stormwater management systems.

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<p><a href="#"><b>HB 1831</b></a> - Scott (30) Fertilizer; regulation of application and labeling.</p>	<p>1/11/2011 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/27/2011 House: Subcommittee recommends reporting with amendment(s) (7-Y 0-N) 2/2/2011 House: Reported from Agriculture, Chesapeake and Natural Resources with substitute (22-Y 0-N) 2/7/2011 House: VOTE: PASSAGE (99-Y 0-N) 2/8/2011 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/14/11 Senate: Reported from Agriculture, Conservation &amp; Natural Resources w/substitute (15-Y 0-N) 2/18/2011 House: Senate substitute agreed to by House (94-Y 0-N) 2/24/2011 House: Enrolled 2/24/2011 House: Signed by Speaker 2/26/2011 Senate: Signed by President</p>	<p><b>2/22/2011</b> <del>2/8/2011</del></p>
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**Monitor** (11105319D-S1) - See also SB 1055. Bills have been amended to address key concerns. New training and reporting requirements on local government will serve to benefit obligations to meet TMDL reductions.

~~**Amend** (11104757D-H1) – Amend to retain local government authority to accept rezoning proffered conditions concerning the use or application of fertilizers as part of zoning approvals.~~

**Summary:** Prohibits the sale, distribution and use of lawn maintenance fertilizer containing phosphorus beginning December 31, 2013. The prohibition does not apply to starter fertilizer, manipulated manure, yard waste compost, products derived from sewage sledge, soils containing fertilizer and fertilizer products intended for gardening, tree, shrub and indoor planting application, including nurseries, or reclaimed water. Also, beginning on December 31, 2013, it will be unlawful to offer for sale any deicing agent containing urea, nitrogen, or phosphorus intended for application on parking lots, roadways, and sidewalks, or other paved surfaces. However, retailers are allowed to sell their existing inventory of lawn maintenance fertilizer and deicing agents. On this date, a label will be required on bags of lawn fertilizer that states that the product should not be applied near storm drains or drainage ditches or when heavy rain is expected. The Board of Agriculture and Consumer Services will be required to establish reporting requirements for contractor-applicators and licensees who apply lawn fertilizer to more than 100 acres of nonagricultural lands annually. The report will include the total acreage or square footage and the location of where the fertilizer is being applied. The bill requires golf courses to implement nutrient management plans by July 1, 2017. The plans are to be submitted to the Department of Conservation and Recreations for review and approval. The Department is to provide technical assistance and training for golf course operators. The agency will also have to establish a cost-share program to assist in implementation of the nutrient management plan. The Department of Agriculture and Consumer Services is authorized to develop consumer information and recommended best practices for the application of lawn fertilizer. The agency is also required to provide a public listing of contractor-applicators who apply fertilizer on nonagricultural lands and have met the training requirements. Finally, the bill prohibits localities from further regulating (i) contractor-applicators who are in compliance with the fertilizer laws, (ii) golf courses that have approved nutrient management plans, and (iii) agricultural operations with a resources management plan or a nutrient management plan. If localities find it necessary to adopt more stringent

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stormwater ordinances they will have to report this fact to the Virginia Soil and Water Conservation Board. This bill is identical to SB 1055 (Stuart).

<p><b>HB 1844</b> - Athey, Jr. (18) Zoning determination; providing notice to landowners when their real property is subject thereof.</p>	<p>1/11/2011 House: Referred to Committee on Counties, Cities and Towns 2/3/2011 House: Subcommittee recommends reporting with amendment(s) (11-Y 0-N) 2/4/2011 House: Reported from Counties, Cities and Towns with substitute (21-Y 1-N) 2/8/2011 House: VOTE: PASSAGE (98-Y 1-N) 2/9/2011 Senate: Referred to Committee on Local Government 2/15/2011 Senate: Reported from Local Government with amendment (15-Y 0-N) 2/18/2011 Senate: Passed Senate with amendment (40-Y 0-N) 2/22/2011 House: VOTE: ADOPTION (97-Y 0-N)</p>	<p><b>2/8/2011</b> <del>1/25/2011</del></p>
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**Monitor** (11105134D-H1) - Monitor. Substitute version addresses most of the concerns. Bill still requires owners to be notified when someone else submits a request to the zoning administrator at the time the request is received rather than only when the decision is rendered. ~~**Amend** (11103995D) - Amend to require notice of zoning administrator decision or determination to be sent to owner at address on file in real estate tax records rather than providing notice to the owner that a decision or determination has been requested; amend to eliminate 18 years of retroactive application of notifying owners; amend to provide that a property owner's participation in an appeal to the Board of Zoning Appeals cures lack of written notice of zoning violation or written order.~~

**Summary:** A BILL to amend and reenact §§ 15.2-2204, 15.2-2301 and 15.2-2311 of the Code of Virginia related to providing notice to landowners when their real property is the subject of a zoning determination.

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<p><b><u>HB 1877</u></b> - Filler-Corn (41) Immunity of officer, etc., of nonprofit organizations; shall survive termination, cancellation, etc.</p>	<p>1/11/2011 House: Referred to Committee for Courts of Justice 1/26/2011 House: Subcommittee recommends reporting (9-Y 0-N) 1/31/2011 House: Reported from Courts (22-Y 0-N) 2/4/2011 House: Passed House(98-Y 0-N) 2/7/2011 Senate: Referred to Committee for Courts of Justice 2/9/2011 Senate: Reported from Courts with amendments (14-Y 0-N) 2/14/2011 Senate: Passed Senate with amendments (40-Y 0-N) 2/16/2011 House: Senate amendments agreed to by House (95-Y 1-N) 2/22/2011 House: Enrolled 2/22/2011 House: Signed by Speaker 2/23/2011 Senate: Signed by President</p>	<p><b>2/8/2011</b></p>
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**Support** (11101847D) - See also SB 841 (Petersen).  
**Summary:** Provides that the immunity from civil liability the directors and other officers of tax exempt organizations enjoy for acts taken in their official capacities shall survive the termination, cancellation, or other discontinuance of the organization. This bill is identical to SB 841.

<p><b><u>HB 1899</u></b> - Hugo (40) Real property tax assessment; partial exemption for certain improvements.</p>	<p>1/11/2011 House: Referred to Committee on Finance 1/31/2011 House: Subcommittee recommends reporting with amendment(s) (8-Y 0-N) 2/2/2011 House: Reported from Finance with amendments (21-Y 0-N) 2/8/2011 House: VOTE: PASSAGE (99-Y 0-N) 2/9/2011 Senate: Referred to Committee on Finance 2/16/2011 Senate: Reported from Finance with substitute (15-Y 0-N) 2/18/11 Senate: Passed Senate with substitute (40-Y 0-N) 2/22/2011 House: Senate substitute agreed to by House (97-Y 0-N)</p>	<p><b>2/8/2011</b> <del>1/25/2011</del></p>
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**Monitor** (11101706D-E) - Monitor. Bill has been amended to remove County's objections. See also SB 785 (Watkins). ~~**Oppose** (11101706D) - Current County abatement ordinance was written in accordance with state law. See also SB 785 (Watkins). Amendments are expected to remove County from the bill.~~  
**Summary:** Clarifies that the partial exemption from the assessed value of real property subject to real property tax for improvements to rehabilitated, renovated, or replacement residential structures or for improvements in rehabilitation districts or redevelopment or conservation areas runs with the land and shall not be reduced during the period of exemption, and that the exemption, unless the locality notifies the taxpayer at the time the exemption is approved that the amount may be reduced. The bill contains technical amendments.

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<p><b>HB 1900</b> - Hugo (40) Compton Road; designating as Virginia byway in Fairfax County.</p>	<p>1/11/2011 House: Referred to Committee on Transportation 1/20/2011 House: Reported from Transportation with amendments (22-Y 0-N) 1/25/2011 House: Passed House (99-Y 0-N) 1/26/2011 Senate: Referred to Committee on Transportation 2/10/11 Senate: Reported from Transportation (15-Y 0-N) 2/15/2011 Senate: Passed Senate (40-Y 0-N) 2/21/2011 House: Enrolled 2/21/2011 House: Signed by Speaker 2/22/2011 Senate: Signed by President</p>	<p><b>1/25/2011</b></p>
<p><b>Support</b> (11102871D) - Bill now amended to designate as a Virginia Byway. <b>Summary:</b> Designates Compton Road in Fairfax County a Virginia byway.</p>		
<p><b>HB 1984</b> - Kilgore (1) Child welfare; placement of children.</p>	<p>1/11/2011 House: Referred to Committee on Health, Welfare and Institutions 1/20/2011 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 1/25/2011 House: VOTE: PASSAGE (99-Y 0-N) 1/26/2011 Senate: Referred to Committee on Rehabilitation and Social Services 2/4/2011 Senate: Reported from Rehabilitation and Social Services (14-Y 0-N) 2/8/2011 Senate: Passed Senate (40-Y 0-N) 2/10/2011 House: Enrolled 2/10/2011 House: Signed by Speaker 2/11/2011 Senate: Signed by President 2/21/2011 Governor: Approved by Governor-Chapter 9 (effective 7/1/11)</p>	<p><b>2/8/2011</b></p>
<p><b>Support</b> (11104395D-H1) - See also SB 1178 (Marsden). <b>Summary:</b> Provides that in cases in which a child cannot be returned to his family or placed for adoption and kinship care is not in the best interests of the child, the Department of Social Services shall consider other placements and services that may be in the best interests of the child. This bill is identical to SB 1178 (Marsden).</p>		

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<p><a href="#">HB 2004</a> - LeMunyon (67) Bonds; public notice issued prior to public hearing shall state use of proceeds.</p>	<p>1/11/2011 House: Referred to Committee on Counties, Cities and Towns 1/26/2011 House: Subcommittee recommends reporting with amendment(s) (9-Y 0-N) 1/28/2011 House: Reported from Counties, Cities and Towns with substitute (22-Y 0-N) 2/2/2011 House: VOTE: PASSAGE (98-Y 0-N) 2/3/2011 Senate: Referred to Committee on Local Government 2/15/2011 Senate: Reported from Local Government (15-Y 0-N) 2/18/2011 Senate: Passed Senate (40-Y 0-N) 2/25/2011 House: Enrolled 2/25/2011 House: Signed by Speaker 2/25/2011 Senate: Signed by President</p>	<p><b>2/8/2011</b> <del>1/25/2011</del></p>
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**Monitor** (11104614D-H1) - Amendments made. ~~**Amend** (11102820D) – Amend to eliminate requirement that notice of public hearing on bond issuance must state with specificity the use of the proceeds and instead state the proposed issues for which more than 10 percent of the total bond proceeds are expected to be used.~~  
**Summary:** Provides that the public notice issued prior to a public hearing held in conjunction with the issuance of bonds shall state the proposed use of the proceeds, and if there is more than one use, state the proposed uses for which more than 10 percent of the total bond proceeds is expected to be used. In addition, a similar notice shall be provided to voters prior to a referendum involving the issuance of bonds.

<p><a href="#">HB 2021</a> - May (33) Allocation of revenue-sharing funds; removes priority structure to localities.</p>	<p>1/11/2011 House: Referred to Committee on Transportation 1/20/2011 House: Subcommittee recommends reporting (5-Y 0-N) 1/25/2011 House: Reported from Transportation with substitute (22-Y 0-N) 1/25/2011 House: Referred to Committee on Appropriations 1/31/2011 House: Incorporated by Appropriations (HB2527-Howell, W.J.) by voice vote</p>	<p><b>1/25/2011</b></p>
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**Support** (11101890D) - Bill now incorporates County initiative.  
**Summary:** Allocation of revenue-sharing funds. Removes the priority structure for allocation of revenue-sharing funds to localities and provides for funding of no less than \$50 million each fiscal year. This bill incorporates HB 2203.

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<p><a href="#">HB 2022</a> - May (33) Overweight vehicles; Commissioner of DMV to develop comprehensive, tiered schedule for fees, etc.</p>	<p>1/11/2011 House: Referred to Committee on Transportation 1/18/2011 House: Reported from Transportation with amendments (21-Y 0-N) 1/24/2011 House: VOTE: PASSAGE (97-Y 0-N) 1/25/2011 Senate: Referred to Committee on Transportation 2/10/11 Senate: Reported from Transportation (15-Y 0-N) 2/15/2011 Senate: Passed Senate (40-Y 0-N) 2/21/2011 House: Enrolled 2/21/2011 House: Signed by Speaker 2/22/2011 Senate: Signed by President</p>	<p><b>2/8/2011</b></p>
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**Support** (11101098D-E)  
**Summary:** Overweight vehicle fees. Provides that the Commissioner of the Department of Motor Vehicles, in consultation with the Commonwealth Transportation Commissioner and the Executive Director of the Virginia Port Authority, shall develop a comprehensive, tiered schedule of fees for overweight vehicles, taking into consideration the Virginia Department of Transportation's research on the cost impact of damage to Virginia's highways from overweight vehicles, the administrative feasibility of such fee structure, and the impact of such fee structure on the Commonwealth's economic competitiveness. Such fee structure shall be presented to the Joint Commission on Transportation Accountability by December 15, 2011.

<p><a href="#">HB 2038</a> - Peace (97) Cigarette tax; Tax Commissioner shall convene a working group to review current policies, report.</p>	<p>1/11/2011 House: Referred to Committee on Finance 1/26/2011 House: Subcommittee recommends reporting with amendment(s) (11-Y 0-N) 2/2/2011 House: Reported from Finance with substitute (20-Y 1-N) 2/8/2011 House: VOTE: PASSAGE (99-Y 0-N) 2/9/2011 Senate: Referred to Committee on Finance 2/16/2011 Senate: Reported from Finance (12-Y 0-N) 2/18/2011 Senate: Passed Senate (40-Y 0-N) 2/25/2011 House: Enrolled 2/25/2011 House: Signed by Speaker 2/25/2011 Senate: Signed by President</p>	<p><b>2/8/2011</b> <del>1/25/2011</del></p>
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**Monitor** (11104531D-H1) - Bill is now a study to be undertaken this year. ~~**Oppose** (11103483D) - As written, this could reduce Northern Virginia enforcement; legislative staff working with VML and cigarette wholesalers to resolve. See also SB 1085 (Hanger).~~  
**Summary:** Local cigarette tax enforcement. Calls for the Tax Commissioner to convene a working group of interested parties to review policies with regard to how the local cigarette tax is enforced and administered.

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<p><b><u>HB 2100</u></b> - Bulova (37) Child care facility; some localities require certification from national criminal background check.</p>	<p>1/12/2011 House: Referred to Committee on Counties, Cities and Towns 1/26/2011 House: Subcommittee recommends reporting (10-Y 0-N) 1/28/2011 House: Reported from Counties, Cities and Towns (22-Y 0-N) 2/2/2011 House: VOTE: PASSAGE (98-Y 0-N) 2/3/2011 Senate: Referred to Committee on Local Government 2/15/2011 Senate: Reported from Local Government (15-Y 0-N) 2/18/2011 Senate: Passed Senate (40-Y 0-N) 2/25/2011 House: Enrolled 2/25/2011 House: Signed by Speaker 2/25/2011 Senate: Signed by President</p>	<p><b>1/25/2011</b></p>
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**Support** (11101989D)

**Summary:** Allows certain Northern Virginia localities to require persons who provide child-care services to provide certification from a national criminal background check in addition to other certifications that may be currently required.

<p><b><u>HB 2105</u></b> - Bulova (37) Electric vehicle charging service; excludes certain persons from retail sale of electricity.</p>	<p>1/12/2011 House: Referred to Committee on Commerce and Labor 1/27/2011 House: Reported from Commerce and Labor with amendment (22-Y 0-N) 2/2/2011 House: VOTE: PASSAGE (98-Y 0-N) 2/3/2011 Senate: Referred to Committee on Commerce and Labor 2/14/2011 Senate: Reported from Commerce and Labor (15-Y 0-N) 2/17/2011 Senate: Passed Senate (39-Y 0-N) 2/23/2011 House: Enrolled 2/23/2011 House: Signed by Speaker 2/23/2011 Senate: Signed by President</p>	<p><b>2/8/2011</b></p>
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**Support** (11103812D)

**Summary:** Excludes any person who is not a public service corporation and who provides electric vehicle charging service at retail from the meaning of the terms "public utility," "public service corporation," or "public service company." The ownership or operation of a facility at which electric vehicle charging service is sold, and the selling of electric vehicle charging service from that facility, does not render the person a public utility, public service corporation, or public service company solely because of that sale, ownership, or operation. The provision of electric vehicle charging service by a person who is not a public utility shall not constitute the retail sale of electricity if the electricity furnished in connection with the provision of electric vehicle charging service is used solely for transportation purpose and the person providing the electric vehicle charging service has

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procured the furnished electricity from the public utility that is authorized by the State Corporation Commission to engage in the retail sale of electricity within the exclusive service territory in which the service is provided. Providing electric vehicle charging service is declared to be a permitted electric utility activity of a certificated electric utility. The Commission is barred from setting the rates, charges, and fees for the provision of retail electric vehicle charging service provided by nonutilities. The measure directs public utilities to evaluate options to develop and offer off-peak charging rates or other incentives to encourage owners of an electric vehicle to charge or recharge its battery during nonpeak times, when practical. Finally, the measure provides that the Commission is authorized to approve pilot programs conducted by public electric utilities. The pilot programs may offer special rates, contracts, or incentives to determine the feasibility of allowing time-differentiated rates that encourage users of electric motor vehicles to charge vehicles during nonpeak periods. An electric utility that participates in a pilot program will be entitled to recover annually the costs of its participation such a program conducted on or after January 1, 2011.

<p><b>HB 2183</b> - Cline (24) Sales tax registration; allows dealers to register with local commissioner of the revenue.</p>	<p>1/12/2011 House: Referred to Committee on Finance 2/1/2011 House: Subcommittee recommends reporting with amendment(s) (10-Y 0-N) 2/2/2011 House: Reported from Finance with substitute (21-Y 0-N) 2/8/2011 House: VOTE: PASSAGE (99-Y 0-N) 2/9/2011 Senate: Referred to Committee on Finance 2/15/2011 Senate: Reported from Finance (15-Y 0-N) 2/17/2011 Senate: Passed Senate (39-Y 0-N) 2/23/2011 House: Enrolled 2/23/2011 House: Signed by Speaker 2/23/2011 Senate: Signed by President</p>	<p><b>1/25/2011</b></p>
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**Support** (11103015D) - Would be an enforcement tool that could enhance the accuracy of state sales tax reporting. See also HB 1676 (Englin).  
**Summary:** Sales tax registration with local commissioners of the revenue. Allows dealers to register for sales tax purposes with the local commissioner of the revenue, if such commissioner elects to provide such service. Currently, dealers may register only with the Tax Commissioner.

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<p><a href="#"><b>HB 2278</b></a> - Keam (35) Real estate tax; relief for elderly and permanently and totally disabled.</p>	<p>1/12/2011 House: Referred to Committee on Finance 1/26/2011 House: Subcommittee recommends reporting with amendment(s) (9-Y 0-N) 2/2/2011 House: Reported from Finance with substitute (21-Y 0-N) 2/8/2011 House: VOTE: PASSAGE (99-Y 0-N) 2/9/2011 Senate: Referred to Committee on Finance 2/16/2011 Senate: Reported from Finance with substitute (12-Y 0-N) 2/18/2011 Senate: Passed Senate with substitute (40-Y 0-N) 2/22/2011 House: Senate substitute agreed to by House (97-Y 0-N)</p>	<p><b>2/8/2011</b> <del>1/25/2011</del></p>
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**Support** (11105105D-H1) - Amendments made. ~~**Support w/ Amend.** (11102152D) – Support with minor clarifying amendments. See also SB 1073 (Barker).~~

**Summary:** Authorizes local governments to establish annual income or financial worth limitations as a condition of eligibility for real property tax relief for the elderly and permanently and totally disabled. The bill implements the amendment to Article X, Section 6 (b) of the Constitution of Virginia that limits the General Assembly's ability to establish the limitations and allows the General Assembly to authorize local governments to establish the limitations. The bill contains an emergency clause. The bill incorporates HB 1866.

<p><a href="#"><b>HJ 648</b></a> - Plum (36) Uniform Statewide Building Code; DHCD, et al., to study feasibility of amendments, etc.</p>	<p>1/12/2011 House: Referred to Committee on Rules 1/27/2011 House: Subcommittee recommends reporting with amendment(s) (4-Y 0-N) 2/1/2011 House: Reported from Rules with substitute (15-Y 0-N) 2/4/2011 House: Agreed to by House (96-Y 0-N) 2/7/2011 Senate: Referred to Committee on Rules 2/18/2011 Senate: Reported from Rules by voice vote 2/22/2011 Senate: Agreed to by Senate by voice vote</p>	<p><b>1/25/2011</b></p>
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**Support** (11102155D) - Issue discussed in fall Legislative Committee meetings.

**Summary:** Study; Amendments to the Uniform Statewide Building Code; report. Requests the Department of Housing and Community Development, in cooperation with the Department of Rehabilitative Services, to study the feasibility and appropriateness of amendments to the Uniform Statewide Building Code to provide accessible routes for persons with disabilities into public and private buildings and facilities and promote universal features in dwelling units. The Departments must submit their joint findings and recommendations to the 2013 Session of the General Assembly.

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<p><b><u>SB 762</u></b> - Puller (36) Emergency vehicles; proceeding past red lights.</p>	<p>12/7/2010 Senate: Referred to Committee on Transportation 1/13/2011 Senate: Rereferred to Courts of Justice 2/2/11 Senate: Reported from Courts of Justice (15-Y 0-N) 2/8/2011 Senate: Passed Senate (40-Y 0-N) 2/9/2011 House: Referred to Committee for Courts of Justice 2/18/2011 House: Subcommittee recommends reporting with amendment(s) (8-Y 1-N) 2/21/2011 House: Reported from Courts of Justice with substitute (21-Y 0-N) 2/24/2011 House: Passed House with substitute (99-Y 0-N) 2/24/2011 Senate: House substitute agreed to by Senate (38-Y 1-N)</p>	<p><b>2/22/2011</b> <del>{2/11/2011}</del></p>
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**Monitor** (11105458D-H1) - Compromise amendments provide greater flexibility. ~~[Amend] (11100974D) — Amend to qualify a complete stop. Absent such amendment, amend to provide for a delayed enactment date.~~  
**Summary:** Emergency vehicles proceeding past red lights. Provides that emergency vehicles proceeding past any steady or flashing red signals, traffic lights, stop signs, or other devices indicating moving traffic shall stop must flash emergency lights and either (i) sound a siren, exhaust whistle, or air horn designed to give automatically intermittent signals or (ii) yield right-of-way or, if required for safety, bring the vehicle to a complete stop before proceeding with due regard to the safety of persons and property.

<p><b><u>SB 784</u></b> - Watkins (10) Affordable housing; assessments of real property.</p>	<p>12/28/2010 Senate: Referred to Committee on Finance 1/18/2011 Senate: Reported from Finance with amendments (12-Y 0-N) 1/21/2011 Senate: Passed Senate (35-Y 0-N) 2/7/2011 House: Referred to Committee on Finance 2/9/2011 House: Subcommittee recommends reporting (10-Y 0-N) 2/14/2011 House: Reported from Finance (22-Y 0-N) 2/16/2011 House: Passed House (97-Y 0-N) 2/21/2011 Senate: Enrolled 2/21/2011 House: Signed by Speaker 2/22/2011 Senate: Signed by President</p>	<p><b>1/25/2011</b></p>
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**Monitor** (11103089D)  
**Summary:** Assessments of real property; affordable housing. Requires owners of four or fewer rental units of real property to furnish to a real estate assessor, board, or department statements of income and expenses attributable to the property to determine that it is affordable rental housing. This bill is recommended by the Virginia Housing Commission.

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<p><b>SB 785</b> - Watkins (10) Real property tax assessment; partial exemption for certain improvements.</p>	<p>12/28/2010 Senate: Referred to Committee on Finance 1/26/2011 Senate: Reported from Finance with amendments (14-Y 0-N) 2/1/2011 Senate: Passed Senate (40-Y 0-N) 2/7/2011 House: Referred to Committee on Finance 2/14/2011 House: Reported from Finance with substitute (22-Y 0-N) 2/17/2011 House: Passed House with substitute with amendment (98-Y 0-N) 2/21/2011 Senate: House substitute with amendment agreed to by Senate (40-Y 0-N) 2/25/2011 Senate: Enrolled 2/25/2011 House: Signed by Speaker 2/25/2011 Senate: Signed by President</p>	<p><b>2/8/2011</b> <del>1/25/2011</del></p>
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**Monitor** (11102114D-E) - Bill has been amended to remove County objections. ~~**Oppose** (11102114D) - Current County abatement ordinance was written in accordance with state law. See also HB 1899 (Hugo).~~  
**Summary:** Clarifies that the partial exemption from the assessed value of real property subject to real property tax for improvements to rehabilitated, renovated, or replacement residential structures or for improvements in rehabilitation districts or redevelopment or conservation areas shall not be reduced during the period of exemption, and that the exemption runs with the land, unless the local governing body by written notice advises the property owner at the initial time of approval of the exemption that the exempt amount may be decreased during the period of the exemption.

<p><b>SB 841</b> - Petersen (34) Immunity of officers, etc., of nonprofit organizations; termination, etc., of corporation.</p>	<p>1/7/2011 Senate: Referred to Committee for Courts of Justice 1/31/2011 Senate: Reported from Courts of Justice with amendments (15-Y 0-N) 2/3/2011 Senate: Passed Senate (40-Y 0-N) 2/7/2011 House: Referred to Committee for Courts of Justice 2/21/2011 House: Reported from Courts of Justice (22-Y 0-N) 2/24/2011 House: Passed House (99-Y 0-N)</p>	<p><b>1/25/2011</b></p>
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**Support** (11102098D)  
**Summary:** Provides that the immunity from civil liability the directors and other officers of tax exempt organizations enjoy for acts taken in their official capacities shall survive the termination, cancellation, or other discontinuance of the organization. This bill is identical to HB 1877.

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<p><b><u>SB 844</u></b> - Petersen (34) Warrants; authorizes local governments to regularly publish information relating thereto.</p>	<p>1/7/2011 Senate: Referred to Committee on Finance 1/18/2011 Senate: Reported from Finance (13-Y 0-N) 1/21/2011 Senate: Passed Senate (35-Y 0-N) 2/7/2011 House: Referred to Committee on Finance 2/9/2011 House: Subcommittee recommends reporting with amendment(s) (10-Y 0-N) 2/14/2011 House: Reported from Finance with substitute (22-Y 0-N) 2/16/11 House: Passed House with substitute (97-Y 0-N) 2/18/2011 Senate: House substitute rejected by Senate (0-Y 39-N) 02/25/11 Conference report agreed to by House (98-Y 0-N) and Senate (40-0)</p>	<p><b>1/25/2011</b></p>
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**Support** (11103225D) - Board supports efforts toward greater financial transparency.  
**Summary:** Authorizes local governments to regularly publish information relating to warrants paid by the locality. The warrant information that could be published would be the aggregate amount of warrants paid, classified by expenditure item or disbursement. Information on warrants relating to tax refunds could be published only if the information was aggregated or classified so as to prevent the identification of the payee of the tax refund.

<p><b><u>SB 862</u></b> - Wagner (7) Commonwealth Energy Policy; local renewable energy facility siting ordinances.</p>	<p>1/10/2011 Senate: Referred to Committee on Commerce and Labor 1/31/2011 Senate: Reported from Commerce and Labor with substitute (11-Y 2-N 1-A) 2/4/2011 Senate: Passed Senate (34-Y 4-N) 2/8/2011 House: Referred to Committee on Commerce and Labor 2/17/2011 House: Reported from Commerce and Labor with substitute (22-Y 0-N) 2/22/2011 House: VOTE: PASSAGE (95-Y 0-N) 2/23/2011 Senate: House substitute agreed to by Senate (38-Y 2-N)</p>	<p><b>2/8/2011</b> <b>1/25/2011</b></p>
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**Monitor** (11104247D-S1) - Monitor. Substitute bill makes the adoption of local renewable energy facility siting ordinances optional. ~~**Oppose Unless Amended** (11102032D) - Oppose unless amended to define "renewable energy project" and make optional.~~  
**Summary:** Requires that a local ordinance addressing the siting of renewable energy facilities be consistent with provisions of the Commonwealth Energy Policy, provide reasonable criteria to be addressed in the siting of any such facility that generates electricity from wind and solar resources, and include provisions establishing reasonable requirements on the siting of any such facility. Measures required by the ordinance are required to be consistent with the locality's existing ordinances.

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<p><a href="#"><b>SB 987</b></a> - Puller (36) Real property tax; exemption for disabled veterans.</p>	<p>1/11/2011 Senate: Referred to Committee on Finance 1/25/2011 Senate: Reported from Finance with substitute (14-Y 0-N) 1/28/2011 Senate: Passed Senate (39-Y 0-N) 2/7/2011 House: Referred to Committee on Finance 2/9/2011 House: Subcommittee recommends reporting (10-Y 0-N) 2/14/2011 House: Reported from Finance with substitute (22-Y 0-N) 2/16/2011 House: Passed House with substitute (97-Y 0-N) 2/18/2011 Senate: House substitute agreed to by Senate (40-Y 0-N) 2/24/2011 Senate: Enrolled 2/24/2011 House: Signed by Speaker 2/24/2011 Senate: Signed by President</p>	<p><b>1/25/2011</b></p>
<p><b>Monitor</b> (11101918D) - See also HB 1645 (O'Bannon) and SB 1358 (Stosch). Bills implement the mandate contained in the 2010 Constitutional amendment. <b>Summary:</b> Codifies the constitutional amendment adopted by voters in November 2010 that provides for a property tax exemption for veterans who have a 100 percent, service-related disability. The constitutional amendment requires the General Assembly to enact the exemption in general law. This bill incorporates SB 1358.</p>		
<p><a href="#"><b>SB 1007</b></a> - Watkins (10) Permit fees for solid waste facilities; establishes same fee structure for sanitary landfills, etc.</p>	<p>1/11/2011 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/2/2011 Senate: Reported from Agriculture, Conservation and Natural Resources with amendment (10-Y 5-N) 2/2/2011 Senate: Rereferred to Finance 2/3/2011 Senate: Reported from Finance (12-Y 1-N) 2/8/2011 Senate: Passed Senate (30-Y 10-N) 2/9/2011 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/11/2011 House: Reported from Agriculture, Chesapeake and Natural Resources with amendments (18-Y 4-N) 2/11/11 House: Referred to Committee on Appropriations 2/14/2011 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/15/2011 House: Reported from Agriculture, Chesapeake and Natural Resources (18-Y 4-N) 2/16/2011 House: VOTE: PASSAGE (57-Y 39-N) 2/16/11 Senate: House amendments agreed to (39-Y 1-N) 2/21/2011 Senate: Enrolled 2/21/2011 House: Signed by Speaker</p>	<p><b>1/25/2011</b></p>

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	2/22/2011 Senate: Signed by President	
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**Monitor** (11103438D)

**Summary:** Establishes the same fee structure for sanitary landfills, noncaptive industrial landfills, and construction and demolition debris landfills. All of these types of facilities will be required to pay an annual fee of \$0.115 per ton of waste deposited in their facility. Currently, noncaptive industrial landfills pay an annual fee of \$8,000 and construction and demolition debris landfills pay \$4,000 annually, while the fee schedule for sanitary landfills is based on the annual tonnage of waste deposited in the landfill. Incinerators and energy recovery facilities will be assessed an annual fee of \$0.055 per ton. The fees will be adjusted annually based on the Consumer Price Index. The annual fee has been increased for other types of facilities such as composting, regulated medical waste, transfer stations, etc. The bill also requires the Department of Environmental Quality to continue its efforts to improve its solid waste program and submit a report to the General Assembly regarding such efforts by December 1, 2011.

<p><b><u>SB 1038</u></b> - Barker (39) Foster care; allows child placed in care to remain at his original school.</p>	<p>1/11/2011 Senate: Referred to Committee on Rehabilitation and Social Services 1/21/2011 Senate: Reported from Rehabilitation and Social Services with amendments (14-Y 0-N) 2/3/2011 Senate: Passed Senate (40-Y 0-N) 2/7/2011 House: Referred to Committee on Health, Welfare and Institutions 2/17/2011 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 2/21/2011 House: VOTE: PASSAGE (99-Y 0-N) 2/25/2011 Senate: Enrolled 2/25/2011 House: Signed by Speaker 2/25/2011 Senate: Signed by President</p>	<p><b>1/25/2011</b></p>
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**Monitor** (11101605D)

**Summary:** Allows a child placed in foster care to remain at his original school, if it is determined to be in his best interests. The bill requires the determination to be made in writing by the placing social services agency and the local school division together, and adds the school placement to the foster care plan.

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<p><a href="#"><b>SB 1055</b></a> - Stuart (28) Fertilizer; regulation of application and labeling, report.</p>	<p>1/11/2011 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 1/31/2011 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (14-Y 1-N) 2/7/2011 Senate: Passed Senate (39-Y 1-N) 2/8/2011 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/16/2011 House: Reported from Agriculture, Chesapeake and Natural Resources with substitute (21-Y 0-N) 2/18/11 House: Passed House with substitute (95-Y 0-N) 2/22/2011 Senate: House substitute agreed to by Senate (36-Y 4-N)</p>	<p><b>2/22/2011</b> <del>{2/11/2011}</del> <b>2/8/2011</b></p>
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**Monitor** (11105349D-H1) - See also HB 1831. Bills have been amended to address key concerns. New training and reporting requirements on local government will serve to benefit obligations to meet TMDL reductions. ~~[Amend] ((Stuart)) Amend to retain local government authority to accept rezoning proffered conditions concerning the use or application of fertilizers as part of zoning approvals. See also HB 1831 (Scott, E.T.)~~

**Support** (11104787D-S1) ~~Support; existing local government authority is left intact.~~

**Summary:** Prohibits the sale, distribution and use of lawn maintenance fertilizer containing phosphorus beginning December 31, 2013. The prohibition does not apply to starter fertilizer, manipulated manure, yard waste compost, products derived from sewage sledge, soils containing fertilizer and fertilizer products intended for gardening, tree, shrub and indoor planting application, including nurseries, or reclaimed water. Also, beginning on December 31, 2013, it will be unlawful to offer for sale any deicing agent containing urea, nitrogen, or phosphorus intended for application or parking lots roadways, and sidewalks, or other paved surfaces. However, retailers are allowed to sell their existing inventory of lawn maintenance fertilizer and deicing agents. On this date, a label will be required on bags of lawn fertilizer that states that the product should not be applied near storm drains or drainage ditches or when heavy rain is expected. The Board of Agriculture and Consumer Services will be required to establish reporting requirements for contractor-applicators and licensees who apply lawn fertilizer to more than 100 acres of nonagricultural lands annually. The report will include the total acreage or square footage and the location of where the fertilizer is being applied. The bill requires golf courses to implement nutrient management plans by July 1, 2017. The plans are to be submitted to the Department of Conservation and Recreations for review and approval. The Department is to provide technical assistance and training for golf course operators. The agency will also have to establish a cost-share program to assist in implementation of the nutrient management plan. The Department of Agriculture and Consumer Services is authorized to develop consumer information and recommended best practices for the application of lawn fertilizer. The agency is also required to provide a public listing of contractor-applicators who apply fertilizer on nonagricultural lands and have met the training requirements. Finally, the bill prohibits localities from further regulating (i) contractor-applicators who are in compliance with the fertilizer laws, (ii) golf courses that have approved nutrient management plans, and (iii) agricultural operations with a resources management plan or a nutrient management plan. If localities find it necessary to adopt more stringent stormwater ordinances they will have to report this fact to the Virginia Soil and Water Conservation Board.

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<p><b><u>SB 1073</u></b> - Barker (39) Real estate tax relief; for the elderly and permanently and totally disabled.</p>	<p>1/11/2011 Senate: Referred to Committee on Finance 1/18/2011 Senate: Reported from Finance (13-Y 0-N) 1/24/2011 Senate: Passed Senate (38-Y 0-N) 2/7/2011 House: Referred to Committee on Finance 2/14/2011 House: Reported from Finance (22-Y 0-N) 2/16/11 House: Passed House with substitute (97-Y 0-N) 2/18/2011 Senate: House substitute agreed to by Senate (40-Y 0-N) 2/24/2011 Senate: Enrolled 2/24/2011 House: Signed by Speaker 2/24/2011 Senate: Signed by President</p>	<p><b>2/8/2011</b> <b><del>1/25/2011</del></b></p>
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**Support** (11100757D-E) - Amendments made. ~~**Support w/ Amend.** (01/12/11) – Support with minor clarifying amendments. See also HB 2278 (Kean).~~

**Summary:** Real estate tax relief for the elderly and permanently and totally disabled. Authorizes local governments to establish annual income or financial worth limitations as a condition of eligibility for real property tax relief for the elderly and permanently and totally disabled. The bill implements the amendment to Article X, Section 6 (b) of the Constitution of Virginia that limits the General Assembly's ability to establish the limitations and allows the General Assembly to authorize local governments to establish the limitations. The bill contains an emergency clause.

<p><b><u>SB 1085</u></b> - Hanger, Jr. (24) Cigarette tax; Tax Commissioner shall convene a working group to review current policies, report.</p>	<p>1/11/2011 Senate: Referred to Committee on Finance 1/26/2011 Senate: Reported from Finance with substitute (14-Y 0-N) 2/1/2011 Senate: Passed Senate (40-Y 0-N) 2/7/2011 House: Referred to Committee on Rules 2/10/2011 House: Referred from Rules by voice vote 2/10/2011 House: Referred to Committee on Finance 2/14/2011 House: Reported from Finance (21-Y 0-N) 2/16/2011 House: Passed House (97-Y 0-N) 2/21/2011 Senate: Enrolled 2/21/2011 House: Signed by Speaker 2/22/2011 Senate: Signed by President</p>	<p><b>2/8/2011</b> <b><del>1/25/2011</del></b></p>
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**Monitor** (11104663D-S1) - Bill is now a study to be undertaken this year. ~~**Oppose** (11101300D) – As written, this could reduce Northern Virginia enforcement; legislative staff working with VML and cigarette wholesalers to resolve.~~

**Summary:** Local cigarette tax enforcement. Provides that local cigarette tax enforcement would be conducted under guidelines and rules established by the Department of Taxation. The guidelines and rules developed by the Department would include uniform penalties for violations of cigarette stamping requirements and a uniform system of appeals for the review of actions taken by localities in enforcing cigarette tax ordinances.

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<p><b><u>SB 1099</u></b> - Hanger, Jr. (24) Stormwater nonpoint nutrient offsets; establish priorities to be used by permit issuing authorities.</p>	<p>1/11/2011 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/7/2011 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (9-Y 6-N) 2/8/2011 Senate: Passed Senate (34-Y 6-N) 2/9/2011 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/16/2011 House: Reported from Agriculture, Chesapeake and Natural Resources with substitute (16-Y 5-N) 2/18/2011 House: VOTE: PASSAGE (71-Y 23-N) 2/22/2011 Senate: House substitute agreed to by Senate (40-Y 0-N)</p>	<p><b>2/22/2011</b> <del>2/8/2011</del></p>
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**Monitor** (11105390D-H1) - Amendments adopted after crossover reflect the consensus of many localities and the statewide organization that represents local stormwater utilities. Bill places parameters on the use of offsite nutrient offsets. ~~**Oppose** (11103852D)~~

**Summary:** Establishes priorities to be used by permit issuing authorities when considering off-site phosphorous control options for stormwater permits. The bill also provides conditions under which use of an off-site option can be granted. In addition, permit-issuing authorities are to allow the full or partial substitution of nonpoint nutrient offsets for existing on-site nutrient control when the offsets will compensate for 10 or fewer pounds of the annual phosphorous requirement associated with the land-disturbing activity or the existing on-site controls are not functioning as anticipated and the use of the offset will make up the deficiency. The bill authorizes the acquisition of nonpoint nutrient offsets in compliance actions to compensate for nutrient control deficiencies when nutrient control deficiencies occur during the period of noncompliance and for permanent deficiencies. The prioritization established for existing nutrient reductions at the time of the land-disturbing activity and the conditions under which off-site options may be utilized are limited to those instances when there are nonpoint nutrient offsets available within the locality.

<p><b><u>SB 1112</u></b> - Miller (5) Metropolitan Planning Organizations (MPOs); duties and responsibilities.</p>	<p>1/11/11 Senate: Referred to Committee on Transportation 2/3/2011 Senate: Reported from Transportation with substitute (15-Y 0-N) 2/8/2011 Senate: Passed Senate (40-Y 0-N) 2/9/2011 House: Referred to Committee on Transportation 2/11/2011 House: Subcommittee recommends reporting with amendment(s) (5-Y 0-N) 2/15/2011 House: Reported from Transportation with substitute (22-Y 0-N) 2/18/2011 House: VOTE: PASSAGE (95-Y 0-N) 2/22/2011 Senate: House substitute agreed to by Senate (40-Y 0-N)</p>	<p><b>2/22/2011</b> <del>1/25/2011</del></p>
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**Monitor** (11105141D-S1) - Amendments made. ~~**Amend** (11102166D)~~ - Amend to exempt TPB from MPO regulations or substitute NVTAs for MPO.

**Summary:** Specifies the role of MPOs in the Commonwealth's transportation decision-making process.

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[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">SB 1171</a> - Marsden (37) Comprehensive Services for At-Risk Youth &amp; Families, State Executive Council for; powers and duties.</p>	<p>1/12/2011 Senate: Referred to Committee on General Laws and Technology                      1/19/2011 Senate: Reported from General Laws and Technology (15-Y 0-N)                      1/26/11 Senate: Rereferred to Rehabilitation &amp; Social Services                      2/4/2011 Senate: Reported from Rehabilitation and Social Services with substitute (13-Y 1-N)                      2/8/2011 Senate: Passed Senate (39-Y 1-N)                      2/9/2011 House: Referred to Committee on Health, Welfare and Institutions                      2/15/2011 House: Reported from Health, Welfare and Institutions (20-Y 0-N)                      2/17/2011 House: Passed House (98-Y 0-N)                      2/23/2011 Senate: Enrolled                      2/23/2011 Senate: Signed by President                      2/23/2011 House: Signed by Speaker</p>	<p><b>2/8/2011</b>  <del>1/25/2011</del></p>

**Support** (11105138D-S1) - Support as amended. Bill now details a process that involves participation of local governments for establishing the CSA policy related to the state's authority to withhold the state's share of CSA service costs when the local government has failed to comply with applicable state or federal law or regulation. The amendments improve the standing of local governments in the development of this policy. **Oppose** (11101345D) ~~Would require local governments to repay the state's share of CSA service payments in the event of error, but does not provide for repayment from a provider who may have fraudulently portrayed qualifications or services. See also HB 1679 (Bell).~~

**Summary:** Authorizes the State Executive Council for Comprehensive Services for At-Risk Youth and Families to deny funding to a locality if services are not provided in compliance with applicable state law or policy or federal law. This bill also establishes timelines for development of policies governing denial of funding by the State Executive Council, and provides that the provisions of this act shall apply to services provided on or after July 1, 2011. This bill contains an emergency clause. This bill is identical to HB 1679 (Bell).

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

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#"><b>SB 1178</b></a> - Marsden (37) Child welfare; placement of children.</p>	<p>1/12/2011 Senate: Referred to Committee on Rehabilitation and Social Services 1/21/2011 Senate: Reported from Rehabilitation and Social Services with substitute (14-Y 0-N) 1/26/2011 Senate: Passed Senate (39-Y 0-N) 2/7/2011 House: Referred to Committee on Health, Welfare and Institutions 2/10/2011 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 2/14/2011 House: Passed House (98-Y 0-N) 2/16/2011 Senate: Enrolled 2/16/2011 Senate: Signed by President 2/16/2011 House: Signed by Speaker</p>	<p><b>2/8/2011</b></p>
<p><b>Support</b> (11104406D-S1) - See also HB 1984. <b>Summary:</b> Provides that in cases in which a child cannot be returned to his family or placed for adoption and kinship care is not in the best interests of the child, the Department of Social Services shall consider other placements and services that may be in the best interests of the child. This bill is identical to HB 1984 (Kilgore).</p>		
<p><a href="#"><b>SB 1206</b></a> - Obenshain (26) Traffic impact analysis; removes certain requirements.</p>	<p>1/12/2011 Senate: Referred to Committee on Local Government 1/25/2011 Senate: Reported from Local Government with substitute (15-Y 0-N) 2/1/2011 Senate: Passed Senate (40-Y 0-N) 2/7/2011 House: Referred to Committee on Counties, Cities and Towns 2/10/2011 House: Subcommittee recommends reporting (10-Y 0-N) 2/11/2011 House: Reported from Counties, Cities and Towns (22-Y 0-N) 2/17/2011 House: VOTE: PASSAGE (95-Y 3-N) 2/23/2011 Senate: Enrolled 2/23/2011 Senate: Signed by President 2/23/2011 House: Signed by Speaker</p>	<p><b>2/8/2011</b> <del>1/25/2011</del></p>
<p><b>Monitor</b> (11104638D-S1) - Bill has been amended to leave the transportation impact analysis (TIA) requirements intact for comprehensive plan amendments and rezonings; TIAs are eliminated at the site plan and subdivision submission, post-zoning stage. <del><b>Oppose</b> (11103634D)</del> <b>Summary:</b> Traffic impact analysis. Removes the requirement that a supplemental traffic analysis accompany a plat or plan submitted to the Department of Transportation by a locality because the plat or plan substantially affects transportation on state-controlled highways if such plat or plan is permissible by right under the local zoning ordinance.</p>		

**Bold** – Indicates BOS formal action

[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
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<p><b><u>SB 1226</u></b> - Petersen (34) Commissioners of the revenue; powers and duties.</p>	<p>1/12/2011 Senate: Referred to Committee on Finance                  1/20/2011 Senate: Rereferred to Transportation                  1/27/2011 Senate: Reported from Transportation with substitute (14-Y 0-N)                  2/4/2011 Senate: Passed Senate (36-Y 2-N)                  2/8/2011 House: Referred to Committee on Finance                  2/14/2011 House: Reported from Finance with substitute (22-Y 0-N)                  2/16/11 House: Passed House with substitute (97-Y 0-N)                  2/18/2011 Senate: House substitute agreed to by Senate (40-Y 0-N)                  2/24/2011 Senate: Enrolled                  2/24/2011 House: Signed by Speaker                  2/24/2011 Senate: Signed by President</p>	<p><b>2/22/2011</b>  <b>2/8/2011</b>  <b>1/25/2011</b></p>
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**Monitor** (11105348D-H1) - Bill has been amended to make optional. ~~**Oppose Unless Amended**~~ (11104808D-S1) - ~~Oppose unless amended to make provision for state licensure validation a local option; support enforcement provisions in the bill, similar to HB 1676.~~ **Amend** (11102093D) - Amend to make provision for state licensure validation a local option; support enforcement provisions in the bill, similar to HB 1676.  
**Summary:** Provides for additional powers and duties of local commissioners of the revenue.

<p><b><u>SB 1339</u></b> - Puller (36) Urban development areas; population projections.</p>	<p>1/12/2011 Senate: Referred to Committee on Local Government                  1/18/2011 Senate: Reported from Local Government (15-Y 0-N)                  1/24/2011 Senate: Passed Senate (38-Y 0-N)                  2/7/2011 House: Referred to Committee on Counties, Cities and Towns                  2/18/2011 House: Reported from Counties, Cities and Towns (21-Y 0-N)                  2/22/2011 House: VOTE: PASSAGE (97-Y 0-N)</p>	<p><b>1/25/2011</b></p>
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**Support** (11102948D)  
**Summary:** Allows population projections to be based on official government projections required for federal transportation planning purposes.

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

Bills	General Assembly Actions	Date of BOS Position
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<p><b>SB 1340</b> - Puller (36) Elections; acquisition of voting equipment by localities.</p>	<p>1/12/2011 Senate: Referred to Committee on Privileges and Elections 2/1/2011 Senate: Reported from Privileges and Elections with substitute (13-Y 0-N) 2/7/2011 Senate: Passed Senate (40-Y 0-N) 2/9/2011 House: Referred to Committee on Privileges and Elections 2/18/2011 House: Reported from Privileges and Elections with substitute (20-Y 1-N) 2/23/2011 02/23/11 Senate: House substitute agreed to by Senate (40-Y 0-N)</p>	<p><b>2/8/2011</b></p>
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**Support** (11103926D)  
**Summary:** Allows, for a limited period until June 30, 2012, the purchase of direct recording electronic machines from any source to meet legal mandates to provide accessible voting equipment. The bill provides for oversight of such purchases by the State Board of Elections. Current law requires these purchases to be made from existing DRE inventories within the Commonwealth. The bill is identical to HB 2080.

<p><b>SB 1350</b> - Norment, Jr. (3) Real property tax assessments; appeals.</p>	<p>1/12/2011 Senate: Referred to Committee on Finance 2/2/2011 Senate: Reported from Finance with substitute (14-Y 0-N) 2/7/2011 Senate: Passed Senate (40-Y 0-N) 2/9/2011 House: Referred to Committee on Finance 2/11/2011 House: Subcommittee recommends reporting (5-Y 0-N) 2/14/2011 House: Reported from Finance (22-Y 0-N) 2/16/2011 House: Passed House (97-Y 0-N) 2/21/2011 Senate: Enrolled 2/21/2011 House: Signed by Speaker 2/22/2011 Senate: Signed by President</p>	<p><b>2/8/2011</b> <b>1/25/2011</b></p>
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**Monitor** (11104942D-S1) - Monitor. See also HB 1588. Bill is now in compromise form and the most adverse provisions pertaining to burden of proof and presumption of correctness have been deleted. **Oppose** (11102407D) — Board has historically opposed any diminution of burden of proof standard in assessment appeals.  
**Summary:** Specifies that the burden of proof on a taxpayer, when he appeals the assessment of real property to a board of equalization or to a circuit court, is a preponderance of the evidence. The bill includes requirements on Assessors to provide certain notice and to furnish certain information in appeals of assessments. The bill also extends statewide, provisions regarding boards of equalization currently applicable only to the City of Virginia Beach. The bill is applicable to tax years beginning on or after January 1, 2012.

**Bold** – Indicates BOS formal action  
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Bills	General Assembly Actions	Date of BOS Position
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<p><b><u>SB 1408</u></b> - Ruff (61) Business, professional, occupational license tax; exemption for unprofitable business.</p>	<p>1/18/2011 Senate: Referred to Committee on Finance 2/1/2011 Senate: Reported from Finance with amendments (13-Y 1-N) 2/4/2011 Senate: Passed Senate (37-Y 1-N) 2/8/2011 House: Referred to Committee on Finance 2/10/2011 House: Subcommittee recommends reporting with amendment(s) (11-Y 0-N) 2/14/2011 House: Reported from Finance with amendments (22-Y 0-N) 2/16/2011 House: Passed House with amendments (97-Y 0-N) 2/18/2011 Senate: House amendments agreed to by Senate (40-Y 0-N) 2/24/2011 Senate: Enrolled 2/24/2011 House: Signed by Speaker 2/24/2011 Senate: Signed by President</p>	<p><b>2/8/2011</b> <del>1/25/2011</del></p>
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**Monitor** (11102793D-E) - Monitor. Bill is now permissive. ~~**Oppose** (11102793D) - \$136 million revenue loss; effectively alters the basis of BPOL to net income.~~  
**Summary:** Allows localities to exempt from the BPOL tax businesses that lose money and are unprofitable during the taxable year, for taxable years beginning on or after January 1, 2012.

<p><b><u>SJ 292</u></b> - Puller (36) Public transportation; DRPT to evaluate level of study for improved services in Route 1 corridor.</p>	<p>12/27/2010 Senate: Referred to Committee on Rules 1/28/2011 Senate: Reported from Rules with substitute by voice vote 2/2/2011 Senate: Agreed to by Senate by voice vote 2/7/2011 House: Referred to Committee on Rules 2/17/2011 House: Reported from Rules (13-Y 0-N) 2/22/2011 House: Agreed to by House (97-Y 0-N)</p>	<p><b>1/25/2011</b></p>
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**Support** (11101499D)  
**Summary:** Study; public transportation in U.S. Route 1 corridor; report. Requests the Department of Rail and Public Transportation to evaluate the level of study necessary to identify and advance potential public transportation services to Fort Belvoir in Fairfax County and the Marine Corps Base at Quantico in Prince William and Stafford Counties. In evaluating the level of study needed, the Department of Rail and Public Transportation shall consult with Fort Belvoir, the Marine Corps Base at Quantico, the Washington Metropolitan Area Transit Authority, the Northern Virginia Transportation Commission, the Potomac and Rappahannock Transportation Commission, the Virginia Railway Express, the Counties of Fairfax, Prince William, and Stafford and affected federal agencies.

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Bills	General Assembly Actions	Date of BOS Position
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<p><a href="#"><b>SJ 297</b></a> - Miller (5) Transit-related issues; Department of Rail and Public Transportation to study those in State.</p>	<p>1/4/2011 Senate: Referred to Committee on Rules 1/28/2011 Senate: Reported from Rules by voice vote 2/2/2011 Senate: Agreed to by Senate by voice vote 2/7/2011 House: Referred to Committee on Rules 2/17/2011 House: Reported from Rules (13-Y 0-N) 2/22/2011 House: Agreed to by House (97-Y 0-N)</p>	<p><b>2/8/2011</b></p>
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**Monitor** (11103129D)  
**Summary:** Study; transit programs in Virginia; report. Requests the Department of Rail and Public Transportation (DRPT) to make a one-year study of transit programs in the Commonwealth, including but not limited to the funding of such programs.

<p><a href="#"><b>SJ 334</b></a> - Whipple (31) Chesapeake Bay Watershed Nutrient Credit Exchange Program; Secretary of Natural Resources to study.</p>	<p>1/11/2011 Senate: Referred to Committee on Rules 1/28/2011 Senate: Reported from Rules by voice vote 2/2/2011 Senate: Agreed to by Senate by voice vote 2/7/2011 House: Referred to Committee on Rules 2/21/2011 House: Reported from Rules (15-Y 0-N) 2/24/2011 House: Agreed to by House (97-Y 0-N)</p>	<p><b>2/8/2011</b></p>
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**Support** (11101359D)  
**Summary:** Study; expansion of the Chesapeake Bay Watershed Nutrient Credit Exchange Program; report. Requests that the Secretary of Natural Resources study the expansion of the Chesapeake Bay Watershed Nutrient Credit Exchange Program. In conducting its study, the Secretary of Natural Resources shall convene a stakeholder committee to include representatives from the nutrient source sectors identified in the Chesapeake Bay Total Maximum Daily Load, private sector interests with experience and expertise in market-based approaches and nutrient credits and trading, state agency personnel, local governments, conservation and environmental organizations, and any other persons deemed by the Secretary to have relevant knowledge, perspective, or experience.

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

# *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
<p><a href="#">HB 1431</a> - Albo (42) Recordation tax; reduces state tax on deeds of trust.</p>	<p>11/2/2010 House: Referred to Committee on Finance 2/2/2011 House: Tabled in Finance by voice vote</p>	<p>2/8/2011 <del>1/25/2011</del></p>
<p><b>Oppose</b> (HFIN sub) <del>Do not oppose.</del> (11100157D) <del>Reduces tax burden on all refinances and fixes the inequity of taxation based on original lender versus change in lender.</del>  <b>Summary:</b> Reduces the state recordation tax on deeds of trust from \$0.25 per \$100 of the amount financed to \$0.2375 per \$100 of such amount. The bill also eliminates the reduced recordation tax based on deeds of trust securing a refinanced mortgage with the same lender. Under current law, the recordation tax on deeds of trust for such refinancing applies only to the extent that the amount of the refinancing exceeds the original amount of financing.</p>		
<p><a href="#">HB 1510</a> - Scott (53) Pawnbrokers &amp; precious metals dealers; records required to be maintained, daily electronic reports.</p>	<p>12/17/2010 House: Referred to Committee on General Laws 2/1/2011 House: Subcommittee recommends laying on the table by voice vote 2/8/2011 House: Left in General Laws</p>	<p>1/25/2011</p>
<p><b>Support</b> (11100615D)  <b>Summary:</b> Requires pawnbrokers and precious metals dealers to take a photograph or digital image of (i) the person pawning or pledging or selling an article, precious metal or gem taken at the time of the transaction and (ii) the article, precious metal or gem pawned or pledged or sold. The bill also requires the pawnbrokers and precious metals dealers to submit a daily report containing information on transactions to law-enforcement officials by electronic means. Currently, for pawnbrokers the requirement to submit electronic reports is a local option and precious metals dealers are required to mail or deliver the report within 24 hours of the transaction.</p>		
<p><a href="#">HB 1528</a> - Bell (20) Precious metals dealers; required to prepare daily reports.</p>	<p>12/22/2010 House: Referred to Committee on General Laws 2/8/2011 House: Left in General Laws</p>	<p>1/25/2011</p>
<p><b>Support</b> (11100156D)  <b>Summary:</b> Requires every precious metals dealer to prepare a daily report containing certain information and to file such report by noon of the following day with the chief of police or other law-enforcement officer of the county, city or town where his business is conducted designated by the local attorney for the Commonwealth to receive it. The bill allows a dealer to compile and maintain the daily report in an electronic format and, if so maintained, to file the required daily report electronically with the appropriate law-enforcement officer through use of a disk, electronic transmission, or any other electronic means of reporting approved by the law-enforcement officer. Any local governing body may, by ordinance, require a dealer to maintain and file a daily report electronically through the use of a disk, electronic transmission, or any other electronic means of reporting approved by the law-enforcement officer. The bill allows a dealer to charge a service fee per transaction for making the daily electronic reports to the appropriate law-enforcement officers and for creating and maintaining the electronic records. Such fee shall not exceed five percent of the amount paid by the dealer for an item or \$3, whichever is less. The bill requires the Superintendent of State Police to adopt regulations for the uniform reporting of information required by this section.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 1539</a> - LeMunyon (67) Tolls on Dulles Toll Road and Dulles Greenway; requires advance approval by local government, etc.</p>	<p>12/30/2010 House: Referred to Committee on Transportation 1/27/2011 House: Subcommittee recommends passing by indefinitely by voice vote 2/8/2011 House: Left in Transportation</p>	<p>1/25/2011</p>
<p><b>Oppose</b> (11102735D) - Monitor for any substitute language. <b>Summary:</b> Tolls on Dulles Toll Road and Dulles Greenway. Requires advance approval of any tolls for use of the Dulles Toll Road or Dulles Greenway by every local governing body of every county, city, and town through which the facility passes.</p>		
<p><a href="#">HB 1545</a> - Kory (38) Smoking; prohibition on grounds of public elementary, intermediate, and secondary schools.</p>	<p>1/3/2011 House: Referred to Committee on General Laws 2/8/2011 House: Left in General Laws</p>	<p>1/25/2011</p>
<p><b>Support</b> (11101241D) <b>Summary:</b> Smoking; prohibition on the grounds of public elementary, intermediate, and secondary schools. Expands the prohibition on smoking in the interior of public elementary, intermediate, and secondary schools to include the grounds of such schools. The bill also prohibits smoking in the interior of any public school administration building and the interior of any building where a school-sponsored event is being held off-site.</p>		
<p><a href="#">HB 1561</a> - Cole (88) Zoning administrator; appeal of decisions.</p>	<p>1/4/2011 House: Referred to Committee on Counties, Cities and Towns 1/27/2011 House: Subcommittee recommends passing by indefinitely by voice vote 2/8/2011 House: Left in Counties, Cities and Towns</p>	<p>1/25/2011</p>
<p><b>Oppose</b> (11100639D) <b>Summary:</b> Appeal of zoning administrator decisions. Provides that the zoning administrator shall give notice to the governing body of the issuance of any written order, requirement, decision, or determination regarding the permissibility of a specific use or density of use of a landowner's property at the next public meeting of the governing body following such issuance. The notice to the governing body shall be deemed as public notice to the interested parties for purposes of calculating time limits for appealing or challenging the written order, requirement, decision, or determination.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 1589</a> - Iaquinto (84) DUI ignition interlock; limitations on driver convicted of DUI.</p>	<p>1/6/2011 House: Referred to Committee for Courts of Justice 1/19/2011 House: Subcommittee recommends reporting with amendment(s) (9-Y 0-N) 1/31/2011 House: Reported from Courts of Justice with substitute (18-Y 2-N) 2/4/2011 House: Passed House (75-Y 23-N) 2/7/2011 Senate: Referred to Committee for Courts of Justice 2/9/2011 Senate: Failed to report (defeated) in Courts of Justice (7-Y 7-N)</p>	<p>1/25/2011</p>
<p><b>Support</b> (11100399D) - Board has historically supported. <b>Summary:</b> Provides that a person who is convicted of DUI is required to have an ignition interlock on the first offense as a condition of a restricted license. Currently, the requirement for an ignition interlock is imposed only upon a second or subsequent offense or when the offender's BAC is above 0.15 percent. The bill also provides that the court may authorize a restricted license for travel to and from the interlock installer. The bill also adds passenger vehicles designed to transport more than 15 passengers to the types of vehicles that cannot be operated by a person who is required to have an interlock but who is otherwise permitted to operate a vehicle owned or provided by his employer in the course of his employment.</p>		
<p><a href="#">HB 1632</a> - Watts (39) TANF; eligibility of assistance when convicted of drug-related felonies.</p>	<p>1/10/2011 House: Referred to Committee on Health, Welfare and Institutions 1/20/2011 House: Referred from Health, Welfare and Institutions by voice vote 1/20/2011 House: Referred to Committee for Courts of Justice 2/8/2011 House: Left in Courts of Justice</p>	<p>1/25/2011</p>
<p><b>Support</b> (11101873D) - Board has historically supported. <b>Summary:</b> Provides that a person who is otherwise eligible to receive TANF assistance shall not be denied assistance solely because he has been convicted of a felony offense of possession of a controlled substance provided he complies with all obligations imposed by the court, has completed substance abuse treatment, and participates in drug screenings.</p>		
<p><a href="#">HB 1636</a> - Purkey (82) Intangible personal property tax; classification of certain machinery and tools.</p>	<p>1/10/2011 House: Referred to Committee on Finance 2/1/2011 House: Subcommittee recommends reporting with amendment(s) (6-Y 0-N) 2/2/2011 House: Reported from Finance with substitute (21-Y 0-N) 2/2/11 House: Referred to Committee on Appropriations 2/8/2011 House: Left in Appropriations</p>	<p>1/25/2011</p>
<p><b>Oppose</b> (11101580D) - Revenue loss of \$3.4 million. Board has historically opposed. <b>Summary:</b> Classifies as intangible personal property, and therefore subject solely to state taxation, (i) machinery and tools purchased on or after July 1, 2011, for the first three years following the date of purchase</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>and (ii) machinery and tools used for business purposes, for the first three years after being brought into the Commonwealth for the first time. The bill also classifies as intangible personal property, and therefore subject solely to state taxation, machinery and tools that have been in use for at least 10 years and are located in any county, city, or town in which the assessed value of the machinery and tools is greater than one percent of the original cost.</p>		
<p><b>HB 1676</b> - Englin (45) Sales tax registration; allows dealers to register with local commissioner of revenue.</p>	<p>1/10/2011 House: Referred to Committee on Finance 2/1/2011 House: Subcommittee recommends incorporating (HB2183-Cline) (10-Y 0-N) 2/2/2011 House: Incorporated by Finance (HB2183-Cline) by voice vote</p>	<p><b>1/25/2011</b></p>
<p><b>Support</b> (11100697D) - Would be an enforcement tool that could enhance the accuracy of state sales tax reporting. See also HB 2183 (Cline). <b>Summary:</b> Allows dealers to register for sales tax purposes with the local commissioner of the revenue. Currently, dealers may register only with the Tax Commissioner.</p>		
<p><b>HB 1683</b> - Toscano (57) Motor vehicles; passing of bicycles, etc.</p>	<p>1/10/2011 House: Referred to Committee on Transportation 1/26/2011 House: Subcommittee recommends laying on the table by voice vote 2/8/2011 House: Left in Transportation</p>	<p><b>1/25/2011</b></p>
<p><b>Support</b> (11102481D) - Board has historically supported. See also HB 2194 (Ebbin), SB 928 (McDougle). <b>Summary:</b> Adds bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, and mopeds to the list of vehicles that the driver of a motor vehicle shall not follow more closely than is reasonable. In addition, the bill increases passing distance for passing bicycles from two to three feet.</p>		
<p><b>HB 1721</b> - Marshall (13) Urban development areas; makes incorporation of areas optional rather than mandatory.</p>	<p>1/10/2011 House: Referred to Committee on Counties, Cities and Towns 2/4/2011 House: Reported from Counties, Cities and Towns with amendment (12-Y 10-N) 2/8/2011 House: VOTE: PASSAGE (61-Y 38-N) 2/9/2011 Senate: Referred to Committee on Local Government 2/15/2011 Senate: Passed by indefinitely in Local Government (8-Y 7-N)</p>	<p>[2/11/2011]</p>
<p>[Amend] (11102990D-E) - Amend to strike the House floor amendment that requires the readoption of the entire zoning ordinance under certain circumstances. <b>Summary:</b> Urban development areas. Makes incorporation of urban development areas optional rather than mandatory. Any locality that has previously adopted urban development areas may, and upon voter petition shall, reconsider such action. Also, when a locality votes to adopt a comprehensive plan, it shall also vote to readopt all of its zoning ordinances.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 1722</a> - Marshall (13) Freedom of Information Act; designation of records, penalties for certain violations.</p>	<p>1/10/2011 House: Referred to Committee on General Laws 1/20/2011 House: Subcommittee recommends passing by with letter by voice vote 1/25/2011 House: Passed by in General Laws with letter by voice vote</p>	<p>1/25/2011</p>
<p><b>Oppose</b> (11100801D) - Bill's provisions create significant workload issues for County staff. <b>Summary:</b> Requires that at the time of creation of any public record, the custodian of such records that are subject to FOIA shall designate whether the record is subject to FOIA's mandatory disclosure provisions or otherwise exempt from disclosure. The bill requires that such designation shall appear on the face of the record and be updated by the custodian in a timely manner in the event of any changes. Failure to make the required designation shall, upon receipt of a request for such record, waive any charge authorized under FOIA. The bill also provides that in addition to the civil penalty under FOIA, a public employee found to have committed a willful and knowing violation of FOIA may be subject to other disciplinary action, including suspension, demotion, or termination of public employment. The bill contains technical amendments.</p>		
<p><a href="#">HB 1801</a> - Surovell (44) Transportation Board; changes composition.</p>	<p>1/11/2011 House: Referred to Committee on Transportation 1/20/2011 House: Subcommittee recommends passing by with letter by voice vote 1/25/2011 House: Passed by in Transportation with letter by voice vote</p>	<p>1/25/2011</p>
<p><b>Support</b> (11100748D) <b>Summary:</b> Changes the composition of the CTB. One member will be appointed from each of Virginia's 11 congressional districts (as they were on January 1, 2011) and four more will be at-large appointees: one representing seaports, one representing aviation, one representing railroads, and one representing mass transit. The three ex-officio members remain unchanged.</p>		
<p><a href="#">HB 1834</a> - Scott (30) Statewide Fire Prevention Code; permissible fireworks.</p>	<p>1/11/2011 House: Referred to Committee on General Laws 2/3/2011 House: Reported from General Laws with substitute (14-Y 7-N) 2/8/2011 House: VOTE: PASSAGE (57-Y 40-N) 2/9/2011 Senate: Referred to Committee on General Laws and Technology 2/16/2011 Senate: Passed by indefinitely in General Laws and Technology (14-Y 1-N)</p>	<p>1/25/2011</p>
<p><b>Oppose</b> (11103636D) - County has historically opposed. <b>Summary:</b> Redefines what constitutes permissible fireworks in Virginia, and prevents localities from prohibiting the use, design, possession, ignition, display, storage, sale, or transportation of permissible fireworks, or the setup or supervision thereof. Further, the bill provides that the storage and sale of permissible fireworks shall be governed by the Code for the Manufacture, Transportation, Storage, and Retail Sale of Fireworks and Pyrotechnic Articles adopted by the National Fire Protection Association (NFPA 1124, 2006</p>		

Bills	General Assembly Actions	Date of BOS Position
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Edition), and to the extent that NFPA Standard 1124 doesn't apply to buildings or structures, a locality may enforce any mercantile occupancy requirements. The bill provides that it does not limit any local zoning authority lawfully exercised.

[HB 1846](#) - Athey, Jr. (18)  
Neighborhood Assistance Program; definition of professional services to include mediators.

1/11/2011 House: Referred to Committee on General Laws  
2/8/2011 House: Left in General Laws

2/8/2011

**Amend** (11103981D) - Amend to conform with existing identified professions.

**Summary:** A bill to amend Chapter 13, Section 58.1-439.18 of Title 58.1, and Chapter 43 of Section 2.2-4301 of Title 2.2, of the Code of Virginia, relating to the definition of professional services for the Neighborhood Assistance Program to include mediators certified pursuant to guidelines promulgated by the Judicial Council of Virginia.

[HB 1865](#) - Cole (88)  
Transportation districts; membership by portions of counties, etc., collection of motor fuels taxes.

1/11/2011 House: Referred to Committee on Counties, Cities and Towns  
1/21/2011 House: Reported from Counties, Cities and Towns (21-Y 0-N)  
1/26/2011 House: VOTE: PASSAGE (99-Y 0-N)  
1/27/2011 Senate: Referred to Committee on Local Government  
2/15/2011 Senate: Rereferred to Finance  
2/16/2011 Senate: Passed by indefinitely in Finance (11-Y 0-N 1-A)

1/25/2011

**Oppose** (11103111D) - Would allow any locality in certain transportation districts to unilaterally eliminate an additional license or privilege tax currently imposed on the business of selling fuels at wholesale to retail dealers. These additional taxes are used to support these transportation districts and, in some instances, to pay debt service.

**Summary:** Local transportation districts. Provides for membership in local transportation districts not only by whole counties and cities, but also by portions of counties and cities. The bill also allows members of local transportation districts to set terms upon which their memberships will cease, and allows members to determine whether the local motor fuel tax provided for in such districts will be collected, and, if so, in what amount (up to the maximum provided in statute).

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 1866</a> - Cole (88) Real estate tax relief; local government may cap taxes of elderly and disabled.</p>	<p>1/11/2011 House: Referred to Committee on Finance 1/26/2011 House: Subcommittee recommends reporting with amendment(s) (9-Y 0-N) 2/2/2011 House: Incorporated by Finance (HB2278-Keam) by voice vote</p>	<p>1/25/2011</p>
<p><b>Monitor</b> (11102404D) <b>Summary:</b> Real estate tax relief for the elderly and permanently and totally disabled. Authorizes a local government to cap real property taxes of the elderly and permanently and totally disabled, at an amount equivalent to a percentage of their income, as determined by the local government. The bill is applicable to tax years beginning on or after January 1, 2011.</p>		
<p><a href="#">HB 1879</a> - Filler-Corn (41) School zones; designation of zones in unincorporated planned residential communities.</p>	<p>1/11/2011 House: Referred to Committee on Transportation 1/26/2011 House: Subcommittee recommends laying on the table by voice vote 2/8/2011 House: Left in Transportation</p>	<p>1/25/2011</p>
<p><b>Monitor</b> (11101741D) - See also SB 768 (Marsden). <b>Summary:</b> Designation of school zones in unincorporated planned residential communities. Provides for the designation and enforcement of school zones within unincorporated planned residential communities with the costs borne entirely by the communities in which they are located.</p>		
<p><a href="#">HB 1908</a> - Miller (50) Recordation and grantor taxes; changes basis on which taxes are calculated on property conveyance.</p>	<p>1/11/2011 House: Referred to Committee on Finance 1/31/2011 House: Subcommittee recommends reporting (8-Y 0-N) 2/2/2011 House: Tabled in Finance by voice vote</p>	<p>1/25/2011</p>
<p><b>Oppose</b> (11101869D) - Bill would allow for manipulation of the consideration and therefore invite fraudulent statements; estimated revenue loss of \$8 million. <b>Summary:</b> Recordation and grantor taxes. Changes the basis on which recordation and grantor taxes are calculated on the conveyance of real estate to the consideration for the property conveyed, effective July 1, 2013. Under current law, the basis is the greater of such consideration or the actual value of the property conveyed. For a three-year period, the bill also expands the reduced recordation tax accorded to deeds of trust securing a refinanced mortgage with the same lender, to all such refinancings, regardless of lender. Finally, the bill increases the penalty for fraudulent understatement of the consideration for the property conveyed, from an amount equal to the tax due on the understatement to twice that amount.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 1956</a> - Rust (86) Trespassing vehicles; regulation of removal by localities.</p>	<p>1/11/2011 House: Referred to Committee on Transportation 2/2/2011 House: Subcommittee recommends reporting with amendment(s) (5-Y 2-N) 2/3/2011 House: Reported from Transportation with amendment (16-Y 6-N) 2/8/2011 House: VOTE: PASSAGE (58-Y 41-N) 2/9/2011 Senate: Referred to Committee on Transportation 2/17/2011 Senate: Passed by indefinitely in Transportation with letter (9-Y 6-N)</p>	<p><b>2/8/2011</b></p>
<p><b>Oppose Unless Amended</b> (11103548D) - Oppose unless amended to provide County authority to enforce local ordinance in other jurisdictions. See also SB 1179. <b>Summary:</b> Provides that, when a local governing body regulates towing by ordinance, such ordinance shall not limit the ability to remove a trespassing vehicle from one locality and store or release it in another as long as the stored or released location is within five miles of the actual tow.</p>		
<p><a href="#">HB 1999</a> - LeMunyon (67) Northern Virginia Transportation District; revises criteria for allocation of revenues.</p>	<p>1/11/2011 House: Referred to Committee on Transportation 1/20/2011 House: Subcommittee recommends reporting (3-Y 1-N) 1/27/2011 House: Referred to Committee on Appropriations 2/2/2011 House: Subcommittee recommends reporting with amendment(s) (6-Y 0-N) 2/2/2011 House: Reported from Appropriations with amendment (22-Y 0-N) 2/8/2011 House: VOTE: PASSAGE (86-Y 12-N) 2/9/2011 Senate: Referred to Committee on Transportation 2/14/2011 Senate: Rereferred to Finance 2/21/2011 Senate: Passed by indefinitely in Finance (9-Y 5-N)</p>	<p><b>1/25/2011</b></p>
<p><b>Oppose</b> (11103968D) <b>Summary:</b> Northern Virginia Transportation District. Revises criteria for allocation of revenues to highway projects within the Northern Virginia Transportation District. The bill also contains technical amendments.</p>		



Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 2000</a> - LeMunyon (67) Washington Metropolitan Area Transit Authority board of directors; appointments.</p>	<p>1/11/2011 House: Referred to Committee on Counties, Cities and Towns 1/26/2011 House: Subcommittee recommends reporting with amendment(s) (8-Y 1-N) 1/28/2011 House: Reported from Counties, Cities and Towns with amendments (19-Y 3-N) 1/28/2011 House: Referred to Committee on Appropriations 2/2/2011 House: Subcommittee recommends reporting with amendment(s) (6-Y 0-N) 2/2/2011 House: Reported from Appropriations with substitute (22-Y 0-N) 2/8/2011 House: VOTE: PASSAGE (72-Y 27-N) 2/9/2011 Senate: Referred to Committee on Local Government 2/15/2011 Senate: Rereferred to Finance 2/21/2011 Senate: Passed by indefinitely in Finance (8-Y 5-N)</p>	<p>1/25/2011</p>
<p><b>Oppose</b> (11103787D) <b>Summary:</b> In appointing Virginia members of the board of directors of the Washington Metropolitan Area Transit Authority, the Northern Virginia Transportation Commission shall include the Secretary of Transportation's designee or his voting member as a principal.</p>		
<p><a href="#">HB 2016</a> - Albo (42) Northern VA Transportation Authority, Northern VA Transportation Commission, etc.; consolidation.</p>	<p>1/11/2011 House: Referred to Committee on Transportation 1/27/2011 House: Subcommittee recommends passing by with letter by voice vote 2/1/2011 House: Passed by in Transportation with letter by voice vote</p>	<p>1/25/2011</p>
<p><b>Oppose</b> (11101175D) <b>Summary:</b> Consolidation of the Northern Virginia Transportation Authority, the Northern Virginia Transportation Commission, and the Potomac and Rappahannock Transportation Commission. Expands the duties of the Northern Virginia Transportation Authority to include the assumption and oversight of the Northern Virginia Transportation Commission and the Potomac and Rappahannock Transportation Commission administrative activities, bus and commuter rail transit planning, programming, funding, and operation activities that occur in the areas embraced by the Northern Virginia Transportation Authority. Upon enactment, the Northern Virginia Transportation Commission and the Potomac and Rappahannock Transportation Commission will be dissolved. Additional technical changes are made throughout the Code to account for the consolidation. This bill has a delayed enactment of July 1, 2012.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 2039</a> - Cox (55) Construction management; limits use of at-risk method for building construction projects.</p>	<p>1/11/2011 House: Referred to Committee on General Laws 1/27/2011 House: Subcommittee recommends passing by with letter by voice vote 2/1/2011 House: Passed by in General Laws with letter by voice vote</p>	<p>2/8/2011</p>
<p><b>Monitor</b> (11103524D) - Bill has been sent to Small Business Commission for study. <b>Summary:</b> Procurement by public bodies; use of certain contracting processes. Limits the use of the construction management at-risk method for building construction to projects with a total value of \$25 million or more. The bill also amends the definition of "qualifying project" in the Public-Private Education Facilities and Infrastructure Act of 2002 (§ 56-575.1 et seq.) to require that the project be totally supported by private funds.</p>		
<p><a href="#">HB 2110</a> - Armstrong (11) Eminent domain; just compensation, restricted access to property.</p>	<p>1/12/2011 House: Referred to Committee for Courts of Justice 2/8/2011 House: Left in Courts of Justice</p>	<p>1/25/2011</p>
<p><b>Oppose</b> (11101832D) - Board has historically opposed. <b>Summary:</b> Eminent domain; just compensation; restricted access. Provides that any restriction, change, or loss of access to or from property taken under the power of eminent domain shall be considered as an element in assessing the damages to residue for the purposes of determining just compensation.</p>		
<p><a href="#">HB 2154</a> - Cline (24) Virginia Initiative for Employment Not Welfare Program (VIEW); eligibility.</p>	<p>1/12/2011 House: Referred to Committee on Health, Welfare and Institutions 1/26/2011 House: Subcommittee recommends laying on the table by voice vote 2/8/2011 House: Left in Health, Welfare and Institutions</p>	<p>1/25/2011</p>
<p><b>Oppose</b> (11103007D) - Board has historically opposed as an unfunded mandate. See also SB 781 (Reynolds). <b>Summary:</b> Substance abuse screening and assessment of public assistance applicants and recipients. Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal drugs. The bill provides that when a screening indicates reasonable cause to believe a participant is using illegal drugs, the Department shall require a formal substance abuse assessment of the participant, which may include drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal drugs shall be ineligible to receive TANF payments for a period of one year.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 2194</a> - Ebbin (49) Motor vehicles; passing of bicycles, etc.</p>	<p>1/12/2011 House: Referred to Committee on Transportation 1/26/2011 House: Subcommittee recommends incorporating (HB1683-Toscano) by voice vote 2/8/2011 House: Left in Transportation</p>	<p><b>1/25/2011</b></p>
<p><b>Support</b> (11102932D) - Board has historically supported. See also HB 1683 (Toscano), SB 928 (McDougle). <b>Summary:</b> Following too closely; passing other vehicles. Adds bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, and mopeds to the list of vehicles that the driver of a motor vehicle shall not follow more closely than is reasonable. In addition, the bill increases passing distance for passing bicycles from two to three feet.</p>		
<p><a href="#">HB 2232</a> - Anderson (51) Personal property tax; valuation of motor vehicles.</p>	<p>1/12/2011 House: Referred to Committee on Finance 2/1/2011 House: Subcommittee recommends laying on the table by voice vote 2/8/2011 House: Left in Finance</p>	<p><b>1/25/2011</b></p>
<p><b>Oppose</b> (11103083D) - County currently utilizes NADA trade-in value; estimated revenue loss of \$58 million; loan value is not fair market value, but is a financing value. <b>Summary:</b> Requires that valuation of motor vehicles be at the lowest price in the NADA pricing guide. If a motor vehicle's model and year are not listed in such pricing guide, the individual vehicle may be valued on the basis of percentage or percentages of original cost.</p>		
<p><a href="#">HB 2238</a> - Torian (52) Prince William County Metrorail Improvement District; created.</p>	<p>1/12/2011 House: Referred to Committee on Transportation 1/27/2011 House: Subcommittee recommends laying on the table by voice vote 2/8/2011 House: Left in Transportation</p>	<p><b>1/25/2011</b></p>
<p><b>Monitor</b> (11101852D) <b>Summary:</b> Prince William County Metrorail Improvement District. Creates the Prince William County Metrorail Improvement District to provide a means of financing an extension of commuter rail service from Fairfax County into Prince William County.</p>		
<p><a href="#">HB 2262</a> - Morgan (98) Green Public Buildings Act; definitions, building standards.</p>	<p>1/12/2011 House: Referred to Committee on General Laws 2/3/2011 House: Subcommittee recommends no action by voice vote 2/8/2011 House: Left in General Laws</p>	<p><b>2/8/2011</b></p>
<p><b>Monitor</b> (11101905D) <b>Summary:</b> Green Public Buildings Act. Requires public bodies entering the design phase for construction of a new building greater than 5,000 gross square feet in size or renovating such a building where the cost of renovation exceeds 50 percent of the value of the building to build to either U.S. Green Building Council Leadership in Energy and Environmental Design green building rating standard (LEED) Silver or Green Globes two globe standards. Exemptions from the requirement may be granted by the Director of the Department of</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>General Services for state construction projects or the governing body of a locality or school board for local projects. The bill has a delayed implementation date of July 1, 2012, for local public bodies and school boards.</p>		
<p><a href="#">HB 2287</a> - Sickles (43) Nonhazardous solid waste management facilities; annual fee.</p>	<p>1/12/2011 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/26/2011 House: Subcommittee failed to recommend reporting (3-Y 3-N) 2/8/2011 House: Left in Agriculture, Chesapeake and Natural Resources</p>	<p><b>1/25/2011</b></p>
<p><b>Monitor</b> (11103680D) <b>Summary:</b> Permit fees for solid waste facilities. Establishes the same fee structure for sanitary landfills, noncaptive industrial landfills, and construction and demolition debris landfills. All of these types of facilities will be required to pay an annual fee of \$0.145 per ton of waste deposited in their facility. Currently, noncaptive industrial landfills pay an annual fee of \$8,000 and construction and demolition debris landfills pay \$4,000 annually, while the fee schedule for sanitary landfills is based on the annual tonnage of waste deposited in the landfill. Incinerators and energy recovery facilities will be assessed an annual fee of \$0.03 per ton. The fees will be adjusted annually based on the Consumer Price Index. The annual fee has been increased for other types of facilities such as composting, regulated medical waste, transfer stations, etc. The bill also requires the Department of Environmental Quality to develop and implement policies and procedures to maximize efficiency and eliminate unnecessary delays in processing waste permit applications and permit amendments.</p>		
<p><a href="#">HB 2327</a> - Lingamfelter (31) Photo monitoring systems; limitations on local adoption of systems.</p>	<p>1/12/2011 House: Referred to Committee on Militia, Police and Public Safety 1/27/2011 House: Subcommittee recommends reporting with amendment(s) (4-Y 0-N) 2/4/2011 House: Failed to report (defeated) in Militia, Police and Public Safety (9-Y 12-N)</p>	<p><b>2/8/2011</b></p>
<p><b>Oppose</b> (11100839D) <b>Summary:</b> Limits the operation of a traffic signal enforcement program, commonly referred to as a "photo red program," to those localities that have adopted ordinances establishing the program prior to July 1, 2011. In addition, localities that have adopted such ordinances are prohibited from implementing or expanding a photo red program after July 1, 2011.</p>		
<p><a href="#">HB 2371</a> - Edmunds, II (60) Real property tax assessment; notice to be published in newspaper 30 to 45 days prior.</p>	<p>1/13/2011 House: Referred to Committee on Finance 2/8/2011 House: Left in Finance</p>	<p><b>1/25/2011</b></p>
<p><b>Monitor</b> (11103876D) <b>Summary:</b> Requires that notice be published in a newspaper 30 to 45 days prior to the beginning of a reassessment cycle of real property advising taxpayers that they have (i) the right to have the assessor examine their property on site and (ii) the right to be present during such examination.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 2398</a> - Joannou (79) Treasurer; collection of local taxes.</p>	<p>1/17/2011 House: Referred to Committee on Finance            2/1/2011 House: Subcommittee recommends reporting with amendment(s) (7-Y 3-N)            2/2/2011 House: Failed to report (defeated) in Finance (6-Y 14-N)</p>	<p>1/25/2011</p>
<p><b>Oppose</b> (11103380D) - Shifts financial burden to local governments; \$5.4 million fiscal impact to County as written.  <b>Summary:</b> Provides that the treasurer of each county and city shall deposit with the State Treasurer an amount equal to 0.2 percent of all local taxes or other charges collected by the treasurer. Out of these deposits: (i) six percent of any tax or other charges collected shall be retained by the Compensation Board for administrative purposes, (ii) 47 percent of any tax or charges collected by the treasurer shall be allocated to the Compensation Board in support of local treasurers in accordance with existing law, and (iii) 47 percent of any tax or other charges collected by the treasurer shall be allocated by the Compensation Board in support of local commissioners of the revenue in accordance with existing law.</p>		
<p><a href="#">HB 2399</a> - Ward (92) Snow and ice; requires operators to remove from their vehicles, penalty.</p>	<p>1/17/2011 House: Referred to Committee on Transportation            1/26/2011 House: Subcommittee recommends laying on the table by voice vote</p>	<p>1/25/2011</p>
<p><b>Support</b> (11103789D)  <b>Summary:</b> Requires operators of motor vehicles to remove accumulated snow and ice from their vehicles.</p>		
<p><a href="#">HB 2418</a> - Pollard, Jr. (99) Virginia Railway Express; passenger surcharge when boarding in Cities of Manassas and Manassas Park.</p>	<p>1/18/2011 House: Referred to Committee on Transportation            1/27/2011 House: Subcommittee recommends striking from docket by voice vote            2/1/2011 House: Stricken from docket by Transportation by voice vote</p>	<p>1/25/2011</p>
<p><b>Oppose</b> (11104099D)  <b>Summary:</b> Imposes a \$1 per passenger surcharge on VRE passengers boarding in Manassas and Manassas Park. Proceeds of this surcharge are to be paid to the Northern Neck Planning District Commission to be used exclusively for economic development projects.</p>		
<p><a href="#">HB 2452</a> - Alexander (89) Virginia Tort Claims Act; abolishes sovereign immunity up to maximum limits of statutory cap.</p>	<p>1/19/2011 House: Referred to Committee for Courts of Justice            1/26/2011 House: Failed to report in subcommittee.</p>	<p>1/25/2011</p>
<p><b>Oppose</b> (11104129D) - Board has historically opposed.  <b>Summary:</b> Includes counties, cities, and towns under the provisions of the Virginia Tort Claims Act and</p>		

Bills	General Assembly Actions	Date of BOS Position
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thereby statutorily abolishes sovereign immunity for such localities up to the maximum limits of the statutory cap on damages.

[HB 2482](#) - Ware, Jr. (65)  
Animal care; enforcement procedures and standards related to animal cruelty.

1/21/2011 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources  
1/31/2011 House: Subcommittee recommends laying on the table by voice vote

2/8/2011

**Oppose** (11103854D)

**Summary:** Provides new procedures for the impoundment, seizure, return or forfeiture of animals when the owner or custodian is suspected of animal welfare violations. Animals in the custody or possession of dealers or pet shops that fail to adequately care for such animals shall be subject to impoundment by such dealer or pet shop pursuant to any directive or under any supervision as may be provided by the investigating official, animal control officer, or State Veterinarian's representative. Such animals are subject to seizure if (i) under a direct and immediate threat or (ii) the owner or custodian is unable to or does not provide adequate impoundment. Upon conviction of such person, impounded or seized animals may be forfeited or returned to the owner or custodian at the discretion of the court. The bill also repeals the prohibition on persons that have been convicted of animal cruelty from selling or trading companion animals. The welfare requirement that emergency veterinary treatment is provided for animals under certain conditions will no longer include treatment for disease progression.

[HB 2492](#) - Hugo (40)  
Onsite sewage systems; certain owners may be exempt from requirements for operation and maintenance.

1/21/2011 House: Referred to Committee on Counties, Cities and Towns  
2/3/2011 House: Subcommittee recommends reporting with amendment(s) (11-Y 0-N)  
2/4/2011 House: Reported from Counties, Cities and Towns with substitute (15-Y 7-N)  
2/7/2011 House: Engrossment refused by House

2/8/2011

**Oppose** (11104434D)

**Summary:** Provides that the owner of an alternative onsite sewage system installed prior to January 1, 2010, with flows of less than 1,000 gallons per day serving an individual single-family dwelling occupied by such owner shall be exempt from the requirements for the operation and maintenance of the alternative onsite sewage system serving his own residence.

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 2497</a> - Barlow (64) Towing and Recovery Operators, Board of; abolishes Board.</p>	<p>1/21/2011 House: Referred to Committee on General Laws 1/31/2011 House: Referred from General Laws by voice vote 1/31/2011 House: Referred to Committee on Transportation 2/2/2011 House: Subcommittee recommends passing by with letter by voice vote 2/3/2011 House: Passed by in Transportation with letter by voice vote</p>	<p>2/8/2011</p>
<p><b>Oppose</b> (11104203D) <b>Summary:</b> Board of Towing and Recovery Operators. Abolishes the Board of Towing and Recovery Operators.</p>		
<p><a href="#">HB 2500</a> - Armstrong (11) Omnibus Citizen Bill of Rights; created.</p>	<p>1/21/2011 House: Referred to Committee for Courts of Justice 2/8/2011 House: Left in Courts of Justice</p>	<p>2/8/2011</p>
<p><b>Oppose</b> (11103675D) <b>Summary:</b> Creates the Citizen Bill of Rights designed to secure rights guaranteed to citizens of the Commonwealth by the Constitution of Virginia and achieves this goal by (i) providing a trial de novo for appeals from state agency decisions under the Administrative Process Act and local zoning and land development decisions, (ii) removing the presumption of official regularity and correctness in such appeals, (iii) increasing the cap on damages recoverable against the Commonwealth under the Virginia Tort Claims Act to \$1 million from \$100,000, (iv) increasing the statute of limitations in inverse condemnation cases to five years from three years, and (v) requiring the payment of reasonable costs and expert witness fees, and in certain cases attorney fees, to the property owner in condemnation cases where the amount awarded to the owner at trial exceeds the amount offered by the condemnor.</p>		
<p><a href="#">HB 2503</a> - Cosgrove (78) Governor's Transportation Regulatory Review Commission; created.</p>	<p>1/21/2011 House: Referred to Committee on Rules 2/1/2011 House: Tabled in Rules by voice vote</p>	<p>2/8/2011</p>
<p><b>Support</b> (11104210D) <b>Summary:</b> Governor's Transportation Regulatory Review Commission. Creates the Governor's Transportation Regulatory Review Commission as an advisory commission to annually review regulations to identify those regulations that may impede (i) the construction of any state or local transportation project or (ii) the maintenance of such transportation project. The bill requires the Commission to recommend to the Governor the suspension of any regulation that will cause additional cost to or delay of any state or local transportation project. The bill provides, however, that it does not apply to any state safety regulations or safety inspection procedures. Under the terms of the bill, the Commission will cease to exist on July 1, 2016.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HJ 539</a> - Cole (88) Constitutional amendment; imposition of taxes and fees by General Assembly or local governing body.</p>	<p>12/7/2010 House: Referred to Committee on Privileges and Elections 1/24/2011 House: Subcommittee recommends reporting (4-Y 3-N) 1/28/2011 House: Reported from Privileges and Elections (12-Y 8-N) 2/1/2011 House: VOTE: ADOPTION (52-Y 44-N) 2/2/2011 Senate: Referred to Committee on Privileges and Elections 2/15/2011 Senate: Failed to report in subcommittee (4-N 2-Y)</p>	<p><b>1/25/2011</b></p>
<p><b>Oppose</b> (11100495D) <b>Summary:</b> Constitutional amendment (first resolution); imposition of taxes and fees. Requires that any bill or ordinance passed by the General Assembly or a local governing body creating, imposing, or increasing a tax, license, fee, or any other charge pass by a three-fifths majority vote of elected members.</p>		
<p><a href="#">HJ 540</a> - Cole (88) Constitutional amendment; state and local budgets, limits on appropriations.</p>	<p>1/6/2011 House: Referred to Committee on Privileges and Elections 1/24/2011 House: Subcommittee recommends reporting with amendment(s) (4-Y 3-N) 1/28/2011 House: Reported from Privileges and Elections with substitute (11-Y 9-N) 2/1/2011 House: VOTE: REJECTED (47-Y 48-N)</p>	<p><b>1/25/2011</b></p>
<p><b>Oppose</b> (11100496D) <b>Summary:</b> Constitutional amendment (first resolution); state and local budgets; limits on appropriations. Limits the state's or a locality's total appropriations in a year to the preceding year's total appropriations plus a percentage equal to the sum of the percentage increase in the rate of inflation plus the rate of population increase. "Total appropriations" is defined so as not to include appropriated moneys for tax relief or moneys that are received from the federal government or an agency or unit thereof. The General Assembly or a local governing body may exceed this limitation only by an affirmative vote of at least three-fifths of the elected members.</p>		
<p><a href="#">HJ 603</a> - Surovell (44) U.S. Route 1 Corridor; joint subcommittee to study creation of Corridor.</p>	<p>1/11/2011 House: Referred to Committee on Rules 1/27/2011 House: Subcommittee recommends no action by voice vote</p>	<p><b>2/8/2011</b></p>
<p><b>Support</b> (11101377D) - See also SJ 292. <b>Summary:</b> Study; U.S. Route 1 Corridor; report. Establishes a joint subcommittee to study the creation of a U.S. Route 1 Corridor.</p>		



Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HJ 604</a> - Surovell (44) Constitutional amendment; repeal of state law or regulation by localities (first reference).</p>	<p>1/11/2011 House: Referred to Committee on Privileges and Elections 1/31/2011 House: No motion to report in subcommittee.</p>	<p><b>1/25/2011</b></p>
<p><b>Support</b> (11103779D) - Support concept; Board has historically supported increased local authority and flexibility. <b>Summary:</b> Constitutional amendment (first resolution); repeal of state law or regulation by localities. Authorizes counties and cities containing at least two-thirds of the state's population to repeal a state law or regulation. The resolutions to accomplish the repeal must state the particular law or regulation to be repealed and be adopted within a 24-month period.</p>		
<p><a href="#">HJ 615</a> - Janis (56) Constitutional amendment; restriction on contents of bill or law that appropriates funds.</p>	<p>1/11/2011 House: Referred to Committee on Privileges and Elections 1/28/2011 House: Reported from Privileges and Elections with substitute (14-Y 7-N) 2/1/2011 House: VOTE: ADOPTION (80-Y 15-N) 2/2/2011 Senate: Referred to Committee on Privileges and Elections 2/15/2011 Senate: Reported from Privileges and Elections (13-Y 2-N) 2/15/2011 Senate: Rereferred to Finance 2/21/2011 Senate: Passed by indefinitely in Finance (8-Y 7-N)</p>	<p><b>2/22/2011</b></p>
<p><b>Oppose</b> (11104573D-EH1) - Would severely restrict the General Assembly's power to impose certain fees and/or taxes by statute (or allow localities to do so) and direct the use of revenues derived from those fees or taxes. <b>Summary:</b> Constitutional amendment (first resolution); restriction on contents of a law that appropriates funds. Prohibits the enactment of any law that appropriates funds containing (i) any provision that imposes, continues, increases, or revives any tax, fee, or fine or (ii) any provision that reduces, suspends, or eliminates any credit, deduction, or exemption associated with any tax, fee, or fine.</p>		
<p><a href="#">HJ 621</a> - May (33) Cell phone; Virginia Tech Transportation Institute to study disincentives for use in motor vehicles.</p>	<p>1/11/2011 House: Referred to Committee on Rules 1/27/2011 House: Subcommittee recommends passing by indefinitely by voice vote</p>	<p><b>2/8/2011</b></p>
<p><b>Support</b> (11101101D) <b>Summary:</b> Study; Virginia Tech Transportation Institute; cell phone use; report. Requests the Virginia Tech Transportation Institute to study disincentives for cell phone use in motor vehicles.</p>		

Bills	General Assembly Actions	Date of BOS Position
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<p><a href="#">HJ 647</a> - Bell (58) Constitutional amendment; taking or damaging of private property for public use (first reference).</p>	<p>1/12/2011 House: Referred to Committee on Privileges and Elections 1/17/2011 House: Subcommittee recommends reporting with amendment(s) (3-Y 2-N) 2/4/2011 House: Incorporated by Privileges and Elections (HJ693-Joannou) by voice vote</p>	<p><b>1/25/2011</b></p>
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**Oppose** (11103938D) - Board has historically opposed.

**Summary:** Constitutional amendment (first resolution); taking or damaging of private property; public use. Expands the prohibition on the enactment by the General Assembly of laws whereby private property may be taken or damaged. An existing provision authorizing the General Assembly to define what constitutes a public use is removed. The measure (i) states that the right to private property is fundamental; (ii) clarifies that the damaging or taking of private property is prohibited except for public use, and only upon the payment of just compensation to the owner; (iii) requires that the owner receive just compensation for the property taken or damaged and for damages to the residue; (iv) states that just compensation is no less than the value of the property taken or damaged, business goodwill, relocation expenses, loss of access and other economic loss proximately caused by the taking or damaging; (v) prohibits the taking of more property than is necessary to achieve the stated public use; (vi) provides that a taking of private property is not for public use if the primary use is for private gain, private benefit, private enterprise, increasing jobs, increasing tax revenue, or economic development, except for the authorized provision of a public utility, public service corporation, or railroad service or for the elimination of a public nuisance existing on the property; and (vii) requires the condemnor to bear the burden of proving that the use is public.

<p><a href="#">HJ 669</a> - Bulova (37) Plug-in electric vehicles; Governor to appoint an interagency task force to study use thereof.</p>	<p>1/12/2011 House: Referred to Committee on Rules 1/27/2011 House: Subcommittee recommends laying on the table by voice vote</p>	<p><b>1/25/2011</b></p>
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**Support** (11103953D)

**Summary:** Study; plug-in electric vehicle task force; report. Requests the Governor to appoint an interagency task force to study use of plug-in electric vehicles in Virginia. The task force shall report its findings to the General Assembly no later than December 31, 2011.

Bills	General Assembly Actions	Date of BOS Position
<p><b>SB 768</b> - Marsden (37) School zones; designation of zones in certain residential communities.</p>	<p>12/8/2010 Senate: Referred to Committee on Transportation 1/13/2011 Senate: Rereferred to Local Government 2/1/2011 Senate: Reported from Local Government with substitute (12-Y 2-N) 2/7/2011 Senate: Passed Senate (38-Y 2-N) 2/9/11 House: Referred to Committee on Transportation 2/17/2011 House: Passed by in Transportation with letter by voice vote</p>	<p>2/8/2011 <del>1/25/2011</del></p>
<p>(11104700D-S1) - Do not support legislative solution. <b>Monitor</b> (11100542D) <b>Summary:</b> Provides for the designation and enforcement of school zones within common interest communities with the costs borne entirely by the communities in which they are located.</p>		
<p><b>SB 780</b> - Reynolds (20) Recordation and grantor taxes; expands reduced tax accorded to deeds of trust.</p>	<p>12/27/2010 Senate: Referred to Committee on Finance 2/2/2011 Senate: Reported from Finance (8-Y 5-N 1-A) 2/8/2011 Senate: Passed Senate (22-Y 18-N) 2/8/2011 Senate: Reconsideration of passage agreed to by Senate 2/8/2011 Senate: Passed Senate (24-Y 16-N) 2/9/2011 House: Referred to Committee on Finance 2/11/2011 House: No second to motion to report.</p>	<p>1/25/2011</p>
<p><b>Oppose</b> (11102074D) - Estimated \$8 million fiscal impact to the County. This refinancing/recordation tax issue should be studied further. <b>Summary:</b> Expands, for a three-year period, the reduced recordation tax accorded to deeds of trust securing a refinanced mortgage with the same lender to all such refinancings, regardless of lender.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><b>SB 781</b> - Reynolds (20) VIEW; screening and assessment for use of illegal substances.</p>	<p>12/27/2010 Senate: Referred to Committee on Rehabilitation and Social Services            1/21/2011 Senate: Reported from Rehabilitation and Social Services with amendment (8-Y 6-N)            1/26/2011 Senate: Rereferred to Finance            2/2/2011 Senate: Reported from Finance with amendment (14-Y 0-N)            2/4/2011 Senate: Passed Senate (28-Y 9-N)            2/4/2011 Senate: Reconsideration of passage agreed to by Senate (37-Y 0-N)            2/7/2011 Senate: Passed Senate (32-Y 7-N)            2/9/2011 House: Referred to Committee on Health, Welfare and Institutions            2/15/2011 House: Reported from Health, Welfare and Institutions with amendment (15-Y 7-N)            2/15/11 House: Referred to Committee on Appropriations            2/18/2011 House: Subcommittee recommends laying on the table by voice vote            2/22/2011 House: Left in Appropriations</p>	<p><b>1/25/2011</b></p>
<p><b>Oppose</b> (11100945D) - Board has historically opposed as an unfunded mandate. See also HB 2154 (Cline).  <b>Summary:</b> Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal drugs. The bill provides that when a screening indicates reasonable cause to believe a participant is using illegal drugs, the Department shall require a formal substance abuse assessment of the participant, which may include drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal drugs shall be ineligible to receive TANF payments for a period of one year; however, the person shall have an opportunity to comply with the screening, assessment, or treatment requirements and be reinstated once during the 12-month period following the date of the initial view assessment. The provisions of the bill are made conditional upon an appropriation of General Funds effectuating the provisions of the bill.</p>		
<p><b>SB 797</b> - Locke (2) Human Rights Act; adds sexual orientation to definition of unlawful discriminatory practice.</p>	<p>12/29/2010 Senate: Referred to Committee on General Laws and Technology            1/26/2011 Senate: Failed to report (defeated) in General Laws and Technology (7-Y 7-N)</p>	<p><b>1/25/2011</b></p>
<p><b>Support</b> (11101727D)  <b>Summary:</b> Adds sexual orientation to the definition of unlawful discriminatory practice.</p>		

Bills	General Assembly Actions	Date of BOS Position
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<p><b>SB 838</b> - Petersen (34) Debt secured by deed of trust; recordation of certificate of assignment.</p>	<p>1/7/2011 Senate: Referred to Committee for Courts of Justice 2/7/2011 Senate: Reported from Courts of Justice (9-Y 5-N) 2/8/2011 Senate: Defeated by Senate (14-Y 26-N)</p>	<p><b>2/8/2011</b></p>
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**Support** (11102999D)

**Summary:** Recordation of certificate of assignment of debt secured by deed of trust. Requires the assignee of a debt or other obligation that is secured by a deed of trust, mortgage, or vendor's lien on real estate to record a certificate of assignment in the clerk's office of the circuit court where the deed of trust, mortgage, or vendor's lien is recorded. Effective July 1, 2011, the recordation of a certificate of assignment will be necessary to transfer the benefit of the security provided by the deed of trust or mortgage.

<p><b>SB 842</b> - Petersen (34) Humane investigators; appointment.</p>	<p>1/7/2011 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/7/2011 Senate: Passed by indefinitely in Agriculture, Conservation and Natural Resources with letter (10-Y 0-N)</p>	<p><b>1/25/2011</b></p>
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**Monitor** (11103312D)

**Summary:** Humane investigators. Allows the appointment of new humane investigators. Currently, existing humane investigators may be reappointed, but the program is no longer open to new participants. The administrative entity that oversees animal control will be required to (i) supervise humane investigators and (ii) maintain and annually update a list of persons eligible for appointment as humane investigators. Circuit courts that appoint a humane investigator must notify the administrative entity that oversees animal control in the locality where the humane investigator serves if a humane investigator's term expires and he is not appointed to a succeeding term before or within 30 days. The administrative entity that oversees animal control in the locality where the humane investigator was appointed may suspend, discharge or restrict the performance of humane investigator appointees for good cause under the same administrative process used for disciplinary actions against animal control officers.

Bills	General Assembly Actions	Date of BOS Position
<p><b>SB 845</b> - Petersen (34) Local officials; shall not be questioned on any legislative speech, etc., without leave of court.</p>	<p>1/7/2011 Senate: Referred to Committee for Courts of Justice 2/7/2011 Senate: Reported from Courts of Justice with substitute (8-Y 5-N) 2/8/2011 Senate: Passed Senate (20-Y 20-N, Chair votes Yes) 2/9/2011 House: Referred to Committee for Courts of Justice 2/16/2011 House: Subcommittee recommends laying on the table by voice vote 2/22/2011 02/22/11 House: No action taken by Courts of Justice by voice vote</p>	<p><b>1/25/2011</b></p>
<p><b>Support</b> (11100777D) <b>Summary:</b> Legislative speech or debate of local elected officials. Provides that an elected member of a local governing body shall not be compelled by law to be questioned on any speech or debate engaged in by the elected member during the exercise of his legislative powers without leave of court.</p>		
<p><b>SB 913</b> - McDougle (4) Chief Executive Officer for Transportation; replaces Transportation Commissioner, etc.</p>	<p>1/10/2011 Senate: Referred to Committee on Transportation 2/3/2011 Senate: Passed by indefinitely in Transportation (14-Y 1-N)</p>	<p><b>2/8/2011</b></p>
<p><b>Oppose</b> (11100302D) - Board has historically opposed. <b>Summary:</b> Abolishes the office of Commonwealth Transportation Commissioner and replaces that position with a Chief Executive Officer for Transportation who takes over the powers, duties, and responsibilities of the Commonwealth Transportation Commissioner, the Director of the Department of Aviation, and the Director of the Department of Rail and Public Transportation. The Virginia Board of Aviation and the Rail Advisory Board are also abolished and their functions transferred to the Commonwealth Transportation Board. The composition of the Commonwealth Transportation Board is changed to remove the Secretary of Transportation, the Commonwealth Transportation Commissioner, and the Director of the Department of Rail and Public Transportation and to provide for election of the at-large members of the Board by the General Assembly.</p>		
<p><b>SB 928</b> - McDougle (4) Motor vehicles; passing of bicycles, etc.</p>	<p>1/10/2011 Senate: Referred to Committee on Transportation 2/3/11 Senate: Reported from Transportation (15-Y 0-N) 2/8/2011 Senate: Passed Senate (40-Y 0-N) 2/9/2011 House: Referred to Committee on Transportation 2/17/2011 House: Tabled in Transportation (11-Y 10-N)</p>	<p><b>1/25/2011</b></p>
<p><b>Support</b> (11100456D) - Board has historically supported. See also HB 1683 (Toscano), HB 2194 (Ebbin). <b>Summary:</b> Adds bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, and mopeds to the list of vehicles that the driver of a motor vehicle shall not follow more closely than is reasonable. In addition, the bill increases passing distance for passing bicycles from two to three feet.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><b>SB 947</b> - Howell (32) Primary schedule in 2011; moves primary date to September 13, 2011 in anticipation of redistricting.</p>	<p>1/10/2011 Senate: Referred to Committee on Privileges and Elections 1/25/2011 Senate: Stricken at request of Patron in Privileges and Elections (15-Y 0-N)</p>	<p><b>1/25/2011</b> <del>1/25/2011</del></p>
<p><b>Support w/ Amend.</b> (01/12/11) - Support with amendment to conform to HB 1507 (Cole), which sets the rescheduled date for August 23, 2011. <del><b>Support w/ Amend.</b> (11101267D) - Support with amendment to conform to HB 1507 (Cole), which sets rescheduled date for August 23, 2011.</del> <b>Summary:</b> Moves the June 14, 2011, primary date to September 13, 2011, in anticipation of the 2011 redistricting process and adjusts various deadlines for filings and election preparations to accommodate the new primary date. The bill declares that an emergency exists and that the bill is effective upon passage.</p>		
<p><b>SB 949</b> - Howell (32) Elections; qualified voters may vote absentee in person without providing an excuse or reason.</p>	<p>1/10/2011 Senate: Referred to Committee on Privileges and Elections 1/18/2011 Senate: Reported from Privileges and Elections (9-Y 4-N) 1/24/2011 Senate: Passed Senate (24-Y 14-N) 2/7/2011 House: Referred to Committee on Privileges and Elections 2/15/2011 House: Subcommittee recommends laying on the table by voice vote</p>	<p><b>1/25/2011</b></p>
<p><b>Support</b> (11101264D) - Position in Legislative Program. <b>Summary:</b> Provides that qualified voters may vote absentee in person without providing an excuse or reason for not being able to vote in person on election day. The bill retains the present statutory list of specific reasons entitling a voter to cast an absentee ballot for those persons who vote absentee by mail.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><b>SB 978</b> - Whipple (31) FAMIS Plan; eligibility.</p>	<p>1/11/2011 Senate: Referred to Committee on Education and Health  1/20/2011 Senate: Reported from Education and Health with amendment (10-Y 3-N)  1/20/2011 Senate: Rereferred to Finance  2/2/2011 Senate: Reported from Finance (14-Y 0-N)  2/7/2011 Senate: Passed Senate (33-Y 7-N)  2/9/2011 House: Referred to Committee on Health, Welfare and Institutions  2/15/2011 House: Reported from Health, Welfare and Institutions with amendment (21-Y 1-N)  2/15/11 House: Referred to Committee on Appropriations  2/18/2011 House: Subcommittee recommends laying on the table by voice vote  2/22/2011 House: Left in Appropriations</p>	<p><b>1/25/2011</b></p>
<p><b>Support</b> (11102267D)  <b>Summary:</b> Changes the eligibility for the Family Access to Medical Insurance Security Plan from children in families with an income at or below 200 percent of the federal poverty level to those with an income at or below 225 percent of the federal poverty level. The provisions of this act will only become effective upon an appropriation of funds effectuating the purposes of the act passed by the 2011 Session of the General Assembly.</p>		
<p><b>SB 1018</b> - Puckett (38) Vehicle race; raises penalty for causing death of another person while engaging.</p>	<p>1/11/2011 Senate: Referred to Committee on Transportation  1/20/2011 Senate: Rereferred to Courts of Justice  2/8/2011 Senate: Left in Courts of Justice</p>	<p><b>1/25/2011</b></p>
<p><b>Support</b> (11102220D)  <b>Summary:</b> Causing the death of another while engaging in a vehicle race; penalty. Raises the penalty for causing the death of another person while engaging in a vehicle race to a mandatory minimum 20 years. The current penalty is a term of confinement of not less than one nor more than 20 years, one year of which is a mandatory minimum term of confinement. The racing must be done in a manner so gross, wanton and culpable as to show a reckless disregard for human life.</p>		



Bills	General Assembly Actions	Date of BOS Position
<p><b>SB 1030</b> - Barker (39) Primaries; state will reimburse localities for costs of statewide and federal elections.</p>	<p>1/11/2011 Senate: Referred to Committee on Privileges and Elections 1/25/2011 Senate: Reported from Privileges and Elections with amendment (14-Y 1-N) 1/25/2011 Senate: Rereferred to Finance 2/2/2011 Senate: Reported from Finance (14-Y 0-N) 2/7/2011 Senate: Passed Senate (40-Y 0-N) 2/9/2011 House: Referred to Committee on Privileges and Elections 2/16/2011 House: Subcommittee failed to recommend reporting (2-Y 4-N)</p>	<p><b>1/25/2011</b></p>
<p><b>Support</b> (11102516D) <b>Summary:</b> Provides that the state will reimburse the localities for the costs of statewide and federal primary elections held after January 1, 2013, as funded by the general appropriation act.</p>		
<p><b>SB 1034</b> - Barker (39) HOV lanes; use by vehicle with clean special fuel license plates.</p>	<p>1/11/2011 Senate: Referred to Committee on Transportation 2/8/2011 Senate: Left in Transportation</p>	<p><b>1/25/2011</b></p>
<p><b>Support</b> (11101457D) - See also HB 1432 (Greason). <b>Summary:</b> Extends until July 1, 2012, the sunset on use of HOV lanes by clean special fuel vehicles, regardless of the number of occupants.</p>		
<p><b>SB 1035</b> - Barker (39) Open container of alcohol; passenger in motor vehicle shall not possess, civil penalty.</p>	<p>1/11/2011 Senate: Referred to Committee on Transportation 1/20/2011 Senate: Rereferred to Courts of Justice 2/2/2011 Senate: Failed to report (defeated) in Courts of Justice (6-Y 7-N 1-A)</p>	<p><b>1/25/2011</b></p>
<p><b>Support</b> (11101506D) <b>Summary:</b> Provides that no person shall possess an alcoholic beverage in the passenger area of a motor vehicle upon a public highway of the Commonwealth in other than the manufacturer's unopened, original container. The bill punishes violators with a civil penalty of \$25.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><b>SB 1042</b> - Barker (39) Handheld personal communications device; texting while driving.</p>	<p>1/11/2011 Senate: Referred to Committee on Transportation 1/20/2011 Senate: Rereferred to Courts of Justice 2/2/2011 Senate: Reported from Courts of Justice (11-Y 4-N) 2/8/2011 Senate: Passed Senate (28-Y 11-N) 2/9/2011 House: Referred to Committee on Militia, Police and Public Safety 2/17/2011 House: Subcommittee recommends laying on the table by voice vote</p>	<p><b>1/25/2011</b></p>
<p><b>Support</b> (11103393D) <b>Summary:</b> Repeals the "secondary enforcement" provisions of the statute prohibiting texting, etc., while driving.</p>		
<p><b>SB 1047</b> - Barker (39) Driver's license holders, provisional; makes cell phone use while driving a primary offense.</p>	<p>1/11/2011 Senate: Referred to Committee on Transportation 1/20/2011 Senate: Rereferred to Courts of Justice 2/2/2011 Senate: Reported from Courts of Justice (13-Y 2-N) 2/8/2011 Senate: Passed Senate (33-Y 7-N) 2/9/2011 House: Referred to Committee on Militia, Police and Public Safety 2/17/2011 House: Subcommittee recommends laying on the table by voice vote</p>	<p><b>1/25/2011</b></p>
<p><b>Support</b> (11101452D) - Board has historically supported. <b>Summary:</b> Makes cell phone use while driving by a provisional driver's license holder a primary offense.</p>		
<p><b>SB 1048</b> - Barker (39) HOT lane construction contracts; requirements for minimum average speed for vehicles using facility.</p>	<p>1/11/2011 Senate: Referred to Committee on Transportation 2/3/2011 Senate: No motion to report.</p>	<p><b>1/25/2011</b></p>
<p><b>Monitor</b> (11101454D) <b>Summary:</b> Requires that HOT lane construction contracts contain requirements for minimum average speed for vehicles using the facility.</p>		

Bills	General Assembly Actions	Date of BOS Position
<b>SB 1118</b> - McEachin (9) DUI ignition interlock; person convicted is required to have on first offense, restricted license.	1/11/2011 Senate: Referred to Committee for Courts of Justice 2/2/2011 Senate: Failed to report (defeated) in Courts of Justice (7-Y 8-N)	[1/28/2011]
<p>[Support] (11101711D) - Position in Legislative Program.  <b>Summary:</b> Provides that a person who is convicted of DUI is required to have an ignition interlock on the first offense as a condition of a restricted license. Currently, the requirement for an interlock is imposed only upon a second offense or when the offender's blood alcohol content is above 0.15 percent. The bill also expands the likelihood that a first offender will be issued a restricted license when necessary for the offender's employment.</p>		
<b>SB 1158</b> - Quayle (13) Primary schedule in 2011; moves primary date to September 13, 2011 in anticipation of redistricting.	1/12/2011 Senate: Referred to Committee on Privileges and Elections 1/25/2011 Senate: Stricken at request of Patron in Privileges and Elections (15-Y 0-N)	1/25/2011
<p><b>Support w/ Amend.</b> (11103059D) - Support with amendment to conform to HB 1507 (Cole), which sets the rescheduled date for August 23, 2011. See also SB 947 (Howell).  <b>Summary:</b> Moves the June 14, 2011, primary date to September 13, 2011, in anticipation of the 2011 redistricting process and adjusts various deadlines for filings and election preparations to accommodate the new primary date. The bill declares that an emergency exists and that the bill is effective upon passage.</p>		
<b>SB 1167</b> - Marsden (37) HOT lanes; when a vehicle crashes on certain interstates, driver must move to nearest pull-off area.	1/12/2011 Senate: Referred to Committee on Transportation 1/20/2011 Senate: Rereferred to Courts of Justice 1/31/2011 Senate: Reported from Courts of Justice with substitute (15-Y 0-N) 2/3/2011 Senate: Passed Senate (40-Y 0-N) 2/7/11 House: Referred to Committee on Transportation 2/17/2011 House: Referred from Transportation by voice vote 2/17/2011 House: Referred to Committee for Courts of Justice 2/18/2011 House: Subcommittee recommends passing by indefinitely by voice vote 2/22/2011 House: Left in Courts of Justice	1/25/2011
<p><b>Support</b> (11101947D) - Board has historically supported.  <b>Summary:</b> Requires that when there is a vehicle crash on HOT lanes under construction on any portion of Interstate 95, 395, or 495 and the vehicles involved in the crash can be moved and there are no apparent bodily injuries, the drivers must move their vehicles to the nearest designated pull-off area.</p>		

Bills	General Assembly Actions	Date of BOS Position
<a href="#">SB 1179</a> - Marsden (37) Trespassing vehicles; regulation of removal by localities.	1/12/2011 Senate: Referred to Committee on Transportation 2/3/2011 Senate: No motion to report.	<b>2/8/2011</b>
<p><b>Oppose Unless Amended</b> (11103605D) - Oppose unless amended to provide County authority to enforce local ordinance in other jurisdictions. See also HB 1956.  <b>Summary:</b> Provides that, when a local governing body regulates towing by ordinance, such ordinance shall permit the towing company to tow the vehicle at least 10 miles from the origination of the tow.</p>		
<a href="#">SB 1248</a> - Vogel (27) Passing a stopped school bus; punishes as reckless driving.	1/12/2011 Senate: Referred to Committee on Transportation 1/20/2011 Senate: Rereferred to Courts of Justice 2/2/2011 Senate: Incorporated by Courts of Justice (SB769-Marsden) (15-Y 0-N)	<b>1/25/2011</b>
<p><b>Support</b> (11102063D)  <b>Summary:</b> Rewrites the Code section that punishes passing a school bus as reckless driving to correct an error in legal construction and to further clarify the language. The bill contains an emergency clause.</p>		
<a href="#">SB 1277</a> - Obenshain (26) Onsite treatment works; Department of Health oversight of requirements for review.	1/12/2011 Senate: Referred to Committee on Education and Health 1/27/2011 Senate: Stricken at request of patron in Education and Health (15-Y 0-N)	<b>1/25/2011</b>
<p><b>Oppose</b> (11102894D)  <b>Summary:</b> Professional engineering of onsite treatment works; Department of Health oversight. Contains several provisions restricting the Department of Health's oversight of the requirements for and the review of onsite treatment works submitted by professional engineers.</p>		
<a href="#">SB 1329</a> - Herring (33) Highway revenue sharing construction funds; removes \$1 million cap.	1/12/2011 Senate: Referred to Committee on Transportation 1/20/2011 Senate: Rereferred to Finance 2/1/2011 Senate: Incorporated by Finance (SB1446- Wampler) (14-Y 0-N)	<b>1/25/2011</b>
<p><b>Support</b> (11101429D)  <b>Summary:</b> Highway "revenue sharing" construction funds. Removes the \$1 million cap for individual allocations and changes first priority for allocation to congestion relief. The bill also changes the maximum and minimum appropriations from \$50 million and \$15 million to \$250 million and \$50 million. This bill was incorporated into SB 1446.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">SB 1342</a> - Norment, Jr. (3) Uniform Statewide Building Code; buildings used by fraternal organizations.</p>	<p>1/12/2011 Senate: Referred to Committee on General Laws and Technology 2/2/2011 Senate: Passed by indefinitely in General Laws and Technology (15-Y 0-N)</p>	<p>1/25/2011</p>
<p><b>Oppose</b> (11100696D) - Bill would reduce Building Code standards for such facilities. <b>Summary:</b> Provides that buildings used by fraternal organizations shall be classified as residential structures for the purposes of complying with the Building Code, provided such structures are used only by the members of the fraternal organizations and their guests, are not open to the general public, and contain no bedrooms or accommodations for overnight lodging. The bill defines fraternal organization. The bill also includes window replacements among the list of items for which a statement of the existence of asbestos will suffice instead of an asbestos inspection.</p>		
<p><a href="#">SB 1351</a> - Norment, Jr. (3) Wireless telecommunications devices; prohibits answering a call unless in hands-free mode.</p>	<p>1/12/2011 Senate: Referred to Committee on Transportation 1/20/2011 Senate: Rereferred to Courts of Justice 2/7/2011 Senate: Reported from Courts of Justice (12-Y 1-N) 2/10/2011 House: Referred to Committee on Militia, Police and Public Safety 2/17/2011 House: Subcommittee recommends laying on the table by voice vote</p>	<p>1/25/2011</p>
<p><b>Support</b> (11101511D) <b>Summary:</b> Extends prohibition on use of wireless telecommunications devices in motor vehicles to initiating or answering a call on such device, unless the device is configured for hands-free operation and is being used in the hands-free mode. The bill also provides for graduated penalties for violations.</p>		
<p><a href="#">SB 1358</a> - Stosch (12) Real property tax; exemption for disabled veterans.</p>	<p>1/12/2011 Senate: Referred to Committee on Finance 1/25/2011 Senate: Incorporated by Finance (SB987-Puller) (14-Y 0-N)</p>	<p>1/25/2011</p>
<p><b>Monitor</b> (01/12/11) - See also HB 1645 (O'Bannon) and SB 987 (Puller). Bills implement the mandate contained in the 2010 Constitutional amendment. <b>Summary:</b> Codifies the constitutional amendment adopted by voters in November, 2010, that provides for a property tax exemption for veterans who have a 100 percent, service-related disability. The constitutional amendment requires the General Assembly to enact the exemption in general law. This bill was incorporated into SB 987.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><b><a href="#">SB 1370</a></b> - Blevins (14) Highway rumble strips; requires installation along all highways with speed limits of 55 mph or more.</p>	<p>1/12/2011 Senate: Referred to Committee on Transportation 2/3/2011 Senate: Passed by indefinitely in Transportation (14-Y 1-N)</p>	<p><b>1/25/2011</b></p>
<p><b>Support</b> (11100458D) <b>Summary:</b> Highway rumble strips. Requires installation of rumble strips along all highways with speed limits of 55 mph or more.</p>		
<p><b><a href="#">SB 1397</a></b> - Colgan (29) Homeowners' associations; funds for highway maintenance to be distributed.</p>	<p>1/18/2011 Senate: Referred to Committee on Transportation 1/27/2011 Senate: Rereferred to Finance 2/8/2011 Senate: Left in Finance</p>	<p><b>1/25/2011</b></p>
<p><b>Oppose</b> (11103075D) <b>Summary:</b> Allocations to certain homeowners' associations; highway maintenance and maintenance replacement. Requires the Commonwealth Transportation Board annually to set aside from all funds available for highway maintenance and construction \$50 million to be distributed among homeowners' associations within the Commonwealth for use exclusively for highway maintenance and maintenance replacement.</p>		
<p><b><a href="#">SB 1467</a></b> - Edwards (21) Freedom of Information Act; criminal investigative records.</p>	<p>1/21/2011 Senate: Referred to Committee on General Laws and Technology 2/2/2011 Senate: Passed by indefinitely in General Laws and Technology with letter (14-Y 0-N)</p>	<p><b>2/8/2011</b></p>
<p><b>Oppose</b> (11100594D) - Board previously opposed. <b>Summary:</b> Amends the definition of "criminal investigative file" so that the exemption applies to records relating to active or ongoing investigations or prosecutions.</p>		
<p><b><a href="#">SJ 307</a></b> - Obenshain (26) Constitutional amendment; taking of private property for public use (first reference).</p>	<p>1/5/2011 Senate: Referred to Committee on Privileges and Elections 1/25/2011 Senate: Subcommittee recommends passing by indefinitely (4Y-3N)</p>	<p><b>1/25/2011</b></p>
<p><b>Oppose</b> (11100710D) - Board has historically opposed. <b>Summary:</b> Constitutional amendment (first resolution); taking of private property for public uses. Limits the exercise of eminent domain for the purpose of public use and specifies that, with the exception of property taken for public service corporations, public service companies, or railroads, property may not be taken if the primary purpose of the taking is private financial gain, private benefit, an increase in tax base or tax revenues, or an increase in employment. No more property shall be taken than is necessary to achieve the stated public use.</p>		