



County of Fairfax, Virginia

MEMORANDUM

DATE: March 6, 2018

TO: Board of Supervisors

FROM: Bryan J. Hill, County Executive 

SUBJECT: 2018 Legislative Report No. 3—Board Legislative Committee Meeting of February 23, 2018

With less than a week remaining in the 2018 General Assembly session, negotiations on the state budget are now a top priority for both houses, although additional legislation is still under consideration ahead of the March 10 scheduled adjournment. The House Appropriations and Senate Finance committees reported their respective budgets on February 18, and the full House and Senate approved these proposals on February 22. The Budget is now in the conference process, and staff are working with the County's representatives on the conference committee on County priorities and will keep the Board informed as negotiations unfold.

The Legislative Committee met on February 23 to consider several issues of importance to the County. In lieu of holding the Legislative Committee meeting scheduled for Friday, March 2, staff provided the Board with an updated tracking chart, which showed the status of legislation on which the Board had previously taken positions, and also included recommendations for position changes on two bills – HB 313 (Head) and HB 888 (Orrock). These recommended position changes are noted in the attached tracking chart. The Committee offers the following report and recommendations for action to the Board.

Legislative Committee Actions of February 23, 2018:

Members Present: Legislative Chairman McKay
Chairman Bulova
Supervisor Cook
Supervisor Foust
Supervisor Gross
Supervisor Herrity
Supervisor Smith
Supervisor Smyth
Supervisor Storck

Specific Issues

Opportunity Zones: The Committee received information regarding Opportunity Zones, a new economic development tool provided for in the Federal Tax and Jobs Act of 2017. Staff provided a handout identifying eligible census tracts in Fairfax County, and received guidance from the Committee on the criteria to consider in narrowing the list to the eight census tracts that could be included in the County Executive's proposal to the Governor. Proposals were due to the Governor's office by March 2, 2018 (see handouts on handwritten pages 127-147).

Update on State Budget: The Committee received an updated chart on the state budget, including amendments included in the proposals reported out of the Senate Finance and House Appropriations committees on February 18 (see chart on handwritten pages 149-175).

Pending Wireless Telecommunications Legislation: The Committee received an update on the pending wireless telecommunications legislation and discussed the versions under consideration as of February 23, 2018 (see handout on handwritten pages 177-179).

Pending Washington Metropolitan Area Transit Authority (WMATA) Legislation: The Committee received an update on the pending legislation that would provide funding for WMATA and statewide transit, and discussed the versions under consideration as of February 23, 2018 (see handout on handwritten pages 181-186).

Fairfax County Principles for WMATA Funding and NVTC Principles for WMATA Reform Resolution: The Committee received copies of the Fairfax County Principles for WMATA Funding, which the Board of Supervisors adopted on February 6, 2018. The Fairfax County Principles for WMATA Funding refer to the NVTC resolution passed in September 2017, titled Principles for WMATA Reform, which is also included (see handout on handwritten pages 187-193).

Priority Principles for Reviewing Legislation

- 1. Adequately fund K-12 education.**
- 2. Support dedicated funding and governance reforms for Washington Metrorail, in order to ensure the success of this critical transit system.**
- 3. The Commonwealth should continue and build upon the successful enactment of significant, new transportation revenues by the 2013 General Assembly.**
- 4. Restore the funding partnership between the state and localities through adequate state funding.**
- 5. Preserve local government authority, particularly in taxation and land use; allow greater flexibility in the administration of government.**

Specific Legislation

Fairfax County Legislative Summary: The Committee discussed the status of legislation on which the Committee had previously taken positions and discussed changing positions on a number of bills. The Committee's positions on these bills are noted in the attached tracking chart.

Legislation Provided for Discussion

Transportation

HB 384 (Keam) (Passed House; SRUL) directs the Secretary of Transportation to conduct a review of the Washington Metropolitan Area Transit Authority Board of Directors membership provisions. Monitor. (18103775D-E)

HB 1539 (Hugo) (Passed House; SFIN) directs the Commonwealth Transportation Board (the Board) to develop a prioritization process for the use of funds in the Commonwealth Mass Transit Fund (the Fund), based on criteria specified in the bill. The bill establishes procedures for allocating funds in the Fund. The bill provides that if operating assistance to WMATA increases by more than two percent in a year, the Board is directed to withhold 50 percent of the allocation for WMATA capital purposes. The bill establishes the Washington Metropolitan Area Transit Authority Capital Fund (the WMATA Fund) to be used to fund WMATA capital costs. Starting in 2019, \$20 million per year would be transferred from the Northern Virginia Transportation District Fund to the WMATA Fund, and \$45 million would be transferred from the Northern Virginia Transportation Authority Fund to the WMATA Fund before distribution to localities. The bill establishes a three-member Metro Reform Commission to advise the signatories of the WMATA compact. The bill directs NVTC to request information from WMATA regarding its budget, independent audits, National Transit Data profile, and other subjects. The provisions of the bill regarding WMATA funding would not take effect until Maryland and the District of Columbia take action to provide their share of \$500 million in capital funding to WMATA. Support; support for WMATA dedicated funding and governance reforms is in the County's Legislative Program. The proposals are an improvement from the introduced version; however, neither completely addresses the Board's principles. SB 856 better meets the financial requirements of WMATA. The County will work with stakeholders to address concerns with the bills. See also SB 856 (Saslaw). (18107016D-EH2)

SB 995 (Carrico) (SCT) provides that signs that are related to public safety, provide directional information, or provide public information may be situated or installed in highway rights of way. The bill provides that any signs other than those related to public safety, providing directional information, or providing public information may not be situated or installed in highway rights of way. The bill contains an emergency clause. Support. (18107185D)

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

Miscellaneous

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

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

Courts

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

HB 326 (Campbell) (Passed Both Houses) provides that, for cases in juvenile and domestic relations district court involving an allegedly abused or neglected child, venue may lie in the city or county where the alleged abuse or neglect occurred in addition to the city or county where the child resides or where the child is present when the proceedings are commenced. (HB326ER)

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

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

Elections

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

SB 825 (Edwards) (Passed Senate; HPE) increases the membership of the State Board of Elections (Board) from three members to five members, with representation given to each of the political parties having the highest and next highest number of votes in the Commonwealth at the last preceding gubernatorial election. Three Board members are to be of the party of the Governor. Terms of Board members are initially staggered. The Governor shall designate one member of the Board as the Commissioner of Elections, to head the Department of Elections and

to act as the principal administrative officer. The Commissioner shall also serve as the chair of the Board. The bill requires the Board to submit an annual report to the Governor and the General Assembly. The bill has a delayed effective date of January 1, 2019. (18106652D-S1)

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

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

Absentee Voting

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

Split Precincts & Redistricting

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

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

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

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

Voter Registration

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

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

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

Environment

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

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

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

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

Freedom of Information Act

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

Health and Human Services

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

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

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

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

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

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

SJ 74 (Ebbin) (Passed Senate; HRUL) encourages the Secretary of Health and Human Resources, the Secretary of Education, and their associated state agencies to analyze the

feasibility of developing and implementing a consolidated application for state and federal services administered by the Commonwealth and to explore opportunities to share data among state agencies regarding applicants for and recipients of such services. (18104371D)

Lake Barcroft

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

Land Use

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

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

Medicaid

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

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

Opioids

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

Public Safety

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

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

Distracted Driving

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

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

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

Unmanned Aircraft Systems

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

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

Legislation Provided for Information

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

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

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

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

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

Administration of Government

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

employment applicants for the purpose of screening any person who applies to be a volunteer with or an employee of an emergency medical services agency. This bill is identical to SB 109. (HB135ER)

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

Campaign Finance

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

Conflict of Interests Act

HB 992 (Gilbert) (Passed House; SRUL) provides that only one disclosure statement per calendar year is required under the State and Local Government Conflict of Interest Act for an individual who, subsequent to filing the required disclosure statement for the individual's current position or office, holds or seeks a different position or office that also requires the filing of a disclosure statement. An individual who has filed the required statement and is reappointed to the same position or office is not required to file a second statement if the reappointment occurs within 12 months of the earlier filing. (18106500D-H1)

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

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

Courts

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

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

HB 482 (Bell, Robert B.) (Senate requested Conference Committee) provides that in certain criminal proceedings the attorney for the Commonwealth or the defendant may request and the court may enter an order authorizing the use of a certified facility dog to aid a testifying witness,

provided that the use of a certified facility dog will aid the witness in providing testimony and the presence and use of the certified facility dog will not interfere with or distract from the testimony or proceedings. The bill provides that the court may make any orders necessary to preserve the fairness of the proceeding, including imposing restrictions on and instructing the jury regarding the presence of the certified facility dog. The bill defines "certified facility dog" as a dog that (i) has completed training and been certified by a program accredited by Assistance Dogs International or another organization whose main purpose is to improve training, placement, and utilization of assistance dogs and (ii) is accompanied by a duly trained handler. (18107096D-S1)

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

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

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

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

SB 980 (Obenshain) (Passed Senate; HCT) provides that, except as otherwise provided by law, beginning July 1, 2019, no petition, pleading, motion, order, or decree filed in a civil case in a circuit court, including any agreement of the parties or transcripts, shall contain the social security number of any party, or of any minor child of any party, or any identifying financial information of any party. The bill further provides that, where such information is required by law, such information shall be contained in a separate addendum file by the attorney or party in such civil case. The bill further requires each circuit clerk to establish and operate a system for electronic filing. Current law provides that any such clerk may establish and operate such a system. The bill provides that, in any civil case filed on or after July 1, 2019, clerks of the circuit courts shall maintain all nonconfidential documents in electronic form and make such documents available through secure remote access and searchable by name and case number across all circuit courts that use the Office of the Executive Secretary's electronic imaging system. The bill directs the Executive Secretary of the Supreme Court to administer a paid subscription service that provides access to all electronic records maintained by the clerks who use such electronic imaging system for civil cases filed on or after July 1, 2019. The bill specifies that such subscription shall be on an annual basis, with an annual fee to be established by the Judicial Council of Virginia. The bill provides that any sums collected pursuant to such subscription shall be deposited into the state treasury to the credit of the Courts Technology Fund. The bill directs the Virginia Information Technologies Agency to update its document entitled "Security Standard for Restricted Remote Access to Documents on Court-Controlled Websites" consistent with the provisions of the bill by July 1, 2019. The requirement that the Virginia Information Technologies Agency update such document becomes effective in due course; the remaining provisions of the bill become effective on July 1, 2019. The provisions of the bill are contingent upon funding in a general appropriation act. (18105604D-E)

Larceny Threshold

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

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

Data and Information Technology

HB 1221 (Thomas) (Passed House; SFIN) requires the Chief Information Officer of the Virginia Information Technologies Agency to (i) conduct an annual comprehensive review of

cybersecurity policies of every executive branch agency, with a particular focus on breaches in information technology that occurred in the reviewable year and any steps taken by agencies to strengthen cybersecurity measures, and (ii) issue a report of his findings to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance, which shall not contain technical information deemed security sensitive or information that would expose security vulnerabilities. (18103358D-E)

Education

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

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

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

Textbooks

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

Elections

HB 1144 (Wilt) (Passed House; Senate Floor) requires any person who assists an applicant with the completion of a voter registration application or collects a completed voter registration application directly from an applicant to sign and print his name, provide his telephone number,

and indicate the group or organization he is affiliated with, if any, on the registration application. The provisions of the bill do not apply to any state or local government employee acting in his official capacity. (18101822D-E)

HB 1210 (Hugo) (Passed House; SPE)/**SB 591** (Vogel) (Passed Senate; HPE) defines "post-election audit" to mean a process conducted after an election to confirm the accurate reporting of the results of the election and directs the State Board of Elections to establish a work group tasked with developing standards and procedures for conducting post-election audits in the Commonwealth. The work group is required, at a minimum, to (i) consider the types of post-election audits available and being implemented in other states, (ii) recommend the type of post-election audit to be used in the Commonwealth, (iii) establish the process and procedures for conducting the recommended post-election audit, including the timeline, (iv) recommend actions to be taken if the post-election audit results indicate that the voting systems did not accurately count the ballots cast in the election, and (v) propose legislation for implementing the work group's recommendations. The work group is directed to submit an interim progress report by January 7, 2019, and a final report by December 1, 2019, to the Governor and the General Assembly. The bill repeals the current law regarding post-election risk-limiting audits. (18106841D-H1, 18106830D-S1)

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

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

Health and Human Services

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

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

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

SB 121 (Wexton) (Passed Both Houses) repeals the expiration date on the requirement that the following individuals undergo fingerprint-based national criminal history background checks: (i) applicants for employment by, employees of, applicants to serve as volunteers with, and volunteers with any licensed family day system, child day center exempt from licensure pursuant to § 63.2-1716, registered family day home, or family day home approved by a family day system; (ii) applicants for licensure as a family day system, registration as a family day home, or approval as a family day home by a family day system, as well as their agents and any adult living in such family day home; and (iii) individuals who apply for or enter into a contract with the Department of Social Services under which a child day center, family day home, or child day program will provide child care services funded by the Child Care and Development Block Grant of 2014, as well as the applicant's current or prospective employees and volunteers, agents, and any adult living in the child day center or family day home. (18107247D-H1)

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

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

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

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

Mental Health

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

Opioids

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

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

SB 120 (Favola) (Passed Both Houses) directs the Board of Directors of the Virginia Alcoholic Beverage Control Authority (Board) to establish and appoint members to the Virginia Institutions of Higher Education Substance Use Advisory Committee (Advisory Committee). The bill provides that the goal of the Advisory Committee shall be to advise the Board regarding

the Higher Education Alcohol and Drug Strategic Unified Prevention (HEADS UP) program implemented by the Board. The bill provides that the Advisory Committee shall consist of representatives from Virginia's public and private institutions of higher education, including students and directors of student health, and such other members as the Board may deem appropriate. (18107155D-H1)

Public Safety/Criminal Justice

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

SB 508 (Carrico) (Passed Senate; HCT) allows the Allows the Department of State Police and the Department of Transportation when assisting the Department of State Police to utilize unmanned aircraft systems in surveying the scene of an accident that occurred on a highway and recording images and video following such accident for the purpose of crash reconstruction. (18105739D-S1)

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

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

SB 954 (Norment) (Passed Senate; HAPP) reduces the penalties for possession of marijuana to a fine of not more than \$500 and makes a first offense violation that has been deferred and

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

Firearms

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

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

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

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

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

Records Exchange for purposes of determining a person's eligibility to possess, purchase, or transport a firearm that mirror the current procedures for the submission of such orders or certifications for adults. (18100320D)

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

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

Emergency Shelters

HB 757 (Leftwich) (Passed House; SCT) provides that a registered sex offender who enters an emergency shelter designated by the Commonwealth or any political subdivision thereof and operated in response to a declared state or local emergency shall, as soon as practicable after entry, notify a member of the shelter's staff who is responsible for providing security of such person's status as a registered sex offender. The bill provides that any person who fails to notify the shelter's staff of his status as a registered sex offender is guilty of a Class 1 misdemeanor. The bill provides that the shelter's staff may access the publicly available information on the Sex Offender and Crimes Against Minors Registry regarding such person and use such information to ensure the safety of all persons in the shelter. The bill requires that the Department of State Police provide to any registered sex offender at the time of his initial registration a summary of his obligation to inform the staff of an emergency shelter of his status as a registered sex offender. (18107012D-H1)

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

Transportation

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

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

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

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

SB 586 (DeSteph) (Passed Senate; HTRAN) excludes antique motor vehicles, defined as motor vehicles 25 years old or older, from the requirement that such vehicle be equipped with an exhaust system in good working order and in constant operation to prevent excessive or unusual levels of noise. Current law excludes antique motor vehicles manufactured prior to 1950 from such requirements. (18103722D)

Towing

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

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

Board of Supervisors

March 6, 2018

Page 26 of 26

Attachments: Supplementary documents

cc: Joe Mondoro, Chief Financial Officer
Tisha Deeghan, Deputy County Executive
David J. Molchany, Deputy County Executive
Dave Rohrer, Deputy County Executive
Robert A. Stalzer, Deputy County Executive
Elizabeth Teare, County Attorney
Catherine A. Chianese, Assistant County Executive and Clerk to the Board
Richmond Team
Tom Biesiadny, Director, Department of Transportation

SUPPLEMENTARY DOCUMENTS
GENERAL ASSEMBLY STATUS REPORT NO. 3
March 6, 2018

1. Fairfax County Legislative Summary	1
2. Overview of Opportunity Zones	127
3. Opportunity Zones Briefing Presentation	129
4. Opportunity Zones – Locality Survey Questions	143
5. Opportunity Zones Map	145
6. Opportunity Zones Census Tract Key	147
7. State Budget Analysis	149
8. Update on Wireless Telecommunication Infrastructure Legislation	177
9. WMATA and Transit Funding Legislation Analysis	181
10. Fairfax County Principles for WMATA Funding and NVTC Resolution	187



**FAIRFAX COUNTY
LEGISLATIVE SUMMARY**

2018 GENERAL ASSEMBLY

March 3, 2018

Fairfax County Legislative Summary 2018 General Assembly

Board of Supervisors Report Key

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

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

Committee/Floor
 Actions

<p><u>HB 589</u> - Watts (39) Blue Star Memorial Highway; designating as portion of Old Keene Mill Road in Fairfax County.</p>	<p>1/10/2006 House: Referred to Committee on Transportation</p>	<p>12/5/2005</p>
--	---	-------------------------

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, *Italics=Staff Recommended Position Changes* (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)

Table of Contents

Bill	Subject
<i>Fairfax County Initiatives</i> <i>Pages 16-17</i>	
<i>(Bills Introduced at County's request):</i>	
HB 517 Bell, R	Involuntary commitment of a juvenile; notification of parents.
SB 392 Barker, G	Involuntary commitment of a juvenile; notification of parents.
<i>Fairfax County Positions</i> <i>Pages 18-29</i>	
<i>(Oppose or Amend):</i>	
HB 71 Miyares, J	Constitutional amendment; real property tax exemption for spouse of disabled veteran.
HB 638 Collins, C	Trespass; electronic device, penalty.
HB 765 Jones, S	Transportation processes in the Commonwealth; responsibilities of transportation entities, funding.
HB 1257 Cline, B	Sanctuary policies; enforcement of federal immigration laws.
HB 1258 Kilgore, T	Wireless communications infrastructure; zoning.
HB 1427 Kilgore, T	Wireless support structures; public rights-of-way use fees established.
HJ 6 Miyares, J	Constitutional amendment; real property tax exemption for spouse of disabled veteran.
HJ 98 Byron, K	Business property; Department of Taxation to study appeals concerning valuation.
SB 104 Suetterlein, D	Reckless driving; raises threshold for speeding.
SB 331 Peake, M	Voter registration; verification of social security numbers, provisional registration status.
SB 336 Peake, M	Virginia Freedom of Information Act; right to speak at open meetings.
SB 371 Chafin, A	Recreation facilities; regulation of activities, liability of localities.
SB 405 McDougle, R	Wireless communications infrastructure; zoning.
SB 523 Obenshain, M	Voter identification; electronic pollbooks to contain photographs of voters, effective clause.
SB 526 Obenshain, M	Trespass; use of system in unlawful manner.
SB 582 Hanger, Jr., E	Open-space land; increase threshold for substitution of real property when lands are converted.

SB 809 Petersen, J	Eminent domain; calculation of lost profits amends definitions.
SB 823 McDougle, R	Wireless support structures; public rights-of-way use fees established.
SB 900 Stuart, R	Constitutional amendment; real property tax exemption for spouse of disabled veteran.
SJ 76 Stuart, R	Constitutional amendment; real property tax exemption for spouse of disabled veteran.

Fairfax County Positions

(Support):

Pages 30-58

HB 134 Bell, J	Value engineering; raises minimum project cost.
HB 150 Bulova, D	Child abuse and neglect; founded reports regarding former school employees.
HB 161 Cole, M	Service districts; general government facilities may be constructed pursuant to power of districts.
HB 220 Morefield, J	Parks, local; waterway activities, liability.
HB 241 Brewer, E	Adoption; lowers amount of time child must reside with close relative.
HB 313 Head, C	Prescription Monitoring Program; prescriber and dispenser patterns, annual review, report.
HB 322 Bourne, J	Naloxone or other opioid antagonist; possession & administration.
HB 377 Bulova, D	Virginia Water Protection Permit; exception for stormwater management facility on dry land.
HB 424 Levine, M	Animal shelters; administration of Schedule VI biological products.
HB 501 Hodges, M	Home hospice programs; disposal of drugs.
HB 594 Carr, B	Local government; authority to require abatement of criminal blight on real property.
HB 640 Boysko, J	Comprehensive plan, locality's; broadband infrastructure.
HB 662 Murphy, K	American Legion Bridge; VDOT to submit a plan for remediation of bridge.
HB 683 Pogge, B	Uniform Statewide Building Code; security of certain records.
HB 729 Head, C	Virginia Fire Services Board; powers & duties, modular training program for volunteer firefighters.
HB 743 Leftwich, J	Judges; maximum number in each judicial district and circuit.
HB 768 Jones, S	Motor vehicle fuels; sales tax in certain regions of the Commonwealth.
HB 793 Robinson, R	Nurse practitioners; practice agreements.

[HB 850](#) Peace, C Adult protective services; emergency order, temporary conservator.

[HB 887](#) Orrock, Sr., R Onsite sewage systems; adjustment or replacement of sewer lines, etc., is considered maintenance.

[HB 922](#) Bulova, D Electric vehicle charging stations; local and public operation.

[HB 925](#) Bulova, D Industrial & high-risk programs; locality to adopt, etc., runoff programs.

[HB 996](#) Gilbert, C Pretrial services agencies; Department of Criminal Justice Services to review, report.

[HB 1173](#) Pillion, T Controlled substances; limits on prescriptions containing opioids.

[HB 1333](#) Brewer, E Kinship Guardianship Assistance program; established.

[HB 1355](#) Hope, P Minors; alternative facility of temporary detention.

[HB 1377](#) Torian, L Epinephrine; possession and administration at outdoor educational programs.

[HB 1412](#) Helsel, Jr., G Mental health awareness; training for firefighters and emergency medical services personnel.

[HB 1469](#) Hugo, T Felony homicide; certain drug offenses constitute second degree murder, penalty.

[HB 1539](#) Hugo, T Mass transit; establishing various Funds to improve transportation.

[SB 14](#) Petersen, J Service of process; county attorney to be served when actions against county officers, etc.

[SB 44](#) Favola, B Kinship Guardianship Assistance program; established.

[SB 125](#) Black, R Value engineering; raises minimum project cost.

[SB 166](#) Black, R Telecommunications; Dept. of Historic Resources to convene work group to examine Sect. 106 review.

[SB 184](#) Favola, B Child abuse and neglect; founded reports regarding former school employees.

[SB 202](#) Ebbin, A Public employment; prohibits discrimination on basis of sexual orientation or gender identity.

[SB 242](#) Marsden, D Park authority; immunity from liability in any civil action.

[SB 312](#) Edwards, J Cooperative procurement of professional services; construction, solar power purchase agreements.

[SB 399](#) Lewis, Jr., L Drug overdose fatality review teams, local or regional; localities to establish.

[SB 423](#) Wexton, J Virginia Fair Housing Law; unlawful discriminatory housing practices.

[SB 451](#) Dance, R Local government; authority to require abatement of criminal blight on real property.

SB 525 Obenshain, M	Judges; maximum number in each judicial district and circuit.
SB 543 Mason, T	Adult protective services; emergency order, temporary conservator.
SB 559 DeSteph, Jr., B	Uniform Military and Overseas Voters Act; secure return of voted military-overseas ballots.
SB 632 Dunnavant, S	Controlled substances; limits on prescriptions containing opioids.
SB 636 Dunnavant, S	Kinship Guardianship Assistance program; established.
SB 670 Deeds, R	Mental health awareness; training for firefighters and emergency medical services personnel.
SB 683 Stuart, R	Commuter Rail Operating and Capital Fund; established.
SB 728 Dunnavant, S	Prescription Monitoring Program; prescriber and dispenser patterns, annual review, report.
SB 741 Ruff, Jr., F	Stormwater management; termination of general permit, notice.
SB 783 Peake, M	Pretrial services agencies; Department of Criminal Justice Services to review, report.
SB 827 Howell, J	Courthouse and courtroom security; increases assessment to fund security.
SB 856 Saslaw, R	Mass transit; makes numerous changes to administration of and revenues for transit.
SB 896 Wagner, F	Motor vehicle fuels; sales tax in certain areas of the Commonwealth, price floor.
SB 908 McClellan, J	Electric vehicle charging stations; local and public operation.
SB 921 Ebbin, A	Uniform Statewide Building Code; security of certain records.
SB 995 Carrico, Sr., C	Outdoor advertising; regulation, signs in sight of public highways.

Fairfax County Positions

(Monitor):

Pages 59-76

HB 155 McQuinn, D	Opioids; location of clinics for treatment of addiction in Henrico County or City of Richmond.
HB 192 Yancey, D	Rainwater and gray water; regulations.
HB 196 Bulova, D	Child abuse or neglect; extension of hearings to review findings by local depts. of social services.
HB 227 Stolle, C	Adoption by stepparent; background check.
HB 384 Keam, M	Washington Metropolitan Area Transit Authority Board of Directors; review of Board.

[HB 389](#) Child abuse and neglect; notice of founded reports to
Keam, M Superintendent of Public Instruction.

[HB 484](#) Restitution; probation.
Bell, R

[HB 508](#) Solar facilities; local regulation.
Hodges, M

[HB 509](#) Comprehensive plan; solar facilities.
Hodges, M

[HB 614](#) Social work; practice.
Price, M

[HB 824](#) Short-term rentals; local ordinances in City of
Knight, B Lexington.

[HB 886](#) Mental health treatment; admission regulations,
Stolle, C toxicology results.

[HB 888](#) Onsite sewage systems & private wells; VDH to take
Orrock, Sr., R steps to eliminate evaluation & design services.

[HB 1026](#) Adult protective services; appealability of findings
Adams, L made by local department of social services.

[HB 1276](#) VDOT; review of enrollment in federal pilot program
Garrett, T or project.

[HB 1303](#) Prescribing controlled substances; veterinarian-
Garrett, T client-patient relationship.

[HB 1442](#) Real property tax; assessment of wetlands.
Orrock, Sr., R

[HB 1595](#) Vested rights; owners of property not required to
Wilt, T retrofit existing landscape cover materials.

[SB 179](#) Comprehensive plan; solar facilities.
Stanley, Jr., W

[SB 183](#) Child abuse and neglect; notice of founded reports to
Favola, B Superintendent of Public Instruction.

[SB 218](#) Recycling; clarifies definitions of beneficial use and
Lewis, Jr., L recycling center, etc.

[SB 219](#) Constitutional amendment; real property tax
Lewis, Jr., L exemption for flooding remediation, abatement, etc.

[SB 278](#) Eminent domain proceedings; prompt payment of
Petersen, J funds.

[SB 307](#) Unmanned aircraft systems; work group to explore
Cosgrove, Jr., J issues related system activities.

[SB 329](#) Opioids; location of clinics for treatment of addiction
Dunnavant, S in Henrico County or City of Richmond.

[SB 429](#) Solar facilities; local regulation.
Stanley, Jr., W

[SB 476](#) School principals; incident reports.
Reeves, B

[SB 504](#) VDOT; review of enrollment in federal pilot program
Carrico, Sr., C or project.

[SB 539](#) Child day programs; exemptions from licensure, Hanger, Jr., E removes certain programs from list.

[SB 588](#) Alcoholic beverage control; annual mixed beverage Ebbin, A special events licenses for museums.

[SB 622](#) Local transportation plan; secondary system road Surovell, S construction program allocation.

[SB 751](#) Localities and school divisions; posting of register of Sturtevant, Jr., funds expended.

G

[SB 972](#) Vested rights; owners of property not required to Obenshain, M retrofit existing landscape cover materials.

[SB 993](#) Local planning commissions; proposed plats. Reeves, B

[SJ 21](#) Constitutional amendment; property tax, exemption Lewis, Jr., L for flooding remediation, etc.

Fairfax County Positions

Pages 77-85

* * *

***Legislation No Longer Under Consideration
(Continued to 2019)***

[HB 295](#) Resident stickers; turns in certain residential areas. Murphy, K

[HB 786](#) Taxes, local; taxpayer's application to court to correct Keam, M erroneous assessments.

[HB 787](#) Real property taxes; appeals to boards of Keam, M equalization.

[HB 966](#) Income tax, sales tax, etc.; refundable credit for Davis, G certain local taxes.

[HB 1137](#) Commuter Rail Operating and Capital Fund; Sickles, M established.

[SB 4](#) Absentee voting; persons age 65 or older. Ebbin, A

[SB 114](#) Absentee voting; no excuse. Locke, M

[SB 136](#) Absentee voting; no-excuse in-person available 21 Howell, J days prior to election.

[SB 164](#) Absentee voting; persons age 65 or older. Wexton, J

[SB 207](#) Statewide prioritization process project selection; Stuart, R cost of project to be considered.

[SB 208](#) Impact fees; residential development. Stuart, R

[SB 224](#) Release of seized property; petition to stay release. Petersen, J

[SB 254](#) Absentee voting; no excuse required when voting in Dance, R person.

SB 277 Barker, G	Absentee voting; persons age 65 or older.
SB 366 Stuart, R	School personnel; staffing ratios, school nurses.
SB 367 Newman, S	Stormwater; localities to provide for partial waiver of service charges for management at airports.
SB 436 Wexton, J	Schedule I drugs; classification for fentanyl derivatives.
SB 453 Mason, T	Absentee voting; persons age 65 or older.
SB 458 Peake, M	Conditional proffers; public facility capacity, previously approved residential developments.
SB 495 Carrico, Sr., C	Deputy Sheriff Supplemental Salary Fund; created, revenue source.
SB 497 Carrico, Sr., C	Public places; disorderly conduct, right of person in charge to detain.
SB 499 Carrico, Sr., C	Conservation easements; validity, termination.
SB 537 Hanger, Jr., E	Computation of composite index; land-use assessment value.
SB 602 Ebbin, A	Absentee voting; no-excuse in-person available 21 days prior to election.
SB 613 Surovell, S	Local government; deposition.
SB 700 Deeds, R	School bus video-monitoring systems; release of information by DMV.
SB 714 Chase, A	Local economic development; expenditure shall be first approved by local governing body.
SB 766 Surovell, S	Citizen water quality monitoring; use as evidence in enforcement actions.
SB 770 Surovell, S	Absentee voting; alternative locations for in-person absentee voting.
SB 909 McClellan, J	Virginia Fair Housing Law; unlawful discriminatory housing practices.

Fairfax County Positions

Pages 86-125

* * *

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

HB 15 Mullin, M	Student discipline, alternative; assault and battery without bodily injury.
HB 57 Herring, C	Absentee voting; no excuse.
HB 59 Bell, J	Transportation, Department of; use of practical design methods.

[HB 70](#) Webert, M Immunity of employers; employees and independent contractors convicted of a nonviolent offense.

[HB 72](#) Thomas, Jr., R Statewide prioritization process project selection; cost of project to be considered.

[HB 89](#) Bell, J Conditional rezoning proffers; affordable dwelling units.

[HB 92](#) Sullivan, Jr., R Absentee voting; eligibility of certain caregivers.

[HB 103](#) Cole, M Interstate 95; VDOT to commence project to add additional lanes.

[HB 106](#) Delaney, K Kinship Guardianship Assistance program; established.

[HB 116](#) Webert, M Distracted driving; authority of local government.

[HB 136](#) Levine, M Alcoholic beverage control; annual mixed beverage special events licenses for museums.

[HB 148](#) Rasoul, S Prescription Monitoring Program; requirements of prescribers, prescriptions for opioids.

[HB 163](#) Ware, Jr., R Conditional proffers; public facility capacity, previously approved residential developments.

[HB 169](#) Murphy, K Lyme disease; information disclosure requirement, sunset.

[HB 177](#) Bell, R Distracted driving; handheld personal communications devices, driving with an animal.

[HB 178](#) Bell, R Virginia Fair Housing Law; exemptions.

[HB 180](#) Collins, C Distracted driving; penalty.

[HB 186](#) Hayes, Jr., C Absentee voting; persons age 65 or older.

[HB 191](#) Sullivan, Jr., R Voter identification; accepted forms of identification.

[HB 219](#) Morefield, J Passing a stopped school bus; penalty.

[HB 261](#) Price, M Localities; regulation of firearms in government buildings.

[HB 265](#) Turpin, C Election day; extending polling hours.

[HB 270](#) Boysko, J Sale of dog or cat not obtained from releasing agency or animal rescue; prohibition.

[HB 302](#) Watts, V Counties, certain; granted powers of cities & towns.

[HB 307](#) Watts, V Solicitation; prohibited on premises with a no soliciting sign, penalty.

[HB 308](#) Watts, V Bicycles; passing in a lane prohibited.

[HB 374](#)
Yancey, D Controlled substances; exposure, bodily injury to law-enforcement officers, etc., penalty.

[HB 381](#)
Krizek, P Virginia State Police Electronic Summons System Fund; created.

[HB 401](#)
Levine, M Discrimination; sexual orientation and gender identity.

[HB 423](#)
Gooditis, W Composite index of local ability-to-pay; use value of real estate in certain localities.

[HB 445](#)
Foy, J School principals; incident reports.

[HB 464](#)
Carter, L Pedestrians; drivers yielding the right-of-way.

[HB 471](#)
Reid, D Small businesses, new; state and local tax and regulatory exemptions.

[HB 492](#)
LaRock, D Passing a stopped school bus; conviction shall not be made part of driving record.

[HB 565](#)
Gooditis, W Synthetic turf; 3-year moratorium on installation of turf that contains recycled crumb rubber.

[HB 568](#)
Gooditis, W Election day; extending polling hours.

[HB 606](#)
Gooditis, W Telecommunications; Dept. of Historic Resources to convene work group to examine Sect. 106 review.

[HB 607](#)
Carr, B Recovery community organization pilot program; DBHDS to evaluate.

[HB 639](#)
Boysko, J Fiber optics and other communications infrastructure; identifying during road construction projects.

[HB 642](#)
Hope, P Legal notices; online publications.

[HB 656](#)
LaRock, D Telecommunications; Dept. of Historic Resources to convene work group to examine Sect. 106 review.

[HB 668](#)
Kilgore, T Transportation funding in certain areas of the Commonwealth; price floor.

[HB 699](#)
Levine, M Motor vehicle fuels; sales tax in certain transportation districts.

[HB 733](#)
Carr, B Absentee voting; no-excuse in-person available 21 days prior to election.

[HB 791](#)
Pogge, B School personnel; staffing ratios, school nurses.

[HB 801](#)
O'Quinn, I Stormwater regulation; no stricter than federal law.

[HB 835](#)
Bagby, L Absentee voting; no excuse required when voting in person.

[HB 900](#)
Freitas, N Forfeiture of property used in connection with commission of crimes; finding of guilt required.

[HB 903](#)
Freitas, N Transportation, Department of; real property owners can request evaluation of completed projects.

[HB 917](#)
Stolle, C Motor vehicle fuels; sales tax in certain areas of the Commonwealth, price floor.

[HB 931](#)
Lopez, A Battery; punishment when against public transportation operators, penalty.

[HB 933](#)
Hope, P Mandatory outpatient treatment; extends time period for adults and juveniles.

[HB 945](#)
Lopez, A TANF; eligibility, drug-related felonies.

[HB 970](#)
Guzman, E Motor vehicle fuels; sales tax in certain areas of the Commonwealth, price floor.

[HB 971](#)
Guzman, E Fair Housing Law; unlawful discrimination, gender identity.

[HB 997](#)
Gilbert, C Pretrial Services Act; repeals Act.

[HB 1004](#)
Byron, K Stormwater; locality shall provide for full waiver of certain charges for public use airport runway.

[HB 1013](#)
Simon, M Transportation network company; discrimination.

[HB 1046](#)
Torian, L School personnel; staffing ratios, school nurses.

[HB 1051](#)
Watts, V Communications sales and use tax; services subject to taxation.

[HB 1058](#)
Tran, K Uniform Military and Overseas Voters Act; secure return of voted military-overseas ballots.

[HB 1060](#)
Tran, K Electric utilities; net energy metering, program cap.

[HB 1072](#)
Heretick, S Absentee voting; no excuse.

[HB 1082](#)
Yancey, D Environmental regulations; no stricter than federal law.

[HB 1083](#)
Filler-Corn, E Motor vehicle fuels sales tax; price floor.

[HB 1134](#)
Aird, L Absentee voting; persons age 65 or older.

[HB 1172](#)
Pillion, T State Overdose Death Review Process Team; created, report, local and regional teams.

[HB 1175](#)
Pillion, T Prescribers; notice of administration of naloxone.

[HB 1222](#)
Boysko, J Campaign finance; prohibited personal use, civil penalty.

[HB 1235](#)
Hugo, T Child protective services; verification of physical and legal custody.

[HB 1242](#)
Cline, B VIEW; substance abuse screening and assessment of public assistance applicants and recipients.

[HB 1247](#)
Cline, B Virginia Freedom of Information Act; right to speak at open meetings.

[HB 1254](#) School personnel; staffing ratios, school nurses.
Thomas, Jr., R

[HB 1256](#) HOT lanes on Interstate 66; operating hours.
Hugo, T

[HB 1263](#) Bristol and Salem Highway Construction Districts;
Transportation Board's prioritization process.
Kilgore, T

[HB 1284](#) Vehicles bearing clean special fuel license plates;
HOT lanes.
Hugo, T

[HB 1289](#) Passing stopped school buses; local ordinances.
Guzman, E

[HB 1291](#) Interstate 66; tolling facilities.
Hugo, T

[HB 1292](#) Northern Virginia; comprehensive plans, impact on
state and local transportation.
Hugo, T

[HB 1319](#) Mass transit; makes numerous changes to
administration of and revenues for transit.
Sullivan, Jr., R

[HB 1327](#) Pneumatic guns; Class 6 felony to possess on school
property, etc.
Edmunds, II, J

[HB 1334](#) Felony homicide; certain drug offenses constitute
second degree murder, penalty.
Brewer, E

[HB 1352](#) Motor vehicle fuels sales tax in certain areas of the
Commonwealth; price floor.
Thomas, Jr., R

[HB 1356](#) Transient occupancy tax; expands tax in Northern
Virginia statewide.
Reid, D

[HB 1401](#) Naloxone; administration by correctional and
probation officers.
Herring, C

[HB 1408](#) Virginia Fair Housing Law; unlawful discriminatory
housing practices.
Bourne, J

[HB 1417](#) HOT lanes on Interstate 66; operating hours.
Bulova, D

[HB 1446](#) Conditional rezoning proffers; provision for public
facility improvement.
Sickles, M

[HB 1455](#) Commonwealth Transportation Board; implementing
changes to SMART SCALE.
Thomas, Jr., R

[HB 1456](#) State Inspector General; powers and duties.
Thomas, Jr., R

[HB 1459](#) Signs; permit to post on a Department of
Transportation right-of-way.
Fariss, C

[HB 1471](#) Teacher grievance procedures; hearing before school
board, selection of panel.
Hugo, T

[HB 1480](#) Child day programs; exemptions from licensure,
removes certain programs from list.
Filler-Corn, E

[HB 1489](#) Tolling; Northern Virginia.
LaRock, D

[HB 1514](#) Police misconduct; locality authorized to establish
civilian review panel, law-enforcement auditor.
Watts, V

[HB 1526](#)
Plum, K Comprehensive plan; telecommunications towers and facilities in Northern Virginia.

[HB 1545](#)
Watts, V Metrorail; funding for capital expenses.

[HJ 2](#)
Kory, K United States Constitution; ratifies Equal Rights Amendment.

[HJ 4](#)
Lopez, A United States Constitution; ratifies Equal Rights Amendment.

[HJ 70](#)
Bloxom, Jr., R Standards of Quality; JLARC to study cost to implement.

[HJ 91](#)
Webert, M Composite index of local ability to pay; DOE to study effect of local use value assessment.

[HJ 112](#)
Rodman, D Standards of Quality; Secretary of Education to study full funding.

[HJ 113](#)
Sickles, M Special elections in the Commonwealth; JLARC to study streamlining.

[HJ 115](#)
LaRock, D Standards of Quality; JLARC to study cost to implement.

[HJ 126](#)
Foy, J Education; JLARC to study costs.

[HJ 129](#)
Robinson, R United States Constitution; ratifies Equal Rights Amendment.

[SB 74](#)
Surovell, S Handheld personal communications devices; use while driving.

[SB 117](#)
Favola, B Value engineering; raises minimum project cost.

[SB 147](#)
Edwards, J Commonwealth Transportation Board; factors for project selection.

[SB 189](#)
Favola, B Telecommunications; Dept. of Historic Resources to convene work group to examine Sect. 106 review.

[SB 200](#)
Favola, B Local government taxing authority; equalizes municipal and county taxing authority.

[SB 203](#)
Favola, B Food stamp eligibility; drug-related felonies.

[SB 204](#)
Favola, B TANF; eligibility, person who refuses to participate in periodic drug testing, drug-related felony.

[SB 341](#)
Peake, M Commission of crimes; forfeiture of property used in connection with crimes.

[SB 381](#)
Chafin, A School buses; passing while stopped, injury to another person, penalty.

[SB 393](#)
Barker, G Motor vehicle fuels; sales tax in certain areas of the Commonwealth, price floor.

[SB 440](#)
Wexton, J School boards, local; prior authorization for legal action.

[SB 455](#)
McClellan, J Opioid addiction; clinics for treatment.

[SB 469](#) Reeves, B Conditional zoning; removes restrictions on types of proffers a locality may request or accept.

[SB 616](#) Surovell, S Waiver of immunity; persons covered by insurance policy.

[SB 623](#) Surovell, S Electronic Routing Registry; created.

[SB 635](#) Dunnavant, S Prescribers; notice of administration of naloxone.

[SB 757](#) Sturtevant, Jr., G Certificate of public need; psychiatric beds and services.

[SB 805](#) Carrico, Sr., C Passing a stopped school bus; conviction shall not be made part of driving record.

[SB 822](#) Edwards, J Delinquent taxes; collection of amounts due locality.

[SB 839](#) Favola, B Resident stickers; turns in certain residential areas.

[SB 862](#) Vogel, J Pharmacy drug disposal program; each pharmacy required to participate in a program.

[SB 898](#) Black, R Tolling; Northern Virginia.

[SB 911](#) Chase, A Eminent domain; redefines lost profits.

[SB 929](#) McPike, J Tolling; sets hours for high-occupancy toll (HOT) lanes on Interstate 66 inside Capital Beltway.

[SJ 4](#) Surovell, S United States Constitution; ratifies Equal Rights Amendment.

[SJ 13](#) Black, R 2016 conditional rezoning proffer reform bill; joint committee to study.

[SJ 29](#) Spruill, Sr., L Standards of Quality; JLARC to study cost to implement.

[SJ 56](#) Sturtevant, Jr., G Standards of Quality; JLARC to study cost to implement.

[SJ 58](#) Surovell, S Law clerks; study on use and impact on judicial workload and work product.

Fairfax County Initiatives

*Bills Introduced
at Fairfax County's Request*

Bills	General Assembly Actions	Date of BOS Position
<p>HB 517 - Bell (58) Involuntary commitment of a juvenile; notification of parents.</p>	<p>1/8/2018 House: Referred to Committee for Courts of Justice 1/24/2018 House: Subcommittee recommends laying on the table (8-Y 0-N) 2/15/2018 House: Left in Courts of Justice</p>	<p>1/23/2018</p>
<p>Initiate (18102875D) - See also SB 392 (Barker). Summary: Provides that a petition for the involuntary commitment of a minor shall not be dismissed for failure to immediately serve both parents with a copy of the petition and notice of the hearing if one parent is present at the hearing and the judge determines that a reasonable effort was made to notify the other parent.</p>		
<p>SB 392 - Barker (39) Involuntary commitment of a juvenile; notification of parents.</p>	<p>1/9/2018 Senate: Referred to Committee for Courts of Justice 1/31/2018 Senate: Reported from Courts of Justice with substitute (14-Y 0-N) 2/6/2018 Senate: Read third time and passed Senate (40-Y 0-N) 2/8/2018 House: Referred to Committee for Courts of Justice 2/26/2018 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 3/2/2018 House: Reported from Courts of Justice with substitute (16-Y 0-N)</p>	<p>1/23/2018</p>
<p>Initiate (18103640D) - See also HB 517 (Bell, Robert B.). Summary: Permits the court to proceed with a hearing for the involuntary commitment of a juvenile in instances where both parents cannot be notified if, at the hearing, the court makes a determination that a reasonable effort was made to serve the petition and notice of the hearing on both parents.</p>		

Fairfax County Positions
(Oppose or Amend)

* * *

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 71</u> - Miyares (82) Constitutional amendment; real property tax exemption for spouse of disabled veteran.</p>	<p>12/4/2017 House: Referred to Committee on Privileges and Elections (HPE) 1/29/2018 House: Subcommittee recommends reporting (7-Y 0-N) 2/2/2018 House: Reported from HPE (22-Y 0-N) 2/7/2018 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 2/8/2018 Senate: Referred to Committee on Privileges and Elections (SPE) 2/20/2018 Senate: Reported from SPE (14-Y 0-N) 2/20/2018 Senate: Re-referred to Finance 2/27/2018 Senate: Reported from Finance (14-Y 0-N) 3/1/2018 Senate: Passed Senate (40-Y 0-N)</p>	<p>1/23/2018</p>
<p>Amend (18100171D) - Amend to support as a state tax credit. Board has historically recommended amendment. See also SB 900 (Stuart). Summary: Constitutional amendment (voter referendum); real property tax exemption for surviving spouses of certain disabled veterans. Provides for a referendum at the November 6, 2018, election to approve or reject an amendment to the real property tax exemption for a primary residence that is currently provided to the surviving spouses of veterans who had a one hundred percent service-connected, permanent, and total disability to allow the surviving spouse to move to a different principal place of residence. Similar real property tax exemptions provided in the Constitution of Virginia to (i) the surviving spouses of members of the armed forces killed in action and (ii) the surviving spouses of certain emergency services providers killed in the line of duty allow the surviving spouse to move to a different principal place of residence and still claim the tax exemption.</p>		
<p><u>HB 638</u> - Collins (29) Trespass; electronic device, penalty.</p>	<p>1/9/2018 House: Referred to Committee for Courts of Justice 2/2/2018 House: Subcommittee recommends reporting with substitute (6-Y 1-N) 2/5/2018 House: Reported from Courts of Justice with substitute (15-Y 3-N) 2/9/2018 House: Read third time and passed House (80-Y 19-N) 2/12/2018 Senate: Referred to Committee for Courts of Justice 2/14/2018 Senate: Reported from Courts of Justice with substitute (12-Y 0-N 1-A) 2/19/2018 Senate: Passed Senate with substitute (40-Y 0-N) 2/21/2018 House: Senate substitute rejected by House 18107238D-S1 (0-Y 99-N) 2/23/2018 Senate: Senate insisted on substitute (38-Y 0-N) 2/23/2018 Senate: Senate requested conference committee 2/26/2018 House: House acceded to request 2/27/2018 House: Conferees appointed by House: Delegates: Collins, Bell, Robert B., Herring 2/27/2018 Senate: Conferees appointed by Senate: Senators: Obenshain, Stanley, Lucas</p>	<p>2/6/2018</p>
<p>Amend (18104458D) - Amend to allow the Fairfax County Park Authority to continue efforts to limit the use of drones on parkland for public safety reasons. As technology evolves, a comprehensive analysis of unmanned aircraft systems would be beneficial.</p>		

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Summary: Trespass; electronic device; penalty. Provides that any person who knowingly and intentionally causes any electronic device to enter the property of another and come within 50 feet of a dwelling house (i) to coerce, intimidate, or harass another person or (ii) after having been given notice to desist, for any other reason is guilty of a Class 1 misdemeanor. The bill also provides that anyone who is required to register with the Sex Offender and Crimes Against Minors Registry who uses or operates an unmanned aircraft system to knowingly and intentionally follow, contact, or capture images of another person is guilty of a Class 1 misdemeanor. Additionally, any respondent of a permanent protective order who uses or operates an unmanned aircraft system to knowingly and intentionally follow, contact, or capture images of any individual named in the protective order is guilty of a Class 1 misdemeanor. The bill also repeals the expiration of the prohibition on local regulation of privately owned, unmanned aircraft systems and clarifies that such prohibition extends to all political subdivisions and not only to localities.</p>		
<p>HB 765 - Jones (76) Transportation processes in the Commonwealth; responsibilities of transportation entities, funding.</p>	<p>1/9/2018 House: Referred to Committee on Transportation 1/30/2018 House: Subcommittee recommends reporting with substitute (10-Y 0-N) 1/30/2018 House: Subcommittee recommends referring to Committee on Appropriations 2/1/2018 House: Reported from Transportation with substitute (22-Y 0-N) 2/1/2018 House: Referred to Committee on Appropriations 2/5/2018 House: Subcommittee recommends reporting (8-Y 0-N) 2/9/2018 House: Reported from Appropriations (22-Y 0-N) 2/13/2018 House: Read third time and passed House (98-Y 2-N) 2/14/2018 Senate: Referred to Committee on Transportation 2/21/2018 Senate: Reported from Transportation (13-Y 0-N) 2/21/2018 Senate: Re-referred to Finance (SFIN) 2/28/2018 Senate: Reported from SFIN with amendments (16-Y 0-N) 3/2/2018 Senate: Passed Senate with amendments (38-Y 0-N)</p>	<p>2/6/2018</p>
<p>Amend (18101751D) - Amend to retain current Revenue Sharing Program funding levels. Summary: Transportation processes in the Commonwealth; responsibilities of transportation entities; funding. Expands the responsibilities of the Office of Intermodal Planning and Investment of the Secretary of Transportation (Office). The bill clarifies the residency requirements for the urban and rural at-large members of the Commonwealth Transportation Board (Board) and provides that no member of a governing body of a locality is eligible to be appointed to the Board during his term of office. The bill provides that the Board's Six-Year Improvement Program shall only commit funds from the State of Good Repair Program, the High Priority Projects Program, or the Highway Construction District Grant Programs to a project or program if such commitment is sufficient to complete the project or program. The bill changes the timing of reports from annually to biennially, expands the requirements of the biennial report provided by the Commissioner of Highways, and requires the Office to submit a biennial report as described in the bill. The bill decreases the maximum matching allocation that the Board may make to a locality from \$10 million to \$5 million and provides that such funds can be used for the maintenance of highway systems. The bill changes the amount of Commonwealth funds allocated to the Board for revenue-sharing from no less than \$15 million and no more than \$200 million to not in excess of \$100 million or seven percent of funds available for distribution by the Board from all funds made available for highway purposes, whichever is greater.</p>		

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>HB 1257 - Cline (24) Sanctuary policies; enforcement of federal immigration laws.</p>	<p>1/10/2018 House: Referred to Committee for Courts of Justice 2/7/2018 House: Subcommittee recommends reporting with amendments (5-Y 3-N) 2/9/2018 House: Reported from Courts of Justice with amendment (9-Y 8-N) 2/12/2018 House: Engrossed by House as amended (50-Y 49-N) 2/13/2018 House: Read third time and defeated by House (50-Y 50-N) 2/13/2018 House: Reconsideration of defeated action agreed to by House (52-Y 48-N) 2/13/2018 House: Passed House (51-Y 49-N) 2/14/2018 Senate: Referred to Committee for Courts of Justice 2/19/2018 Senate: Re-referred to Local Government 2/27/2018 Senate: Reported from Local Government with amendment (7-Y 6-N)</p>	<p>1/23/2018</p>
<p>Oppose (18102897D) - Board has historically opposed. Scope of bill is significant and not well-defined. Requires local enforcement of federal laws that are currently permissive, and constitutes an unfunded mandate. Summary: Sanctuary policies prohibited. Provides that no locality shall adopt any ordinance, procedure, or policy that restricts the enforcement of federal immigration laws to less than the full extent permitted by federal law.</p>		
<p>HB 1258 - Kilgore (1) Wireless communications infrastructure; zoning.</p>	<p>1/10/2018 House: Referred to Committee on Commerce and Labor 2/1/2018 House: Reported from Commerce and Labor with substitute (17-Y 2-N) 2/9/2018 House: Read third time and passed House (56-Y 41-N 2-A) 2/12/2018 Senate: Referred to Committee on Commerce and Labor 2/26/2018 Senate: Reported from Commerce and Labor with substitute (13-Y 0-N 1-A) 3/1/2018 Senate: Passed Senate with substitute (21-Y 15-N 4-A)</p>	<p>1/23/2018</p>
<p>Oppose (18102258D) - See also SB 405 (McDougle). Summary: Zoning for wireless communications infrastructure. Establishes parameters regarding applications for zoning approvals for certain wireless support structures. Applications for certain new wireless support structures that are 50 feet or less above ground level and for the co-location on an existing structure of a wireless facility that is not a small cell facility are exempt from requirements that they obtain a special exception, special use permit, or variance, though a locality may require administrative review for the issuance of any zoning permits or an acknowledgement that zoning approval is not required for such projects. Aspects of the zoning approval process addressed in this measure include periods for approval or disapproval of applications, a requirement that applications are deemed approved if not approved or disapproved within the applicable period; application fees; a prohibition against unreasonably discriminating between applicants and other wireless services providers, providers of telecommunications services, and nonpublic providers of cable television and electric services; and limits on the number of new wireless support structures that can be installed in a specific location. The measure prohibits a locality, in its receiving, consideration, and processing of an application for zoning approval, from engaging in certain activities. The measure states that it does not prohibit a locality from disapproving an application submitted under a standard process project on the basis of the availability of existing wireless support</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>structures within a reasonable distance that could be used for co-location at reasonable terms and conditions without imposing technical limitations on the applicant. The measure also requires any publicly-owned or privately-owned wireless service provider operating within the Commonwealth or serving residents of the Commonwealth shall, by January 1, 2019, and annually thereafter by January 1, provide to the Department of Housing and Community Development a report detailing, by county, city, and town, the expansion of service in previously unserved geographic areas that are provided access to high speed Internet and wireless services.</p>		
<p><u>HB 1427</u> - Kilgore (1) Wireless support structures; public rights-of-way use fees established.</p>	<p>1/16/2018 House: Referred to Committee on Commerce and Labor (HLC) 2/1/2018 House: Reported from HLC (18-Y 0-N) 2/9/2018 House: Read third time and passed House (83-Y 14-N 2-A) 2/12/2018 Senate: Referred to Committee on Commerce and Labor (SCL) 2/19/2018 Senate: Reported from SCL (12-Y 0-N) 2/19/2018 Senate: Re-referred to Finance 2/27/2018 Senate: Reported from Finance (14-Y 0-N) 2/28/2018 Senate: Passed Senate (19-Y 18-N 3-A) 3/1/2018 House: Enrolled 3/1/2018 House: Bill text as passed House and Senate (HB1427ER)</p>	<p>1/23/2018</p>
<p>Oppose (18104250D) - See also SB 823 (McDougle). Summary: Wireless support structures; public rights-of-way use fees. Establishes an annual wireless support structure public rights-of-way use fee to be charged to wireless services providers and wireless infrastructure providers in connection with a permit for occupation and use of the public rights-of-way under the jurisdiction of the Department of Transportation (VDOT) or a locality for the construction of new wireless support structures. The amount of the use fee is (i) \$1,000 for any wireless support structure at or below 50 feet in height; (ii) \$3,000 for any wireless support structure above 50 feet and at or below 120 feet in height; (iii) \$5,000 for any wireless support structure above 120 feet in height; and (iv) \$1 per square foot for any other equipment, shelter, or associated facilities constructed on the ground. The measure provides that the use fee amounts shall be adjusted every five years on the basis of inflation. The measure also provides that an existing agreement, contract, license, easement, or permit allowing the use of the public rights-of-way by a wireless services provider or wireless infrastructure provider may be enforced by VDOT or the locality only until the current term of the agreement, contract, license, easement, or permit expires. This bill is identical to SB 823.</p>		
<p><u>HJ 6</u> - Miyares (82) Constitutional amendment; real property tax exemption for spouse of disabled veteran.</p>	<p>12/4/2017 House: Referred to Committee on Privileges and Elections (HPE) 1/29/2018 House: Subcommittee recommends reporting (7-Y 0-N) 2/2/2018 House: Reported from HPE (22-Y 0-N) 2/8/2018 House: Agreed to by House (99-Y 0-N) 2/9/2018 Senate: Referred to Committee on Privileges and Elections (SPE) 2/20/2018 Senate: Reported from SPE (13-Y 0-N) 2/20/2018 Senate: Re-referred to Finance 2/27/2018 Senate: Reported from Finance (14-Y 0-N)</p>	<p>1/23/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Amend (18100166D) - Amend to support as a state tax credit. Board has historically recommended amendment. See also SJ 76 (Stuart). Summary: Constitutional amendment (second resolution); real property tax; exemption for surviving spouse of a disabled veteran. Provides that the real property tax exemption for the principal residence of the surviving spouse of a disabled military veteran applies without any restriction on the surviving spouse's moving to a different principal place of residence.</p>		
<p>HJ 98 - Byron (22) Business property; Department of Taxation to study appeals concerning valuation.</p>	<p>1/9/2018 House: Referred to Committee on Rules 2/1/2018 House: Subcommittee recommends reporting with amendments (8-Y 0-N) 2/6/2018 House: Reported from Rules with amendments (17-Y 0-N) 2/9/2018 House: Agreed to by House BLOCK VOTE (98-Y 0-N) 2/12/2018 Senate: Referred to Committee on Rules 2/28/2018 Senate: Reported from Rules with amendments by voice vote</p>	<p>1/23/2018</p>
<p>Oppose (18104018D) Summary: Study; Department of Taxation; appeals concerning valuation of business property; report. Directs the Department of Taxation to study and make recommendations on the appeals process for valuation of real and personal property of businesses.</p>		
<p>SB 104 - Suetterlein (19) Reckless driving; raises threshold for speeding.</p>	<p>12/12/2017 Senate: Referred to Committee on Transportation 1/17/2018 Senate: Reported from Transportation (8-Y 4-N) 1/23/2018 Senate: Read third time and passed Senate (23-Y 16-N) 1/29/2018 House: Referred to Committee for Courts of Justice 2/21/2018 House: Subcommittee recommends passing by indefinitely (7-Y 0-N)</p>	<p>2/6/2018</p>
<p>Oppose (18100616D) - Board has historically opposed. Summary: Reckless driving; exceeding speed limit. Raises from 80 to 85 miles per hour the speed above which a person who drives a motor vehicle on the highways in the Commonwealth is guilty of reckless driving regardless of the applicable maximum speed limit.</p>		
<p>SB 331 - Peake (22) Voter registration; verification of social security numbers, provisional registration status.</p>	<p>1/8/2018 Senate: Referred to Committee on Privileges and Elections (SPE) 1/16/2018 Senate: Reported from SPE (8-Y 6-N) 1/22/2018 Senate: Read third time and passed Senate (20-Y 19-N) 1/22/2018 Senate: Reconsideration of passage agreed to by Senate (39-Y 0-N) 1/23/2018 Senate: Read third time and passed Senate (21-Y 18-N) 1/29/2018 House: Referred to Committee on Privileges and Elections (HPE) 2/20/2018 House: Subcommittee recommends reporting (4-Y 2-N) 2/23/2018 House: Reported from HPE (12-Y 9-N) 2/23/2018 House: Referred to Committee on Appropriations 2/26/2018 House: Subcommittee recommends laying on the table (8-Y 0-N)</p>	<p>2/6/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Oppose (18100115D) - Board has historically opposed. Summary: Requires the general registrars to verify that the name, date of birth, and social security number provided by an applicant on the voter registration application match the information on file in the Social Security Administration database or other database approved by the State Board of Elections (State Board) before registering such applicant. If the information provided by the applicant does not match the information in such a database, the applicant (i) is provisionally registered to vote and notified as to what steps are needed to be fully registered to vote and (ii) is permitted to vote by provisional ballot, but such ballot shall not be counted until the voter presents certain information. The bill also requires the general registrars to verify annually no later than August 1 that the name, date of birth, and social security number in the registration record of each registered voter in the registrar's jurisdiction match the information on file with the Social Security Administration or other database approved by the State Board and, in accordance with § 24.2-429, to initiate the cancellation of the registration of any voter whose registration record information does not match the database information. The State Board is authorized to approve the use of any government database to the extent required to enable each general registrar to carry out the provisions of this measure and to promulgate rules for the use of such database. The Department of Elections is required to provide to the general registrars access to the Social Security Administration database and any other database approved by the State Board. The Department of Elections is further required to enter into any agreement with any federal or state agency to facilitate such access.</p>		
<p>SB 336 - Peake (22) Virginia Freedom of Information Act; right to speak at open meetings.</p>	<p>1/8/2018 Senate: Referred to Committee on General Laws and Technology 1/29/2018 Senate: Reported from General Laws and Technology with amendment (9-Y 0-N) 2/6/2018 Senate: Amendments by Senator Norment agreed to (24-Y 16-N) 2/6/2018 Senate: Passed Senate (38-Y 2-N) 2/8/2018 House: Referred to Committee on General Laws 2/20/2018 House: Subcommittee recommends continuing to 2019 by voice vote</p>	<p>1/23/2018</p>
<p>Oppose (18103103D) - Board has historically opposed. See also HB 1247 (Cline). Summary: Requires that every elected public body afford an opportunity for public comment during any open meeting. The bill permits elected public bodies to choose the approximate point during the meeting when public comment will be received and to adopt reasonable rules governing the public comment portion of the meeting, including imposing reasonable restrictions on time, place, and manner. Such rules shall not limit public comment to only the submission of written comments. The bill requires that the notice given by any public body prior to a meeting include information as to the approximate point during the meeting when public comment will be received.</p>		
<p>SB 371 - Chafin (38) Recreation facilities; regulation of activities, liability of localities.</p>	<p>1/9/2018 Senate: Referred to Committee on Local Government 1/30/2018 Senate: Reported from Local Government (12-Y 1-N) 2/5/2018 Senate: Read third time and passed Senate (37-Y 3-N) 2/8/2018 House: Referred to Committee on Counties, Cities and Towns 2/28/2018 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 3/2/2018 House: Reported from Counties, Cities and Towns with substitute (21-Y 0-N)</p>	<p>2/6/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Amend (18100725D) - Amend to include the Park Authority. Summary: Recreation facilities; regulation of activities; liability of localities. Authorizes a locality to establish, conduct, and regulate public boating, canoeing, kayaking, and tubing activities on property adjacent to public waterways and to set apart for such use any land or buildings owned or leased by it and obtain licenses or permits for such use on land not owned or leased by it.</p>		
<p>SB 405 - McDougle (4) Wireless communications infrastructure; zoning.</p>	<p>1/10/2018 Senate: Referred to Committee on Commerce and Labor 2/5/2018 Senate: Reported from Commerce and Labor with substitute (12-Y 0-N 2-A) 2/9/2018 Senate: Read third time and passed Senate (22-Y 13-N 4-A) 2/14/2018 House: Referred to Committee on Commerce and Labor 2/27/2018 House: Reported from Commerce and Labor with substitute (16-Y 5-N)</p>	<p>1/23/2018</p>
<p>Oppose (18101342D) - See also HB 1258 (Kilgore). Summary: Zoning for wireless communications infrastructure. Establishes parameters regarding applications for zoning approvals for certain wireless support structures. Applications for certain new wireless support structures that are 50 feet or less above ground level and for the co-location on an existing structure of a wireless facility that is not a small cell facility are exempt from requirements that they obtain a special exception, special use permit, or variance, though a locality may require administrative review for the issuance of any zoning permits or an acknowledgement that zoning approval is not required for such projects. Aspects of the zoning approval process addressed in this measure include periods for approval or disapproval of applications, a requirement that applications are deemed approved if not approved or disapproved within the applicable period; application fees; a prohibition against unreasonably discriminating between applicants and other wireless services providers, providers of telecommunications services, and nonpublic providers of cable television and electric services; and limits on the number of new wireless support structures that can be installed in a specific location. The measure prohibits a locality, in its receiving, consideration, and processing of an application for zoning approval, from engaging in certain activities. The measure states that it does not prohibit a locality from disapproving an application submitted under a standard process project on the basis of the availability of existing wireless support structures within a reasonable distance that could be used for co-location at reasonable terms and conditions without imposing technical limitations on the applicant.</p>		
<p>SB 523 - Obenshain (26) Voter identification; electronic pollbooks to contain photographs of voters, effective clause.</p>	<p>1/9/2018 Senate: Referred to Committee on Privileges and Elections (SPE) 1/16/2018 Senate: Reported from SPE (8-Y 6-N) 1/16/2018 Senate: Re-referred to Finance (SFIN) 1/24/2018 Senate: Reported from SFIN with amendment (8-Y 5-N) 1/29/2018 Senate: Read third time and passed Senate (21-Y 19-N) 1/31/2018 House: Referred to Committee on Privileges and Elections (HPE) 2/20/2018 House: Subcommittee recommends reporting with amendment (4-Y 2-N) 2/20/2018 House: Subcommittee recommends referring to Committee on Appropriations</p>	<p>1/23/2018</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
	2/23/2018 House: Reported from HPE with amendment (12-Y 9-N) 2/23/2018 House: Referred to Committee on Appropriations 2/26/2018 House: Subcommittee recommends laying on the table (8-Y 0-N)	
<p>Oppose (18103159D) - Board has historically opposed. Summary: Voter identification; electronic pollbooks to contain photographs of voters. Requires electronic pollbooks to contain the photographs of registered voters that are obtained by the general registrars in the production of voter photo identification cards or contained in a voter's Department of Motor Vehicles record. The bill also provides that if the electronic pollbook contains the voter's photograph, the officer of election is required to access that photograph and the voter is not required to present one of the statutorily required forms of identification. The bill prohibits lists of voters furnished pursuant to current law from containing any voter's photograph. The provisions of the bill are contingent on funding in a general appropriation act. The bill has a delayed effective date of July 1, 2019.</p>		
<p>SB 526 - Obenshain (26) Trespass; use of system in unlawful manner.</p>	1/9/2018 Senate: Referred to Committee for Courts of Justice 1/24/2018 Senate: Reported from Courts of Justice with substitute (15-Y 0-N) 1/29/2018 Senate: Substitute by Senator Obenshain agreed to 1/30/2018 Senate: Read third time and passed Senate (39-Y 0-N) 2/5/2018 House: Referred to Committee for Courts of Justice 2/21/2018 House: Subcommittee recommends reporting with substitute (7-Y 1-N) 3/2/2018 House: Reported from Courts of Justice with substitute (13-Y 3-N)	<p>2/6/2018</p>
<p>Amend (18104997D-S1) - Amend to allow the Fairfax County Park Authority to continue efforts to limit the use of drones on parkland for public safety reasons. As technology evolves, a comprehensive analysis of unmanned aircraft systems would be beneficial. Summary: Harassment; unmanned aircraft system; penalty. Provides that anyone who is required to register with the Sex Offender and Crimes Against Minors Registry who uses or operates an unmanned aircraft system to knowingly and intentionally follow, contact, or capture images of another person without such person's permission is guilty of a Class 1 misdemeanor. Additionally, any respondent of a permanent protective order who uses or operates an unmanned aircraft system to knowingly and intentionally follow, contact, or capture images of any persons listed on the protective order is guilty of a Class 1 misdemeanor. The bill also repeals the expiration of the prohibition on local regulation of privately owned, unmanned aircraft systems and clarifies that such prohibition extends to all political subdivisions and not only to localities.</p>		
<p>SB 582 - Hanger, Jr. (24) Open-space land; increase threshold for substitution of real property when lands are converted.</p>	1/9/2018 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources (SACNR) 1/25/2018 Senate: Reported from SACNR with amendments (14-Y 0-N) 1/31/2018 Senate: Read third time and passed Senate (40-Y 0-N) 2/5/2018 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/20/2018 House: Subcommittee recommends continuing to 2019 by voice vote	<p>2/6/2018</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Amend (18104710D-E) - Amend to exempt localities and park authorities from requirement to create separate maintenance fund for open-space land of the locality or park authority. Summary: Open-space lands; conversion or diversion. Increases the threshold for the substitution of real property when lands are converted or diverted from open-space land use, requiring the substitute land to have "substantially" greater value as permanent open-space land than the land being converted or diverted. The bill establishes several requirements that an applicant for such conversion or diversion, such as an electric utility or a pipeline company, shall meet, including the requirements that it pay for appraisals conducted by a certified general real estate appraiser, and explain why, if the substitute land is not adjacent to the land to be converted or diverted, adjacent land could not be acquired. The bill authorizes a public body to further require that an applicant demonstrate the essentiality of its project and show that no feasible alternative exists. The bill also requires the creation of a stewardship fund for the substitute land.</p>		
<p>SB 809 - Petersen (34) Eminent domain; calculation of lost profits amends definitions.</p>	<p>1/11/2018 Senate: Referred to Committee for Courts of Justice 1/29/2018 Senate: Incorporates SB911 (Chase) 1/29/2018 Senate: Reported from Courts of Justice with substitute (15-Y 0-N) 1/29/2018 Senate: Re-referred to Finance 2/6/2018 Senate: Reported from Finance (14-Y 2-N) 2/9/2018 Senate: Read third time and passed Senate (39-Y 0-N) 2/14/2018 House: Referred to Committee for Courts of Justice 2/19/2018 House: Subcommittee recommends reporting (8-Y 0-N) 2/23/2018 House: Reported from Courts of Justice (18-Y 0-N) 2/28/2018 House: Passed House BLOCK VOTE (98-Y 0-N)</p>	<p>2/6/2018</p>
<p>Amend (18104879D) - Amend to remove changes in valuation date of lost profits to conform to SB 911 (Chase). Summary: Eminent domain; calculation of lost profits. Amends, in the definitions of "lost profits" and "business profit" for the purposes of eminent domain, the period for which lost profits are calculated to a period not to exceed three years from the later of (i) the date of valuation or (ii) the date the state agency or its contractor prevents the owner from using the land or any of the owner's other property rights are taken. Under current law, lost profits are calculated for a period not to exceed (a) three years from the date of valuation if less than the entire parcel of property is taken or (b) one year from the date of valuation if the entire parcel of property is taken. The bill specifies that the person claiming lost profits is entitled to compensation whether part of the property or the entire parcel of property is taken. The bill further specifies that if the owner is not named in the petition for condemnation, he may intervene in the proceeding and that proceedings to adjudicate lost profits may be bifurcated from the other proceedings to determine just compensation if the lost profits claim period will not expire until one year or later from the date of the filing of the petition for condemnation, but such bifurcation shall not prevent the entry of an order confirming indefeasible title to the land interests acquired by the condemning authority. This bill incorporates SB 911.</p>		

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>SB 823 - McDougale (4) Wireless support structures; public rights-of-way use fees established.</p>	<p>1/15/2018 Senate: Referred to Committee on Commerce and Labor 2/5/2018 Senate: Reported from Commerce and Labor (12-Y 0-N 2-A) 2/5/2018 Senate: Re-referred to Finance 2/8/2018 Senate: Reported from Finance (12-Y 3-N 1-A) 2/13/2018 Senate: Passed Senate (19-Y 18-N 3-A) 2/19/2018 House: Referred to Committee on Commerce and Labor 2/20/2018 House: Reported from Commerce and Labor (21-Y 0-N) 2/23/2018 House: Passed House (67-Y 29-N 2-A) 2/27/2018 Senate: Enrolled 2/27/2018 Senate: Bill text as passed Senate and House (SB823ER)</p>	<p>1/23/2018</p>
<p>Oppose (18104616D) - See also HB 1427 (Kilgore). Summary: Wireless support structures; public rights-of-way use fees. Establishes an annual wireless support structure public rights-of-way use fee to be charged to wireless services providers and wireless infrastructure providers in connection with a permit for occupation and use of the public rights-of-way under the jurisdiction of the Department of Transportation (VDOT) or a locality for the construction of new wireless support structures. The amount of the use fee is (i) \$1,000 for any wireless support structure at or below 50 feet in height; (ii) \$3,000 for any wireless support structure above 50 feet and at or below 120 feet in height; (iii) \$5,000 for any wireless support structure above 120 feet in height; and (iv) \$1 per square foot for any other equipment, shelter, or associated facilities constructed on the ground. The measure provides that the use fee amounts shall be adjusted every five years on the basis of inflation. The measure also provides that an existing agreement, contract, license, easement, or permit allowing the use of the public rights-of-way by a wireless services provider or wireless infrastructure provider may be enforced by VDOT or the locality only until the current term of the agreement, contract, license, easement, or permit expires. This bill is identical to HB 1427.</p>		
<p>SB 900 - Stuart (28) Constitutional amendment; real property tax exemption for spouse of disabled veteran.</p>	<p>1/19/2018 Senate: Referred to Committee on Privileges and Elections (SPE) 1/30/2018 Senate: Reported from SPE (13-Y 0-N) 1/30/2018 Senate: Re-referred to Finance 2/7/2018 Senate: Reported from Finance (16-Y 0-N) 2/12/2018 Senate: Read third time and passed Senate (40-Y 0-N) 2/15/2018 House: Referred to Committee on Privileges and Elections (HPE) 2/19/2018 House: Subcommittee recommends reporting (7-Y 0-N) 2/23/2018 House: Reported from HPE (21-Y 0-N) 2/28/2018 House: Passed House BLOCK VOTE (98-Y 0-N)</p>	<p>1/23/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Amend (18104335D) - Amend to support as a state tax credit. Board has historically recommended amendment. See also HB 71 (Miyares). Summary: Constitutional amendment (voter referendum); real property tax exemption for surviving spouses of certain disabled veterans. Provides for a referendum at the November 6, 2018, election to approve or reject an amendment to the real property tax exemption for a primary residence that is currently provided to the surviving spouses of veterans who had a one hundred percent service-connected, permanent, and total disability to allow the surviving spouse to move to a different principal place of residence. Similar real property tax exemptions provided in the Constitution of Virginia to (i) the surviving spouses of members of the armed forces killed in action and (ii) the surviving spouses of certain emergency services providers killed in the line of duty allow the surviving spouse to move to a different principal place of residence and still claim the tax exemption.</p>		
<p>SJ 76 - Stuart (28) Constitutional amendment; real property tax exemption for spouse of disabled veteran.</p>	<p>1/19/2018 Senate: Referred to Committee on Privileges and Elections 1/30/2018 Senate: Reported from Privileges and Elections (13-Y 0-N) 1/30/2018 Senate: Re-referred to Finance 2/7/2018 Senate: Reported from Finance (16-Y 0-N) 2/12/2018 Senate: Read third time and agreed to by Senate (40-Y 0-N) 2/15/2018 House: Referred to Committee on Privileges and Elections 2/19/2018 House: Subcommittee recommends reporting (7-Y 0-N) 2/23/2018 House: Reported from Privileges and Elections (21-Y 0-N) 2/28/2018 House: Agreed to by House (98-Y 0-N)</p>	<p>1/23/2018</p>
<p>Amend (18104257D) - Amend to support as a state tax credit. Board has historically recommended amendment. See also HJ 6 (Miyares). Summary: Constitutional amendment (second resolution); real property tax; exemption for surviving spouse of a disabled veteran. Provides that the real property tax exemption for the principal residence of the surviving spouse of a disabled military veteran applies without any restriction on the surviving spouse's moving to a different principal place of residence.</p>		

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Fairfax County Positions

(Support)

* * *

Bills	General Assembly Actions	Date of BOS Position
<p>HB 134 - Bell (87) Value engineering; raises minimum project cost.</p>	<p>12/19/2017 House: Referred to Committee on Transportation 1/19/2018 House: Subcommittee recommends reporting with amendments (8-Y 0-N) 1/23/2018 House: Referred from Transportation by voice vote 1/23/2018 House: Referred to Committee on General Laws 2/6/2018 House: Subcommittee recommends reporting (7-Y 0-N) 2/8/2018 House: Reported from General Laws (20-Y 0-N) 2/13/2018 House: Read third time and passed House BLOCK VOTE (100-Y 0-N) 2/14/2018 Senate: Referred to Committee on Transportation 2/21/2018 Senate: Reported from Transportation with substitute (13-Y 0-N) 2/26/2018 Senate: Passed Senate with substitute (40-Y 0-N) 2/28/2018 House: Senate substitute agreed to by House (99-Y 0-N) 3/2/2018 House: Enrolled 3/2/2018 House: Bill text as passed House and Senate (HB134ER)</p>	<p>1/23/2018</p>
<p>Support (18102443D) – See also SB 125 (Black). Summary: Value engineering. Raises the minimum project cost requiring the use of value engineering from \$5 million to \$15 million. The bill exempts projects that are designed utilizing (i) a design-build contract or (ii) the Public-Private Transportation Act of 1995 from the value engineering requirements. This bill is identical to SB 125.</p>		
<p>HB 150 - Bulova (37) Child abuse and neglect; founded reports regarding former school employees.</p>	<p>12/20/2017 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 1/18/2018 House: Reported from HHWI (22-Y 0-N) 1/24/2018 House: Read third time and passed House (98-Y 0-N) 1/25/2018 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 2/2/2018 Senate: Reported from SRSS (11-Y 4-N) 2/6/2018 Senate: Passed Senate (34-Y 6-N) 2/6/2018 Senate: Reconsideration of Senate passage agreed to by Senate (40-Y 0-N) 2/6/2018 Senate: Passed Senate (35-Y 5-N) 2/7/2018 House: Enrolled 2/7/2018 House: Bill text as passed House and Senate (HB150ER) 2/7/2018 House: Signed by Speaker 2/9/2018 Senate: Signed by President 2/12/2018 House: Enrolled Bill communicated to Governor-2/12/18 2/12/2018 Governor: Governor’s Action Deadline Midnight, 2/19/18 2/19/2018 Governor: Approved by Governor-Chap. 3 (effective 7/1/18) 2/19/2018 Governor: Acts of Assembly Chapter text (CHAP0003)</p>	<p>2/6/2018 1/23/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Support (18101331D) - See also SB 184 (Favola). Monitor (18101331D) — See also SB 184 (Favola). Summary: Requires local departments of social services to notify the appropriate school board without delay if the subject of a founded complaint of child abuse or neglect was, at the time of the investigation or the conduct that led to the report, an employee of a school division located within the Commonwealth. Currently, such reporting is only required if the subject of the complaint is an employee of a school division at the time the complaint is determined to be founded.</p>		
<p>HB 161 - Cole (88) Service districts; general government facilities may be constructed pursuant to power of districts.</p>	<p>12/21/2017 House: Referred to Committee on Counties, Cities and Towns (HCCT) 1/24/2018 House: Subcommittee recommends reporting (8-Y 0-N) 1/26/2018 House: Reported from HCCT (22-Y 0-N) 2/1/2018 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 2/1/2018 House: Reconsideration of passage agreed to by House 2/1/2018 House: VOTE: BLOCK VOTE PASSAGE 2 (98-Y 0-N) 2/2/2018 Senate: Referred to Committee on Local Government 2/27/2018 Senate: Reported from Local Government (13-Y 0-N) 3/2/2018 Senate: Passed Senate (38-Y 0-N)</p>	<p>1/23/2018</p>
<p>Support (18101893D) Summary: Powers of service districts. Adds general government facilities to those types of facilities that may be constructed pursuant to the power granted to service districts.</p>		
<p>HB 220 - Morefield (3) Parks, local; waterway activities, liability.</p>	<p>12/29/2017 House: Referred to Committee on Counties, Cities and Towns 2/1/2018 House: Subcommittee recommends reporting with amendments (7-Y 0-N) 2/2/2018 House: Reported from Counties, Cities and Towns with amendments (22-Y 0-N) 2/8/2018 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/9/2018 Senate: Referred to Committee on Local Government 2/27/2018 Senate: Reported from Local Government with substitute (12-Y 1-N)</p>	<p>[2/23/2018] 2/6/2018</p>
<p>[Support] (18103058D-E) - Support as amended and passed House. Amend (18103058D) — Amend to include the Park Authority. Summary: Local parks; waterway activities; liability. Authorizes a locality or park authority to establish, conduct, and regulate a system of boating, canoeing, kayaking, or tubing activities on waterways and to exercise certain related powers. The bill releases from certain civil liability a locality that establishes such a system or a system of hiking, biking, or horseback riding trails, or the owner of any property leased or licensed for such uses, in the absence of gross negligence or willful misconduct.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 241</u> - Brewer (64) Adoption; lowers amount of time child must reside with close relative.</p>	<p>1/2/2018 House: Referred to Committee on Health, Welfare and Institutions 1/18/2018 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 1/24/2018 House: Read third time and passed House (98-Y 0-N) 1/25/2018 Senate: Referred to Committee on Rehabilitation and Social Services 2/2/2018 Senate: Reported from Rehabilitation and Social Services (15-Y 0-N) 2/6/2018 Senate: Passed Senate (40-Y 0-N) 2/7/2018 House: Enrolled 2/7/2018 House: Bill text as passed House and Senate (HB241ER) 2/7/2018 House: Signed by Speaker 2/9/2018 Senate: Signed by President 2/12/2018 House: Enrolled Bill communicated to Governor on 02/12/18 2/12/2018 Governor: Governor’s Action Deadline Midnight, February 19, 2018 2/19/2018 Governor: Approved by Governor-Chapter 4 (effective 7/1/18) 2/19/2018 Governor: Acts of Assembly Chapter text (CHAP0004)</p>	<p>2/6/2018</p>
<p>Support (18103409D) Summary: Close relative adoption. Lowers from three years to two years the amount of time a child must have continuously resided with or been under the physical custody of the prospective close relative adoptive parent in order for the adoption proceeding to commence in circuit court and be exempt from the parental placement provisions.</p>		
<p><u>HB 313</u> - Head (17) Prescription Monitoring Program; prescriber and dispenser patterns, annual review, report.</p>	<p>1/4/2018 House: Referred to Committee on Health, Welfare and Institutions 1/23/2018 House: Subcommittee recommends reporting with substitute (10-Y 0-N) 1/25/2018 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 1/31/2018 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/1/2018 Senate: Referred to Committee on Education and Health 2/15/2018 Senate: Reported from Education and Health with substitute (15-Y 0-N) 2/19/2018 Senate: Passed Senate with substitute (40-Y 0-N) 2/21/2018 House: Senate substitute agreed to by House (98-Y 2-N) 2/26/2018 House: Enrolled 2/26/2018 House: Bill text as passed House and Senate (HB313ER) 2/26/2018 House: Signed by Speaker 2/28/2018 Senate: Signed by President 3/2/2018 House: Enrolled Bill communicated to Governor on March 2, 2018 3/2/2018 Governor: Governor’s Action Deadline Midnight, 3/9/18</p>	<p>3/2/2018 2/6/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p><i>Support (HB313ER) - See also SB 728 (Dunnavant). Monitor (18101252D)</i></p> <p>Summary: Prescription Monitoring Program; prescriber and dispenser patterns. Requires the Director of the Department of Health Professions to annually review controlled substance prescribing and dispensing patterns. The bill requires the Director to conduct such review in consultation with an advisory panel consisting of representatives from the relevant health regulatory boards, the Department of Health, the Department of Medical Assistance Services, and the Department of Behavioral Health and Developmental Services. The bill requires the Director to make any necessary changes to the criteria for unusual patterns of prescribing and dispensing and report any findings and recommendations for best practices to the Joint Commission on Health Care by November 1 of each year. This bill is identical to SB 728.</p>		
<p><u>HB 322</u> - Bourne (71) Naloxone or other opioid antagonist; possession & administration.</p>	<p>1/4/2018 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 1/18/2018 House: Reported from HHWI (22-Y 0-N) 1/24/2018 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 1/25/2018 Senate: Referred to Committee on Education and Health 2/15/2018 Senate: Reported from Education and Health (15-Y 0-N) 2/19/2018 Senate: Passed Senate (40-Y 0-N) 2/21/2018 House: Enrolled 2/21/2018 House: Bill text as passed House and Senate (HB322ER) 2/21/2018 House: Signed by Speaker 2/23/2018 Senate: Signed by President 2/26/2018 House: Enrolled Bill communicated to Governor on February 26, 2018 2/26/2018 Governor: Governor's Action Deadline Midnight, March 5, 2018</p>	<p>2/6/2018</p>
<p>Support (18103202D)</p> <p>Summary: Possession and administration of naloxone. Adds employees of the Department of Corrections who are designated as probation and parole officers or correctional officers to the list of individuals who may possess and administer naloxone or other opioid antagonist, provided that they have completed a training program.</p>		
<p><u>HB 377</u> - Bulova (37) Virginia Water Protection Permit; exception for stormwater management facility on dry land.</p>	<p>1/5/2018 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 1/24/2018 House: Subcommittee recommends reporting with amendments (10-Y 0-N) 1/31/2018 House: Reported from HAG with amendments (22-Y 0-N) 2/6/2018 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/7/2018 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources (SACNR) 2/15/2018 Senate: Reported from SACNR (15-Y 0-N) 2/20/2018 Senate: Passed Senate (40-Y 0-N) 2/20/2018 Senate: Reconsideration of Senate passage agreed to by Senate (40-Y 0-N) 2/20/2018 Senate: Passed Senate (40-Y 0-N)</p>	<p>2/6/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
	2/22/2018 House: Enrolled 2/22/2018 House: Bill text as passed House and Senate (HB377ER) 2/22/2018 House: Signed by Speaker 2/23/2018 Senate: Signed by President 2/26/2018 House: Enrolled Bill communicated to Governor- 2/26/18 2/26/2018 Governor: Governor’s Action Deadline Midnight, 3/5/18	
<p>Support (18104333D) Summary: Exempts from the requirement to obtain a Virginia Water Protection Permit any impact to a stormwater management facility on dry land. The bill directs the Department of Environmental Quality to adopt guidance to ensure that any project claiming this exemption creates no more than minimal ecological impact.</p>		
<p><u>HB 424</u> - Levine (45) Animal shelters; administration of Schedule VI biological products.</p>	1/6/2018 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/22/2018 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 1/24/2018 House: Reported from Agriculture, Chesapeake and Natural Resources with substitute (22-Y 0-N) 1/30/2018 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 1/30/2018 House: Reconsideration of passage agreed to by House 1/30/2018 House: Passed House BLOCK VOTE (99-Y 0-N) 1/31/2018 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/15/2018 Senate: Reported from Agriculture, Conservation and Natural Resources (13-Y 2-N) 2/20/2018 Senate: Passed Senate (39-Y 1-N) 2/20/2018 Senate: Reconsideration of Senate passage agreed to by Senate (40-Y 0-N)	<p>2/6/2018</p>
<p>Support (18105746D-H1) Summary: Animal shelters; vaccinations; administration of biological products. Authorizes the operator or custodian of a public animal shelter to vaccinate animals that are confined in such shelter to prevent the risk of communicable diseases. The bill also provides that a public or private animal shelter may purchase, possess, and administer certain Schedule VI biological products for the purpose of preventing, controlling, and treating certain communicable diseases that failure to control would result in transmission to the animal population in the shelter and may administer such biological products only pursuant to written protocols.</p>		
<p><u>HB 501</u> - Hodges (98) Home hospice programs; disposal of drugs.</p>	1/8/2018 House: Referred to Committee on Health, Welfare and Institutions 1/23/2018 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 1/29/2018 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 1/30/2018 Senate: Referred to Committee on Education and Health 2/15/2018 Senate: Reported from Education and Health (15-Y 0-N)	<p>2/6/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
	2/19/2018 Senate: Passed Senate (40-Y 0-N) 2/21/2018 House: Enrolled 2/21/2018 House: Bill text as passed House and Senate (HB501ER) 2/21/2018 House: Signed by Speaker 2/23/2018 Senate: Signed by President 2/26/2018 House: Enrolled Bill communicated to Governor on February 26, 2018 2/26/2018 Governor: Governor's Action Deadline Midnight, March 5, 2018	
<p>Support (18105770D-H1) Summary: Requires every hospice to develop policies and procedures for the disposal of drugs dispensed as part of the hospice plan of care for a patient, which shall include requirements that such disposal be (i) performed in a manner that complies with all state and federal requirements for the safe disposal of drugs by a licensed nurse, physician assistant, or physician who is employed by or has entered into a contract with the hospice program; (ii) witnessed by a member of the patient's family or a second employee of the hospice program who is licensed by a health regulatory board within the Department of Health Professions; and (iii) documented in the patient's medical record.</p>		
<p>HB 594 - Carr (69) Local government; authority to require abatement of criminal blight on real property.</p>	1/8/2018 House: Referred to Committee on Counties, Cities and Towns (HCCT) 1/31/2018 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 2/2/2018 House: Reported from HCCT with substitute (22-Y 0-N) 2/8/2018 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/9/2018 Senate: Referred to Committee on Local Government 2/20/2018 Senate: Reported from Local Government (12-Y 1-N) 2/26/2018 Senate: Amendment by Senator Dance agreed to 2/26/2018 Senate: Passed Senate with amendment (40-Y 0-N) 2/28/2018 House: Senate amendment agreed to by House (96-Y 1-N) 2/28/2018 House: Reconsideration of Senate amendment agreed to by House 2/28/2018 House: Senate amendment agreed to by House (98-Y 0-N) 3/2/2018 House: Enrolled 3/2/2018 House: Bill text as passed House and Senate (HB594ER)	<p>2/6/2018</p>
<p>Support (18101405D) - See also SB 451 (Dance). Summary: Authorizes any locality to enact an ordinance that requires corrective action to address criminal blight conditions on certain real property. The bill defines criminal blight to include conditions on real property that endanger residents of the community by the regular presence of persons using the property for controlled substance use or sale and other criminal activities, specifically commercial sex trafficking or prostitution or repeated acts of the malicious discharge of a firearm within a building or dwelling. Current law allows local governments to enact an ordinance for taking action against a property owner with regard to illegal drug activity on such real property within the locality. As introduced, this bill was a recommendation of the Virginia Housing Commission. This bill is identical to SB 451.</p>		

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>HB 640 - Boysko (86) Comprehensive plan, locality's; broadband infrastructure.</p>	<p>1/9/2018 House: Referred to Committee on Counties, Cities and Towns 1/31/2018 House: Subcommittee recommends reporting with amendments (7-Y 0-N) 2/2/2018 House: Reported from Counties, Cities and Towns with amendments (22-Y 0-N) 2/8/2018 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/9/2018 Senate: Referred to Committee on Local Government 2/27/2018 Senate: Reported from Local Government with amendment (12-Y 0-N 1-A)</p>	<p>1/23/2018</p>
<p>Support (18103572D) Summary: Comprehensive plan; broadband infrastructure. Provides that a locality's comprehensive plan may consider strategies to provide broadband infrastructure that is sufficient to meet the current and future needs of residents and businesses in the locality. In the preparation of a comprehensive plan, broadband infrastructure shall be included among the matters that the local planning commission shall survey and study.</p>		
<p>HB 662 - Murphy (34) American Legion Bridge; VDOT to submit a plan for remediation of bridge.</p>	<p>1/9/2018 House: Referred to Committee on Rules 2/1/2018 House: Subcommittee recommends reporting with substitute (6-Y 0-N) 2/6/2018 House: Reported from Rules with substitute (17-Y 0-N) 2/12/2018 House: Read third time and passed House BLOCK VOTE (100-Y 0-N) 2/13/2018 Senate: Referred to Committee on Transportation 2/28/2018 Senate: Reported from Transportation (13-Y 0-N)</p>	<p>[2/23/2018] 1/23/2018</p>
<p>[Support] (18106616D-H1) Support (18103558D) – Support concept; amend to address implementation issues. Summary: Department of Transportation to submit a plan for the remediation of the American Legion Bridge. Directs the Department of Transportation to begin the initial design and related assessments for remediating the American Legion Bridge at the earliest time possible once necessary decisions have been made by the state of Maryland. The Department shall submit the design and assessments in a report to the General Assembly when available.</p>		
<p>HB 683 - Pogge (96) Uniform Statewide Building Code; security of certain records.</p>	<p>1/9/2018 House: Referred to Committee on General Laws 1/25/2018 House: Subcommittee recommends reporting (8-Y 0-N) 1/30/2018 House: Reported from General Laws (22-Y 0-N) 2/5/2018 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 2/6/2018 Senate: Referred to Committee on General Laws and Technology (SGL) 2/12/2018 Senate: Reported from SGL (14-Y 0-N) 2/15/2018 Senate: Passed Senate (40-Y 0-N) 2/19/2018 House: Enrolled 2/19/2018 House: Bill text as passed House and Senate (HB683ER) 2/19/2018 House: Signed by Speaker 2/21/2018 Senate: Signed by President</p>	<p>2/6/2018</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
	2/22/2018 House: Enrolled Bill communicated to Governor on 2/22/18 2/22/2018 Governor: Governor’s Action Deadline Midnight, 3/1/18 2/26/2018 Governor: Approved by Governor-Chapter 42 (effective 7/1/18)	
<p>Support (18102130D) - See also SB 921 (Ebbin). Summary: Clarifies that while information contained in engineering and construction drawings and plans for any single-family residential dwelling submitted for the purpose of complying with the Uniform Statewide Building Code (§ 36-97 et seq.) or the Statewide Fire Prevention Code (§ 27-94 et seq.) shall not be subject to disclosure to the public under the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), such information shall not be deemed confidential. This bill is identical to SB 921.</p>		
<p>HB 729 - Head (17) Virginia Fire Services Board; powers & duties, modular training program for volunteer firefighters.</p>	1/9/2018 House: Referred to Committee on Militia, Police and Public Safety 2/1/2018 House: Subcommittee recommends reporting (6-Y 0-N) 2/1/2018 House: Subcommittee recommends referring to Committee on Appropriations 2/2/2018 House: Reported from Militia, Police and Public Safety (21-Y 0-N) 2/2/2018 House: Referred to Committee on Appropriations 2/8/2018 House: Subcommittee recommends reporting (7-Y 0-N) 2/9/2018 House: Reported from Appropriations (22-Y 0-N) 2/13/2018 House: Read third time and passed House BLOCK VOTE (100-Y 0-N) 2/14/2018 Senate: Referred to Committee on General Laws and Technology 2/19/2018 Senate: Reported from General Laws and Technology (15-Y 0-N) 2/19/2018 Senate: Re-referred to Finance 2/28/2018 Senate: Reported from Finance with amendment (16-Y 0-N) 3/2/2018 Senate: Passed Senate with amendment (38-Y 0-N)	<p>2/6/2018</p>
<p>Support (18104370D) Summary: Virginia Fire Services Board; powers and duties; modular training program for volunteer firefighters. Directs the Virginia Fire Services Board to develop a modular training program for volunteer firefighters for adoption by local volunteer fire departments that shall include (i) Firefighter I and Firefighter II certification pursuant to standards developed by the National Fire Protection Association and (ii) an online training program.</p>		
<p>HB 743 - Leftwich (78) Judges; maximum number in each judicial district and circuit.</p>	1/9/2018 House: Referred to Committee for Courts of Justice (HCT) 1/29/2018 House: Subcommittee recommends reporting with amendment (7-Y 0-N) 2/5/2018 House: Reported from HCT with amendment (18-Y 0-N) 2/9/2018 House: Read third time and passed House (99-Y 0-N) 2/12/2018 Senate: Referred to Committee for Courts of Justice 2/14/2018 Senate: Reported from Courts of Justice (11-Y 0-N)	<p>1/23/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
	2/19/2018 Senate: Passed Senate (40-Y 0-N) 2/21/2018 House: Enrolled 2/21/2018 House: Bill text as passed House and Senate (HB743ER) 2/21/2018 House: Signed by Speaker 2/23/2018 Senate: Signed by President 2/26/2018 House: Enrolled Bill communicated to Governor on February 26, 2018 2/26/2018 Governor: Governor's Action Deadline Midnight, 3/5/18	

Support (18101400D) - See also SB 525 (Obenshain).
Summary: Maximum number of judges in each judicial district and circuit. Increases or decreases the maximum number of judges in select judicial districts and circuits to reflect the number of authorized judgeships recommended by the Supreme Court of Virginia in the 2017 "Virginia Judicial Workload Assessment Report." This bill is identical to SB 525.

<p>HB 768 - Jones (76) Motor vehicle fuels; sales tax in certain regions of the Commonwealth.</p>	1/9/2018 House: Referred to Committee on Rules 2/6/2018 House: Referred from Rules by voice vote 2/6/2018 House: Referred to Committee on Appropriations (HAPP) 2/8/2018 House: Subcommittee recommends reporting with substitute (7-Y 0-N) 2/9/2018 House: Reported from HAPP with substitute (22-Y 0-N) 2/13/2018 House: Read third time and passed House (84-Y 15-N 1-A) 2/14/2018 Senate: Referred to Committee on Finance 2/21/2018 Senate: Reported from Finance with substitute (13-Y 1-N) 2/26/2018 Senate: Passed Senate with substitute (27-Y 13-N) 2/26/2018 Senate: Reconsideration of Senate passage agreed to by Senate (40-Y 0-N) 2/26/2018 Senate: Passed Senate with substitute (27-Y 12-N) 2/28/2018 House: Senate substitute rejected by House (1-Y 97-N 1-A) 2/28/2018 Senate: Senate insisted on substitute (34-Y 5-N) 2/28/2018 Senate: Senate requested conference committee 2/28/2018 House: House acceded to request 2/28/2018 Senate: Conferees appointed by Senate: Senators: Wagner, Norment, Saslaw 2/28/2018 House: Conferees appointed by House: Delegates: Jones, S.C., Habeeb, Filler-Corn	<p>1/23/2018</p>
---	---	-------------------------

Support (18102993D)
Summary: Motor vehicle fuels sales tax in certain areas of the Commonwealth; price floor. Establishes a floor on the 2.1 percent sales tax imposed on motor vehicle fuels sold in Northern Virginia and Hampton Roads. The average distributor price of gasoline, as determined by the Commissioner of the Department of Motor Vehicles, on June 1, 2018, shall be the initial floor. If the average distributor price rises in future determinations, the new higher average will become the floor, until such time as the average distributor price of gasoline is determined to be equal to or greater than the average wholesale price of gasoline in the Commonwealth on February 20, 2013, which is the date of the floor used for the calculation of the state gasoline tax. After this threshold is met, the average distributor price used for the calculation of the regional tax will be the same as the average price used to calculate the state tax.

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 793</u> - Robinson (27) Nurse practitioners; practice agreements.</p>	<p>1/9/2018 House: Referred to Committee on Health, Welfare and Institutions 2/1/2018 House: Subcommittee recommends reporting with substitute (9-Y 0-N) 2/6/2018 House: Reported from Health, Welfare and Institutions with substitute (17-Y 5-N) 2/12/2018 House: Read third time and passed House (93-Y 6-N) 2/13/2018 Senate: Referred to Committee on Education and Health 2/22/2018 Senate: Reported from Education and Health with substitute (15-Y 0-N) 2/26/2018 Senate: Passed Senate with substitute (40-Y 0-N) 2/28/2018 House: Senate substitute agreed to by House (97-Y 2-N) 3/1/2018 House: Enrolled 3/1/2018 House: Bill text as passed House and Senate (HB793ER)</p>	<p>[2/23/2018] 2/6/2018</p>
<p>[Support] (18106474D-H1) - While the hours of clinical experience is increased to five years, additional amendments improve other requirements that benefit access to care, particularly in rural areas and in specialties of high demand, such as in mental health. Amend (18104186D) - Amend to increase hours of clinical experience to two years. Summary: Eliminates the requirement for a practice agreement with a patient care team physician for nurse practitioners who have been licensed as a nurse practitioner by the Boards of Medicine and Nursing, graduated from a nurse practitioner educational program accredited by the Commission on Collegiate Nursing Education, completed at least five years of full-time clinical experience as a licensed, certified nurse practitioner, and submitted an attestation from his patient care team physician stating that the patient care team physician routinely practices in the same specialty practice category as the nurse practitioner and that the nurse practitioner meets the requirements for practice without a practice agreement. The bill establishes title protection for advanced practice registered nurses, nurse practitioners, certified registered nurse anesthetists, and certified nurse midwives. The bill contains technical amendments.</p>		
<p><u>HB 850</u> - Peace (97) Adult protective services; emergency order, temporary conservator.</p>	<p>1/9/2018 House: Referred to Committee for Courts of Justice 1/22/2018 House: Subcommittee recommends reporting with amendment (8-Y 0-N) 1/29/2018 House: Reported from Courts of Justice with amendment (18-Y 0-N) 2/2/2018 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 2/5/2018 Senate: Referred to Committee for Courts of Justice 2/12/2018 Senate: Reported from Courts of Justice (15-Y 0-N) 2/14/2018 Senate: Passed Senate (40-Y 0-N) 2/16/2018 House: Enrolled 2/16/2018 House: Bill text as passed House and Senate (HB850ER) 2/16/2018 House: Signed by Speaker 2/19/2018 Senate: Signed by President 2/19/2018 House: Enrolled Bill communicated to Governor on February 19, 2018 2/19/2018 Governor: Governor’s Action Deadline Midnight, 2/26/18 2/26/2018 Governor: Approved by Governor-Chapter 19 (effective 7/1/18)</p>	<p>1/23/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Support (18101127D) - See also SB 543 (Mason). Summary: Emergency order for adult protective services; temporary conservator. Requires courts issuing an emergency order for adult protective services to (i) appoint, when applicable, a temporary conservator with responsibility and authority limited to managing the adult's estate and financial affairs related to the approved adult protective services until the expiration of the order and (ii) set the bond of the temporary guardian and the bond and surety, if any, of the temporary conservator. The bill allows the temporary conservator to petition the court to have the emergency order set aside or modified upon a substantial change in circumstances and requires the temporary conservator to submit to the court a report describing any services provided to the adult. This bill is identical to SB 543.</p>		
<p><u>HB 887</u> - Orrock, Sr. (54) Onsite sewage systems; adjustment or replacement of sewer lines, etc., is considered maintenance.</p>	<p>1/9/2018 House: Referred to Committee on Health, Welfare and Institutions 1/18/2018 House: Subcommittee recommends reporting with amendments (9-Y 0-N) 1/23/2018 House: Reported from Health, Welfare and Institutions with amendments (22-Y 0-N) 1/29/2018 House: Read third time and passed House (94-Y 3-N) 1/30/2018 Senate: Referred to Committee on Education and Health 2/22/2018 Senate: Reported from Education and Health (13-Y 1-N) 2/27/2018 Senate: Read third time and passed Senate (37-Y 3-N) 3/1/2018 House: Enrolled 3/1/2018 House: Bill text as passed House and Senate (HB887ER)</p>	<p>2/6/2018 1/23/2018</p>
<p>Support (18101591D-E) - Support as amended. Recommended amendment was made. Amend (18101591D) - Amend to allow County to continue local health inspections of onsite system repairs. Summary: Onsite sewage systems; maintenance. Provides that the adjustment or replacement of sewer lines, conveyance lines, distribution boxes, or header lines is considered maintenance of an onsite sewage system and thus does not require a permit. Under current law, adjustment and replacement of such equipment requires the system owner to obtain a permit.</p>		
<p><u>HB 922</u> - Bulova (37) Electric vehicle charging stations; local and public operation.</p>	<p>1/9/2018 House: Referred to Committee on General Laws 2/1/2018 House: Subcommittee recommends reporting with amendments (7-Y 0-N) 2/6/2018 House: Reported from General Laws with amendments (22-Y 0-N) 2/12/2018 House: Read third time and passed House BLOCK VOTE (100-Y 0-N) 2/13/2018 Senate: Referred to Committee on Transportation 2/21/2018 Senate: Re-referred to Commerce and Labor 2/26/2018 Senate: Reported from Commerce and Labor with amendment (14-Y 0-N) 3/1/2018 Senate: Passed Senate with amendment (40-Y 0-N)</p>	<p>1/23/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Support (18104708D) - See also SB 908 (McClellan). Summary: Authorizes any locality or public institution of higher education, or the Department of Conservation and Recreation, to locate and operate a retail fee-based electric vehicle charging station on property such entity owns or leases. The bill permits a locality to provide that the use of such station is restricted to employees of the locality and install signage that provides notice of such restriction. The bill exempts such a locality, public institution of higher education, or the Department of Conservation and Recreation from being considered a public utility solely because of the sale of electric vehicle charging service or the ownership or operation of an electric vehicle charging station and further exempts such service from constituting the retail sale of electricity.</p>		
<p>HB 925 - Bulova (37) Industrial & high-risk programs; locality to adopt, etc., runoff programs.</p>	<p>1/9/2018 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 1/24/2018 House: Subcommittee recommends reporting with substitute (10-Y 0-N) 1/31/2018 House: Reported from HAG with substitute (22-Y 0-N) 2/6/2018 House: Read third time and passed House (99-Y 0-N) 2/7/2018 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources (SACNR) 2/15/2018 Senate: Reported from SACNR (15-Y 0-N) 2/20/2018 Senate: Passed Senate (40-Y 0-N) 2/20/2018 Senate: Reconsideration of Senate passage agreed to by Senate (40-Y 0-N) 2/20/2018 Senate: Passed Senate (40-Y 0-N) 2/22/2018 House: Enrolled 2/22/2018 House: Bill text as passed House and Senate (HB925ER) 2/22/2018 House: Signed by Speaker 2/23/2018 Senate: Signed by President 2/26/2018 House: Enrolled Bill communicated to Governor on February 26, 2018 2/26/2018 Governor: Governor's Action Deadline Midnight, 3/5/18</p>	<p>2/6/2018</p>
<p>Support (18104478D) Summary: Municipal separate storm sewer systems; industrial and high-risk programs. Authorizes any locality that owns or operates a permitted municipal separate storm sewer system (MS4) to adopt and administer an industrial and high-risk runoff program. The bill authorizes any such locality to include in its industrial and high-risk program an industrial or commercial facility notwithstanding the fact that the facility is also subject to certain permits or the federal Emergency Planning and Community Right-to-Know Act. The bill limits the ability of the State Water Control Board (the Board), unless it is required to do so by federal law, to impose certain regulatory conditions on any locality that administers such a program and prohibits the Board from modifying existing MS4 permits to avoid such limitation. The bill authorizes the Board to require a locality to report an industrial or commercial facility if it becomes aware of a violation of an industrial stormwater management requirement.</p>		
<p>HB 996 - Gilbert (15) Pretrial services agencies; Department of Criminal Justice Services to review, report.</p>	<p>1/9/2018 House: Referred to Committee for Courts of Justice 2/7/2018 House: Subcommittee recommends reporting (8-Y 0-N) 2/9/2018 House: Reported from Courts of Justice (17-Y 0-N) 2/13/2018 House: Read third time and passed House BLOCK VOTE (100-Y 0-N) 2/14/2018 Senate: Referred to Committee for Courts of Justice 2/28/2018 Senate: Reported from Courts of Justice (12-Y 2-N)</p>	<p>1/23/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Support (18103933D) - See also SB 783 (Peake). Summary: Department of Criminal Justice Services to review pretrial services agencies; report. Requires the Department of Criminal Justice Services (Department) to annually review each pretrial services agency to determine compliance with its biennial plan and operating standards. Current law requires the Department to review each pretrial services agency periodically. The bill also requires the Department to report annually to the Governor and the General Assembly on the performance of each pretrial services agency. This bill is a recommendation of the Virginia State Crime Commission.</p>		
<p>HB 1173 - Pillion (4) Controlled substances; limits on prescriptions containing opioids.</p>	<p>1/10/2018 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 1/25/2018 House: Reported from HHWI (22-Y 0-N) 1/31/2018 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/1/2018 Senate: Referred to Committee on Education and Health 2/15/2018 Senate: Reported from Education and Health (15-Y 0-N) 2/19/2018 Senate: Passed Senate (40-Y 0-N) 2/21/2018 House: Enrolled 2/21/2018 House: Bill text as passed House and Senate (HB1173ER) 2/21/2018 House: Signed by Speaker 2/23/2018 Senate: Signed by President 2/26/2018 House: Enrolled Bill communicated to Governor on February 26, 2018 2/26/2018 Governor: Governor's Action Deadline Midnight, 3/5/18</p>	<p>2/6/2018</p>
<p>Support (18103269D) - See also SB 632 (Dunnavant). Summary: Limits on prescription of controlled substances containing opioids. Eliminates the surgical or invasive procedure treatment exception to the requirement that a prescriber request certain information from the Prescription Monitoring Program (PMP) when initiating a new course of treatment that includes prescribing opioids for a human patient to last more than seven days. Under current law, a prescriber is not required to request certain information from the PMP for opioid prescriptions of up to 14 days to a patient as part of treatment for a surgical or invasive procedure. The bill has an expiration date of July 1, 2022. This bill is identical to SB 632.</p>		
<p>HB 1333 - Brewer (64) Kinship Guardianship Assistance program; established.</p>	<p>1/10/2018 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 1/31/2018 House: Subcommittee recommends reporting with amendments (8-Y 0-N) 1/31/2018 House: Subcommittee recommends referring to Committee on Appropriations 2/6/2018 House: Reported from HHWI with amendments (22-Y 0-N) 2/6/2018 House: Referred to Committee on Appropriations 2/9/2018 House: Reported from Appropriations (22-Y 0-N) 2/9/2018 House: Subcommittee recommends reporting (8-Y 0-N) 2/13/2018 House: Read third time and passed House (100-Y 0-N) 2/14/2018 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 2/23/2018 Senate: Reported from SRSS with amendment (13-Y 1-N) 2/23/2018 Senate: Re-referred to Finance 2/28/2018 Senate: Reported from Finance (16-Y 0-N)</p>	<p>1/23/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Support (18104179D) - See also HB 106 (Delaney) and SB 636 (Dunnivant). Summary: Kinship Guardianship Assistance program. Creates the Kinship Guardianship Assistance program (the program) to facilitate child placements with relatives and ensure permanency for children for whom adoption or being returned home are not appropriate permanency options. The bill sets forth eligibility criteria for the program, payment allowances to kinship guardians, and requirements for kinship guardianship assistance agreements. The bill also requires the Board of Social Services to promulgate regulations for the program.</p>		
<p>HB 1355 - Hope (47) Minors; alternative facility of temporary detention.</p>	<p>1/11/2018 House: Referred to Committee for Courts of Justice 1/24/2018 House: Subcommittee recommends reporting (8-Y 0-N) 1/29/2018 House: Reported from Courts of Justice (18-Y 0-N) 2/2/2018 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 2/5/2018 Senate: Referred to Committee for Courts of Justice 2/12/2018 Senate: Reported from Courts of Justice (15-Y 0-N) 2/14/2018 Senate: Passed Senate (40-Y 0-N) 2/16/2018 House: Enrolled 2/16/2018 House: Bill text as passed House and Senate (HB1355ER) 2/16/2018 House: Signed by Speaker 2/19/2018 Senate: Signed by President 2/19/2018 House: Enrolled Bill communicated to Governor on February 19, 2018 2/19/2018 Governor: Governor’s Action Deadline Midnight, 2/26/18 2/26/2018 Governor: Approved by Governor-Chapter 20 (effective 7/1/18)</p>	<p>2/6/2018</p>
<p>Support (18104118D) Summary: Alternative facility of temporary detention; minors. Establishes the same procedure for transferring custody of a minor who is the subject of a temporary detention order from one facility to another facility that already exists for transferring custody of adults.</p>		
<p>HB 1377 - Torian (52) Epinephrine; possession and administration at outdoor educational programs.</p>	<p>1/12/2018 House: Referred to Committee on Health, Welfare and Institutions 1/30/2018 House: Subcommittee recommends reporting (10-Y 0-N) 2/1/2018 House: Reported from Health, Welfare and Institutions (21-Y 0-N) 2/7/2018 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 2/8/2018 Senate: Referred to Committee on Education and Health 2/15/2018 Senate: Reported from Education and Health with substitute (14-Y 0-N 1-A) 2/19/2018 Senate: Passed Senate with substitute (40-Y 0-N) 2/21/2018 House: Senate substitute agreed to by House (99-Y 0-N) 2/26/2018 House: Enrolled 2/26/2018 House: Bill text as passed House and Senate (HB1377ER) 2/26/2018 House: Signed by Speaker 2/28/2018 Senate: Signed by President 3/2/2018 House: Enrolled Bill communicated to Governor on 3/2/18 3/2/2018 Governor: Governor’s Action Deadline Midnight, 3/9/18</p>	<p>2/6/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Support (18104300D) Summary: Possession and administration of epinephrine; outdoor educational programs. Provides that an employee of an organization that provides outdoor educational experiences or programs for youth who is authorized by a prescriber and trained in the administration of epinephrine may possess and administer epinephrine and provides liability protection for such employees.</p>		
<p><u>HB 1412</u> - Helsel, Jr. (91) Mental health awareness; training for firefighters and emergency medical services personnel.</p>	<p>1/15/2018 House: Referred to Committee on Militia, Police and Public Safety (HMP) 2/1/2018 House: Subcommittee recommends reporting (6-Y 0-N) 2/2/2018 House: Reported from HMP (21-Y 0-N) 2/8/2018 House: Read third time and passed House (99-Y 0-N) 2/9/2018 Senate: Referred to Committee on General Laws and Technology (SGL) 2/26/2018 Senate: Reported from SGL (15-Y 0-N) 3/1/2018 Senate: Passed Senate (40-Y 0-N)</p>	<p>2/6/2018</p>
<p>Support (18104085D) - See also SB 670 (Deeds). Summary: Mental health awareness training; firefighters and emergency medical services personnel. Requires fire departments and emergency medical services agencies to develop curricula for mental health awareness training for their personnel. The bill provides that such personnel who receive the training shall receive appropriate continuing education credits.</p>		
<p><u>HB 1469</u> - Hugo (40) Felony homicide; certain drug offenses constitute second degree murder, penalty.</p>	<p>1/17/2018 House: Referred to Committee for Courts of Justice 2/9/2018 House: Reported from Courts of Justice with substitute (15-Y 1-N) 2/13/2018 House: Read third time and passed House (84-Y 16-N) 2/14/2018 Senate: Referred to Committee for Courts of Justice 2/21/2018 Senate: Reported from Courts of Justice with substitute (15-Y 0-N) 2/21/2018 Senate: Re-referred to Finance (SFIN) 3/1/2018 Senate: Reported from SFIN with amendment (16-Y 0-N)</p>	<p>2/6/2018</p>
<p>Support (18105380D) - See also HB 1334 (Brewer). Summary: Felony homicide; certain drug offenses; penalty. Provides that a person is guilty of felony homicide, which constitutes second degree murder and is punishable by confinement of not less than five nor more than 40 years, if the underlying felonious act that resulted in the killing of another involved the manufacture, sale, gift, or distribution of a Schedule I or II controlled substance to another and (i) such other person's death results from his use of the controlled substance and (ii) the controlled substance is the proximate cause of his death. The bill also provides that venue for a prosecution of this crime shall lie in the locality where the underlying felony occurred, where the use of the controlled substance occurred, or where death occurred. This bill serves to overrule the Court of Appeals of Virginia decision in Woodard v. Commonwealth, 61 Va. App. 567, 739 S.E.2d 220 (2013), aff'd, 287 Va. 276, 754 S.E.2d 309 (2014).</p>		
<p><u>HB 1539</u> - Hugo (40) Mass transit; establishing various Funds to improve transportation.</p>	<p>1/19/2018 House: Referred to Committee on Rules 2/1/2018 House: Referred from Rules by voice vote 2/1/2018 House: Referred to Committee on Transportation (HTRAN) 2/8/2018 House: Incorporates HB1319 (Sullivan)</p>	<p>[2/23/2018]</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
	2/8/2018 House: Reported from HTRAN with substitute (21-Y 0-N) 2/8/2018 House: Referred to Committee on Appropriations (HAPP) 2/9/2018 House: Reported from HAPP with substitute (13-Y 9-N) 2/12/2018 House: Amendment by Delegate Hugo agreed to 2/13/2018 House: Read third time and passed House (78-Y 21-N) 2/14/2018 Senate: Referred to Committee on Finance 2/27/2018 Senate: Reported from Finance with substitute (9-Y 7-N) 3/1/2018 Senate: Passed Senate with substitute (26-Y 14-N)	
<p>[Support] (18107016D-EH2) - Support for WMATA dedicated funding and governance reforms is in the County's Legislative Program. The proposals are an improvement from the introduced version; however, neither completely addresses the Board's principles. SB 856 better meets the financial requirements of WMATA. The County will work with stakeholders to address concerns with the bills. See also SB 856 (Saslaw).</p> <p>Summary: Mass transit in the Commonwealth. Directs the Commonwealth Transportation Board (the Board) to develop a prioritization process for the use of funds in the Commonwealth Mass Transit Fund (the Fund), based on criteria specified in the bill. The prioritization process would apply to capital projects administered by the Department of Rail and Public Transportation (DRPT). The bill establishes separate prioritization processes for the Board's Six Year-Improvement Program, state of good repair projects, and major expansion projects. The bill directs the Board to solicit input from various organizations, including localities and other stakeholders, on its development of prioritization processes and to create a Transit Service Advisory Committee to advise DRPT.</p>		
<p>SB 14 - Petersen (34) Service of process; county attorney to be served when actions against county officers, etc.</p>	11/20/2017 Senate: Referred to Committee for Courts of Justice 1/24/2018 Senate: Reported from Courts of Justice (14-Y 0-N) 1/30/2018 Senate: Read third time and passed Senate (39-Y 0-N) 2/5/2018 House: Referred to Committee for Courts of Justice 2/21/2018 House: Subcommittee recommends reporting (8-Y 0-N) 2/23/2018 House: Reported from Courts of Justice (18-Y 0-N) 2/28/2018 House: Passed House BLOCK VOTE (98-Y 0-N)	<p>1/23/2018</p>
<p>Support (18100550D)</p> <p>Summary: Service of process on county attorney. Removes the requirement that in an action against a supervisor, county officer, employee, or agent of the county, each member of the county board be served; instead, only the county attorney, or the clerk of the county board if there is no county attorney, and the defendant need to be served.</p>		
<p>SB 44 - Favola (31) Kinship Guardianship Assistance program; established.</p>	11/21/2017 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 1/12/2018 Senate: Reported from SRSS (14-Y 1-N) 1/12/2018 Senate: Re-referred to Finance 1/31/2018 Senate: Reported from Finance with amendments (15-Y 0-N) 2/5/2018 Senate: Read third time and passed Senate (40-Y 0-N) 2/8/2018 House: Referred to Committee on Appropriations 2/21/2018 House: Reported from Appropriations with amendment (22-Y 0-N)	<p>2/6/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Support (18100496D-E) Summary: Kinship Guardianship Assistance program. Creates the Kinship Guardianship Assistance program (the program) to facilitate child placements with relatives and ensure permanency for children for whom adoption or being returned home are not appropriate permanency options. The bill sets forth eligibility criteria for the program, payment allowances to kinship guardians, and requirements for kinship guardianship assistance agreements. The bill also requires the Board of Social Services to promulgate regulations for the program. The provisions of the bill are contingent on funding in a general appropriation act.</p>		
<p>SB 125 - Black (13) Value engineering; raises minimum project cost.</p>	<p>12/18/2017 Senate: Referred to Committee on Transportation 1/24/2018 Senate: Incorporates SB117 (Favola) 1/24/2018 Senate: Reported from Transportation with substitute (13-Y 0-N) 1/30/2018 Senate: Read third time and passed Senate (39-Y 0-N) 2/5/2018 House: Referred to Committee on General Laws 2/15/2018 House: Reported from General Laws with amendment (22-Y 0-N) 2/20/2018 House: Passed House with amendment BLOCK VOTE (100-Y 0-N) 2/22/2018 Senate: House amendment agreed to by Senate (40-Y 0-N) 2/26/2018 Senate: Enrolled 2/26/2018 Senate: Bill text as passed Senate and House (SB125ER) 2/26/2018 House: Signed by Speaker 2/28/2018 Senate: Signed by President 3/2/2018 Senate: Enrolled Bill Communicated to Governor on March 2, 2018 3/2/2018 Governor: Governor’s Action Deadline Midnight, March 9, 2018</p>	<p>1/23/2018</p>
<p>Support (18101812D) - See also HB 134 (Bell, J.) and SB 117 (Favola). Summary: Value engineering. Raises the minimum project cost requiring the use of value engineering from \$5 million to \$15 million. The bill exempts projects that are designed utilizing (i) a design-build contract or (ii) the Public-Private Transportation Act of 1995 from the value engineering requirements. This bill incorporates SB 117. This bill is identical to HB 134.</p>		
<p>SB 166 - Black (13) Telecommunications; Dept. of Historic Resources to convene work group to examine Sect. 106 review.</p>	<p>12/28/2017 Senate: Referred to Committee on Rules 2/8/2018 Senate: Re-referred to Agriculture, Conservation and Natural Resources 2/9/2018 Senate: Incorporates SB189 (Favola) 2/9/2018 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (10-Y 0-N) 2/9/2018 Senate: Re-referred to Finance 2/12/2018 Senate: Reported from Finance (16-Y 0-N) 2/13/2018 Senate: Passed Senate (40-Y 0-N) 2/19/2018 House: Referred to Committee on Rules 2/27/2018 House: Subcommittee recommends laying on the table (5-Y 0-N)</p>	<p>1/23/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Support (18101820D) - See also HB 606 (Gooditis), HB 656 (LaRock), and SB 189 (Favola). Summary: Virginia Department of Historic Resources; telecommunications; Section 106 review process work group. Directs the Virginia Department of Historic Resources to convene a stakeholder work group to study the efficiency of the review process as it is used in telecommunications projects with regard to Section 106 of the National Historic Preservation Act and the effects of certain projects upon historic properties in association with Federal Communications Commission applications and to report its findings to the General Assembly no later than November 1, 2018. The bill incorporates SB 189.</p>		
<p>SB 184 - Favola (31) Child abuse and neglect; founded reports regarding former school employees.</p>	<p>12/29/2017 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 1/19/2018 Senate: Reported from SRSS (8-Y 6-N) 1/24/2018 Senate: Read third time and passed Senate (26-Y 14-N) 1/29/2018 House: Referred to Committee on Health, Welfare and Institutions 2/15/2018 House: Reported from Health, Welfare and Institutions (21-Y 0-N) 2/20/2018 House: Passed House BLOCK VOTE (100-Y 0-N) 2/22/2018 Senate: Enrolled 2/22/2018 Senate: Bill text as passed Senate and House (SB184ER) 2/22/2018 House: Signed by Speaker 2/23/2018 Senate: Signed by President 2/26/2018 Senate: Enrolled Bill Communicated to Governor on February 26, 2018 2/26/2018 Governor: Governor’s Action Deadline Midnight, March 5, 2018</p>	<p>2/6/2018 1/23/2018</p>
<p>Support (18101321D) - See also HB 150 (Bulova). Monitor (18101321D)—See also HB 150 (Bulova). Summary: Requires local departments of social services to notify the appropriate school board without delay if the subject of a founded complaint of child abuse or neglect was, at the time of the investigation or the conduct that led to the report, an employee of a school division located within the Commonwealth. Currently, such reporting is only required if the subject of the complaint is an employee of a school division at the time the complaint is determined to be founded.</p>		
<p>SB 202 - Ebbin (30) Public employment; prohibits discrimination on basis of sexual orientation or gender identity.</p>	<p>1/2/2018 Senate: Referred to Committee on General Laws and Technology 1/22/2018 Senate: Reported from General Laws and Technology (12-Y 3-N) 1/26/2018 Senate: Passed Senate (28-Y 10-N 1-A) 1/26/2018 Senate: Reconsideration of passage agreed to by Senate (38-Y 1-N) 1/26/2018 Senate: Passed Senate (29-Y 10-N) 1/31/2018 House: Referred to Committee on General Laws 2/8/2018 House: Subcommittee recommends laying on the table (5-Y 2-N)</p>	<p>1/23/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Support (18100785D) - Board has historically supported. Summary: Nondiscrimination in public employment. Prohibits discrimination in public employment on the basis of sexual orientation or gender identity, as defined in the bill. The bill also codifies for state and local government employment the current prohibitions on discrimination in employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran.</p>		
<p>SB 242 - Marsden (37) Park authority; immunity from liability in any civil action.</p>	<p>1/4/2018 Senate: Referred to Committee on Local Government 1/23/2018 Senate: Reported from Local Government with amendment (9-Y 4-N) 1/29/2018 Senate: Read third time and passed Senate (25-Y 15-N) 1/31/2018 House: Referred to Committee on Counties, Cities and Towns (HCCT) 2/14/2018 House: Subcommittee recommends reporting (8-Y 0-N) 2/14/2018 House: Subcommittee recommends referring to Committee for Courts of Justice 2/16/2018 House: Reported from HCCT (21-Y 0-N) 2/16/2018 House: Referred to Committee for Courts of Justice 2/19/2018 House: Subcommittee recommends reporting with amendment (3-Y 2-N) 3/2/2018 House: Failed to report (defeated) in Courts of Justice (2-Y 14-N)</p>	<p>1/23/2018</p>
<p>Support (18101504D) - Board has historically supported. Summary: Park authority liability; immunity. Grants immunity from liability in any civil action to park authorities created pursuant to the Park Authorities Act (§ 15.2-5700 et seq.) for damages caused by ordinary negligence on the part of any officer or agent of such park authority in the maintenance or operation of a park, recreational facility, or playground under control of the authority.</p>		
<p>SB 312 - Edwards (21) Cooperative procurement of professional services; construction, solar power purchase agreements.</p>	<p>1/8/2018 Senate: Referred to Committee on General Laws and Technology (SGL) 2/5/2018 Senate: Reported from SGL with substitute (9-Y 5-N) 2/13/2018 Senate: Read third time and passed Senate (33-Y 6-N) 2/19/2018 House: Referred to Committee on General Laws 2/20/2018 House: Subcommittee recommends continuing to 2019 by voice vote</p>	<p>1/23/2018</p>
<p>Support (18104236D) Summary: Cooperative procurement of professional services; construction; solar power purchase agreements. Allows contracting entities to contract for the provision of solar services in order to reduce energy cost. The measure authorizes any contracting entity to purchase services under a solar services agreement entered into by another contracting entity, even if it did not participate in the request for proposals, if the request for proposals specified that the procurement was being conducted on behalf of other contracting entities. The measure specifies that terms and conditions of project agreements for the provision of solar energy that reference the terms and conditions of a master solar power purchase agreement shall be binding and effective for the life of the project agreements, whether or not the master power purchase agreement is still in effect. The bill provides that it is applicable to any solar services agreement regardless of the date of the agreement.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 399</u> - Lewis, Jr. (6) Drug overdose fatality review teams, local or regional; localities to establish.</p>	<p>1/9/2018 Senate: Referred to Committee on Education and Health 1/25/2018 Senate: Reported from Education and Health with substitute (13-Y 2-N) 1/30/2018 Senate: Read third time and passed Senate (39-Y 0-N) 2/5/2018 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/20/2018 House: Reported from HHWI (22-Y 0-N) 2/23/2018 House: Passed House BLOCK VOTE (98-Y 0-N) 2/27/2018 Senate: Enrolled 2/27/2018 Senate: Bill text as passed Senate and House (SB399ER)</p>	<p>1/23/2018</p>
<p>Support (18101721D) Summary: Local or regional overdose fatality review teams. Authorizes any county or city, or any combination of counties, cities, or counties and cities, to establish a local or regional overdose fatality review team for the purpose of (i) conducting contemporaneous reviews of local overdose deaths, (ii) promoting cooperation and coordination among agencies involved in investigations of overdose deaths or in providing services to surviving family members, (iii) developing an understanding of the causes and incidence of overdose deaths in the locality, (iv) developing plans for and recommending changes within the agencies represented on the local team to prevent overdose deaths, and (v) advising the Department of Health and other relevant state agencies on changes to law, policy, or practice to prevent overdose deaths. The bill authorizes a local or regional team to review the death of any person who resides in the Commonwealth and whose death was or is suspected to be due to overdose. A violation of the confidentiality of the review process is punishable as a Class 3 misdemeanor.</p>		
<p><u>SB 423</u> - Wexton (33) Virginia Fair Housing Law; unlawful discriminatory housing practices.</p>	<p>1/9/2018 Senate: Referred to Committee on General Laws and Technology 1/22/2018 Senate: Reported from General Laws and Technology (12-Y 3-N) 1/26/2018 Senate: Read third time and passed Senate (29-Y 10-N) 1/31/2018 House: Referred to Committee on General Laws 2/8/2018 House: Subcommittee recommends laying on the table (5-Y 2-N)</p>	<p>1/23/2018</p>
<p>Support (18100962D) - Board has historically supported. Summary: Virginia Fair Housing Law; unlawful discriminatory housing practices; sexual orientation and gender identity. Adds discrimination on the basis of an individual's sexual orientation or gender identity as an unlawful housing practice. The bill defines sexual orientation and gender identity.</p>		
<p><u>SB 451</u> - Dance (16) Local government; authority to require abatement of criminal blight on real property.</p>	<p>1/9/2018 Senate: Referred to Committee on Local Government (SLG) 1/30/2018 Senate: Reported from SLG with substitute (12-Y 1-N) 2/5/2018 Senate: Read third time and passed Senate (39-Y 1-N) 2/8/2018 House: Referred to Committee on Counties, Cities and Towns (HCCT) 2/16/2018 House: Reported from HCCT with substitute (21-Y 0-N) 2/23/2018 House: Amendment by Delegate Carr agreed to 2/23/2018 House: Passed House with sub. with amendment (98-Y 0-N) 2/27/2018 Senate: House substitute with amendment agreed to by Senate (40-Y 0-N) 3/1/2018 Senate: Enrolled 3/1/2018 Senate: Bill text as passed Senate and House (SB451ER)</p>	<p>2/6/2018</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Support (18101378D) - See also HB 594 (Carr). Summary: Authorizes any locality to enact an ordinance that requires corrective action to address criminal blight conditions on certain real property. The bill defines criminal blight to include conditions on real property that endanger residents of the community by the regular presence of persons using the property for controlled substance use or sale and other criminal activities, specifically commercial sex trafficking or prostitution or repeated acts of the malicious discharge of a firearm within a building or dwelling. Current law allows local governments to enact an ordinance for taking action against a property owner with regard to illegal drug activity on such real property within the locality. As introduced, this bill was a recommendation of the Virginia Housing Commission. This bill is identical to HB 594.</p>		
<p><u>SB 525</u> - Obenshain (26) Judges; maximum number in each judicial district and circuit.</p>	<p>1/9/2018 Senate: Referred to Committee for Courts of Justice 1/24/2018 Senate: Reported from Courts of Justice (10-Y 1-N 2-A) 1/24/2018 Senate: Re-referred to Finance (SFIN) 2/6/2018 Senate: Reported from SFIN with amendment (15-Y 1-N) 2/9/2018 Senate: Read third time and passed Senate (39-Y 0-N) 2/14/2018 House: Referred to Committee for Courts of Justice 2/14/2018 House: Reported from Courts of Justice (17-Y 0-N) 2/19/2018 House: Passed House BLOCK VOTE (100-Y 0-N) 2/21/2018 Senate: Enrolled 2/21/2018 Senate: Bill text as passed Senate and House (SB525ER) 2/21/2018 House: Signed by Speaker 2/23/2018 Senate: Signed by President 2/26/2018 Senate: Enrolled Bill Communicated to Governor on February 26, 2018 2/26/2018 Governor: Governor's Action Deadline Midnight, 3/5/18</p>	<p>1/23/2018</p>
<p>Support (18101399D) - See also HB 743 (Leftwich). Summary: Maximum number of judges in each judicial district and circuit. Increases or decreases the maximum number of judges in select judicial districts and circuits to reflect the number of authorized judgeships recommended by the Supreme Court of Virginia in the 2017 "Virginia Judicial Workload Assessment Report." This bill is identical to HB 743.</p>		
<p><u>SB 543</u> - Mason (1) Adult protective services; emergency order, temporary conservator.</p>	<p>1/9/2018 Senate: Referred to Committee for Courts of Justice 1/31/2018 Senate: Reported from Courts of Justice with amendment (15-Y 0-N) 2/6/2018 Senate: Read third time and passed Senate (40-Y 0-N) 2/8/2018 House: Referred to Committee for Courts of Justice 2/14/2018 House: Reported from Courts of Justice (17-Y 0-N) 2/19/2018 House: Passed House BLOCK VOTE (100-Y 0-N) 2/21/2018 Senate: Enrolled 2/21/2018 Senate: Bill text as passed Senate and House (SB543ER) 2/21/2018 House: Signed by Speaker 2/23/2018 Senate: Signed by President 2/26/2018 Senate: Enrolled Bill Communicated to Governor on February 26, 2018 2/26/2018 Governor: Governor's Action Deadline Midnight, March 5, 2018</p>	<p>1/23/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Support (18101949D) - See also HB 850 (Peace). Summary: Emergency order for adult protective services; temporary conservator. Requires courts issuing an emergency order for adult protective services to (i) appoint, when applicable, a temporary conservator with responsibility and authority limited to managing the adult's estate and financial affairs related to the approved adult protective services until the expiration of the order and (ii) set the bond of the temporary guardian and the bond and surety, if any, of the temporary conservator. The bill allows the temporary conservator to petition the court to have the emergency order set aside or modified upon a substantial change in circumstances and requires the temporary conservator to submit to the court a report describing any services provided to the adult. This bill is identical to HB 850.</p>		
<p><u>SB 559</u> - DeSteph, Jr. (8) Uniform Military and Overseas Voters Act; secure return of voted military-overseas ballots.</p>	<p>1/9/2018 Senate: Referred to Committee on Privileges and Elections 1/30/2018 Senate: Reported from Privileges and Elections (11-Y 1-N 1-A) 1/30/2018 Senate: Re-referred to Finance 2/7/2018 Senate: Reported from Finance (14-Y 2-N) 2/12/2018 Senate: Read third time and passed Senate (30-Y 10-N) 2/12/2018 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) 2/12/2018 Senate: Passed Senate (31-Y 9-N) 2/15/2018 House: Referred to Committee on Appropriations 3/2/2018 House: Subcommittee recommends laying on the table (8-Y 0-N)</p>	<p>1/23/2018</p>
<p>Support (18100152D) - Board has historically supported concept. Implementation issues need to be resolved. Summary: Uniform Military and Overseas Voters Act; secure return of voted military-overseas ballots by electronic means; pilot program. Requires the State Board of Elections to establish and supervise a pilot program for the secure return of voted military-overseas ballots by electronic means from those uniformed-service voters who are members (i) of the active or reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States who are on active duty or (ii) of the National Guard on activated status and who are deployed outside of the United States. Under the pilot program, those uniformed-service voters shall be permitted to sign the military-overseas ballot application, the statement of voter accompanying the military-overseas ballot, and any other related documents deemed necessary by the State Board to ensure authentication of the voter's identification using his digital signature associated with his military-issued electronic mail account. The State Board is directed to request proposals for the development and maintenance of the system used for the pilot program and to provide instructions, procedures, services, and ongoing security assessments for the entity selected to develop and maintain the system. The provisions of the bill are contingent on funding in a general appropriation act. The bill has an expiration date of July 1, 2020.</p>		
<p><u>SB 632</u> - Dunnivant (12) Controlled substances; limits on prescriptions containing opioids.</p>	<p>1/10/2018 Senate: Referred to Committee on Education and Health 1/25/2018 Senate: Reported from Education and Health (15-Y 0-N) 1/30/2018 Senate: Read third time and passed Senate (39-Y 0-N) 2/5/2018 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/15/2018 House: Reported from HHWI (22-Y 0-N) 2/20/2018 House: Passed House BLOCK VOTE (100-Y 0-N) 2/22/2018 Senate: Enrolled 2/22/2018 Senate: Bill text as passed Senate and House (SB632ER) 2/22/2018 House: Signed by Speaker</p>	<p>2/6/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
	2/23/2018 Senate: Signed by President 2/26/2018 Senate: Enrolled Bill Communicated to Governor-2/26/18 2/26/2018 Governor: Governor’s Action Deadline Midnight, 3/5/18	
<p>Support (18101945D) - See also HB 1173 (Pillion). Summary: Limits on prescription of controlled substances containing opioids. Eliminates the surgical or invasive procedure treatment exception to the requirement that a prescriber request certain information from the Prescription Monitoring Program (PMP) when initiating a new course of treatment that includes prescribing opioids for a human patient to last more than seven days. Under current law, a prescriber is not required to request certain information from the PMP for opioid prescriptions of up to 14 days to a patient as part of treatment for a surgical or invasive procedure. The bill has an expiration date of July 1, 2022. This bill is identical to HB 1173.</p>		
<p><u>SB 636</u> - Dunnavant (12) Kinship Guardianship Assistance program; established.</p>	1/10/2018 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 1/19/2018 Senate: Reported from SRSS (14-Y 0-N) 1/19/2018 Senate: Re-referred to Finance 1/31/2018 Senate: Reported from Finance with amendments (15-Y 0-N) 2/5/2018 Senate: Read third time and passed Senate (40-Y 0-N) 2/8/2018 House: Referred to Committee on Appropriations (HAPP) 2/21/2018 House: Reported from HAPP with amendment (22-Y 0-N) 2/28/2018 House: Passed House with amendment BLOCK VOTE (98-Y 0-N) 3/2/2018 Senate: House amendment agreed to by Senate (38-Y 0-N)	<p>1/23/2018</p>
<p>Support (18103106D) - See also HB 106 (Delaney) and HB 1333 (Brewer). Summary: Kinship Guardianship Assistance program. Creates the Kinship Guardianship Assistance program (the program) to facilitate child placements with relatives and ensure permanency for children for whom adoption or being returned home are not appropriate permanency options. The bill sets forth eligibility criteria for the program, payment allowances to kinship guardians, and requirements for kinship guardianship assistance agreements. The bill also requires the Board of Social Services to promulgate regulations for the program. The provisions of the bill are contingent on funding in a general appropriation act.</p>		
<p><u>SB 670</u> - Deeds (25) Mental health awareness; training for firefighters and emergency medical services personnel.</p>	1/10/2018 Senate: Referred to Committee on Education and Health 1/25/2018 Senate: Reported from Education and Health (10-Y 5-N) 1/30/2018 Senate: Read third time and passed Senate (34-Y 5-N) 2/5/2018 House: Referred to Committee on Militia, Police and Public Safety (HMP) 2/22/2018 House: Subcommittee recommends reporting (6-Y 0-N) 2/23/2018 House: Reported from HMP (21-Y 0-N) 2/28/2018 House: Passed House BLOCK VOTE (98-Y 0-N)	<p>2/6/2018</p>
<p>Support (18100553D) - See also HB 1412 (Helsel). Summary: Mental health awareness training; firefighters and emergency medical services personnel. Requires fire departments and emergency medical services agencies to develop curricula for mental health awareness training for their personnel. The bill provides that such personnel who receive the training shall receive appropriate continuing education credits.</p>		

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 683</u> - Stuart (28) Commuter Rail Operating and Capital Fund; established.</p>	<p>1/10/2018 Senate: Referred to Committee on Transportation 1/17/2018 Senate: Re-referred to Finance 2/8/2018 Senate: Reported from Finance (14-Y 0-N) 2/13/2018 Senate: Passed Senate (40-Y 0-N) 2/19/2018 House: Referred to Committee on Appropriations</p>	<p>1/23/2018</p>
<p>Support (18102474D) - See also HB 1137 (Sickles). Summary: Commuter Rail Operating and Capital Fund. Establishes the Commuter Rail Operating and Capital Fund to be used by the Director of the Department of Rail and Public Transportation, with the approval of the Commonwealth Transportation Board, on projects that expand and improve commuter rail service.</p>		
<p><u>SB 728</u> - Dunnavant (12) Prescription Monitoring Program; prescriber and dispenser patterns, annual review, report.</p>	<p>1/10/2018 Senate: Referred to Committee on Education and Health 1/25/2018 Senate: Reported from Education and Health with substitute (15-Y 0-N) 1/30/2018 Senate: Read third time and passed Senate (39-Y 0-N) 2/5/2018 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/15/2018 House: Reported from HHWI (22-Y 0-N) 2/20/2018 House: Passed House BLOCK VOTE (100-Y 0-N) 2/22/2018 Senate: Enrolled 2/22/2018 Senate: Bill text as passed Senate and House (SB728ER) 2/22/2018 House: Signed by Speaker 2/23/2018 Senate: Signed by President 2/26/2018 Senate: Enrolled Bill Communicated to Governor on February 26, 2018 2/26/2018 Governor: Governor’s Action Deadline Midnight, 3/5/18</p>	<p>2/6/2018</p>
<p>Support (18105239D-S1) - See also HB 313 (Head). Summary: Prescription Monitoring Program; prescriber and dispenser patterns. Requires the Director of the Department of Health Professions to annually review controlled substance prescribing and dispensing patterns. The bill requires the Director to conduct such review in consultation with an advisory panel consisting of representatives from the relevant health regulatory boards, the Department of Health, the Department of Medical Assistance Services, and the Department of Behavioral Health and Developmental Services. The bill requires the Director to make any necessary changes to the criteria for unusual patterns of prescribing and dispensing and report any findings and recommendations for best practices to the Joint Commission on Health Care by November 1 of each year. This bill is identical to HB 313.</p>		
<p><u>SB 741</u> - Ruff, Jr. (61) Stormwater management; termination of general permit, notice.</p>	<p>1/10/2018 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources (SACNR) 1/18/2018 Senate: Reported from SACNR with amendments (13-Y 0-N) 1/24/2018 Senate: Read third time and passed Senate (40-Y 0-N) 1/29/2018 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 2/20/2018 House: Subcommittee recommends reporting (10-Y 0-N) 2/21/2018 House: Reported from HAG (22-Y 0-N) 2/26/2018 House: Passed House BLOCK VOTE (98-Y 0-N) 2/28/2018 Senate: Enrolled 2/28/2018 Senate: Bill text as passed Senate and House (SB741ER)</p>	<p>2/6/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Support (18102671D) Summary: Stormwater management; termination of general permit; notice. Requires a Virginia Stormwater Management Program Authority (VSMP authority) to recommend that the Department of Environmental Quality terminate coverage under a General Permit for Discharges of Stormwater from Construction Activities within 60 days of receiving a complete notice of termination from the operator of the construction activity. The bill (i) provides that such permit coverage shall be deemed terminated 90 days after the receipt by the VSMP authority of a complete notice of termination and (ii) requires any VSMP authority receiving incomplete notice to inform the operator within a reasonable time and provide a detailed list of the missing elements.</p>		
<p>SB 783 - Peake (22) Pretrial services agencies; Department of Criminal Justice Services to review, report.</p>	<p>1/10/2018 Senate: Referred to Committee for Courts of Justice 1/29/2018 Senate: Reported from Courts of Justice (15-Y 0-N) 2/1/2018 Senate: Read third time and passed Senate (37-Y 3-N) 2/5/2018 House: Referred to Committee for Courts of Justice 2/14/2018 House: Reported from Courts of Justice (17-Y 0-N) 2/19/2018 House: Passed House BLOCK VOTE (100-Y 0-N) 2/21/2018 Senate: Enrolled 2/21/2018 Senate: Bill text as passed Senate and House (SB783ER) 2/21/2018 House: Signed by Speaker 2/23/2018 Senate: Signed by President 2/26/2018 Senate: Enrolled Bill Communicated to Governor on February 26, 2018 2/26/2018 Governor: Governor's Action Deadline Midnight, 3/5/18</p>	<p>1/23/2018</p>
<p>Support (18103934D) - See also HB 996 (Gilbert). Summary: Department of Criminal Justice Services to review pretrial services agencies; report. Requires the Department of Criminal Justice Services (Department) to annually review each pretrial services agency to determine compliance with its biennial plan and operating standards. Current law requires the Department to review each pretrial services agency periodically. The bill also requires the Department to report annually to the Governor and the General Assembly on the performance of each pretrial services agency. This bill is a recommendation of the Virginia State Crime Commission.</p>		
<p>SB 827 - Howell (32) Courthouse and courtroom security; increases assessment to fund security.</p>	<p>1/15/2018 Senate: Referred to Committee for Courts of Justice 1/31/2018 Senate: Reported from Courts of Justice (11-Y 4-N) 1/31/2018 Senate: Re-referred to Finance 2/6/2018 Senate: Reported from Finance (13-Y 3-N) 2/9/2018 Senate: Read third time and passed Senate (30-Y 9-N) 2/14/2018 House: Referred to Committee for Courts of Justice 2/21/2018 House: Subcommittee recommends reporting (8-Y 0-N) 2/21/2018 House: Subcommittee recommends referring to Committee on Appropriations 2/23/2018 House: Reported from Courts of Justice (16-Y 2-N) 2/23/2018 House: Referred to Committee on Appropriations 3/1/2018 House: Subcommittee recommends laying on the table (5-Y 3-N)</p>	<p>1/23/2018</p>
<p>Support (18103979D) - Board has historically supported. Summary: Courthouse and courtroom security; assessment. Increases from \$10 to \$20 the maximum amount a local governing body may assess against a convicted defendant as part of the costs in a criminal or traffic case in district or circuit court to fund courthouse and courtroom security.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 856</u> - Saslaw (35) Mass transit; makes numerous changes to administration of and revenues for transit.</p>	<p>1/17/2018 Senate: Referred to Committee on Finance 2/8/2018 Senate: Incorporates SB393 (Barker) 2/8/2018 Senate: Reported from Finance with substitute (9-Y 4-N) 2/13/2018 Senate: Passed Senate (25-Y 15-N) 2/19/2018 House: Referred to Committee on Appropriations (HAPP) 2/21/2018 House: Reported from HAPP with substitute (13-Y 9-N) 2/26/2018 House: Passed House with substitute (84-Y 14-N) 2/28/2018 Senate: House substitute rejected by Senate (0-Y 39-N) 2/28/2018 House: House insisted on substitute 2/28/2018 House: House requested conference committee 2/28/2018 Senate: Senate acceded to request (27-Y 13-N) 2/28/2018 Senate: Conferees appointed by Senate: Senators: Saslaw, Norment, Wagner 2/28/2018 House: Conferees appointed by House: Delegates: Hugo, Peace, Sullivan</p>	<p>[2/23/2018] 1/23/2018</p>
<p>[Support] (18106833D-S1) - Support for WMATA dedicated funding and governance reforms is in the County's Legislative Program. The proposals are an improvement from the introduced version; however, neither completely addresses the Board's principles. SB 856 better meets the financial requirements of WMATA. The County will work with stakeholders to address concerns with the bills. See also HB 1539 (Hugo). Support (18101813D) — Support for WMATA dedicated funding and governance reforms is in the County's Legislative Program; County will work with stakeholders to address concerns with the bills. See also HB 1319 (Sullivan).</p> <p>Summary: Mass transit in the Commonwealth. Makes numerous changes to the administration of and revenues for mass transit in the Commonwealth, specifically as it relates to funding of the Washington Metropolitan Area Transit Authority (WMATA) and the disbursement of funds in the Commonwealth Mass Transit Fund. The bill sets a floor on the average price of fuel used to calculate the regional motor sales tax as the price of gas on February 20, 2013, the same floor that is used to calculate the state fuels tax. The bill uses the existing regional congestion relief fee and a new regional transient occupancy tax in the Northern Virginia region to raise additional revenues for mass transit, and authorizes the issuance of \$50 million in bonds only for a required federal match. The provisions of the bill are contingent upon Maryland, the District of Columbia, and the federal government adopting similar actions to raise revenues for WMATA. This bill incorporates SB 393.</p>		
<p><u>SB 896</u> - Wagner (7) Motor vehicle fuels; sales tax in certain areas of the Commonwealth, price floor.</p>	<p>1/19/2018 Senate: Referred to Committee on Finance (SFIN) 2/6/2018 Senate: Incorporates SB140 (Petersen) 2/6/2018 Senate: Reported from SFIN with substitute (11-Y 3-N 2-A) 2/9/2018 Senate: Read third time and passed Senate (26-Y 12-N) 2/9/2018 Senate: Reconsideration of passage agreed to by Senate (39-Y 0-N) 2/9/2018 Senate: Passed Senate (26-Y 12-N) 2/14/2018 House: Referred to Committee on Appropriations (HAPP) 2/21/2018 House: Reported from HAPP with substitute (22-Y 0-N) 2/27/2018 House: Passed House with substitute (82-Y 16-N 1-A) 2/28/2018 House: House insisted on substitute 2/28/2018 House: House requested conference committee 2/28/2018 Senate: Senate acceded to request (35-Y 5-N)</p>	<p>2/6/2018</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
	2/28/2018 Senate: Conferees appointed by Senate: Senators: Wagner, Norment, Saslaw 2/28/2018 House: Conferees appointed by House: Delegates: Jones, S.C., Habeeb, Filler-Corn 3/28/2018 Senate: House substitute rejected by Senate (3-Y 37-N)	
<p>Support (18104315D) Summary: Establishes a floor on the 2.1 percent sales tax imposed on motor vehicle fuels sold in Northern Virginia and Hampton Roads by requiring that the average distributor price upon which the tax is based be no less than what the statewide average distributor price would have been on February 20, 2013. The bill defines "average distributor price." This bill incorporates SB 140.</p>		
<p><u>SB 908</u> - McClellan (9) Electric vehicle charging stations; local and public operation.</p>	1/19/2018 Senate: Referred to Committee on Commerce and Labor 2/5/2018 Senate: Reported from Commerce and Labor with amendments (14-Y 0-N) 2/9/2018 Senate: Read third time and passed Senate (39-Y 0-N) 2/14/2018 House: Referred to Committee on General Laws 2/15/2018 House: Reported from General Laws (22-Y 0-N) 2/20/2018 House: Amendment by Delegate Bulova agreed to 2/20/2018 House: Passed House with amendment (99-Y 0-N) 2/22/2018 Senate: House amendment agreed to by Senate (39-Y 0-N) 2/26/2018 Senate: Enrolled 2/26/2018 Senate: Bill text as passed Senate and House (SB908ER) 2/26/2018 House: Signed by Speaker 2/28/2018 Senate: Signed by President 3/2/2018 Senate: Enrolled Bill Communicated to Governor on March 2, 2018 3/2/2018 Governor: Governor's Action Deadline Midnight, 3/9/18	<p>1/23/2018</p>
<p>Support (18104936D) - See also HB 922 (Bulova). Summary: Authorizes any locality or public institution of higher education, or the Department of Conservation and Recreation, to locate and operate a retail fee-based electric vehicle charging station on property such entity owns or leases. The bill allows localities to limit the use of a retail fee-based electric vehicle charging station on its property to employees of the locality and authorized visitors and to install signage that provides notice of such restriction. The bill exempts such a locality, public institution of higher education, or the Department of Conservation and Recreation from being considered a public utility solely because of the sale of electric vehicle charging service or the ownership or operation of an electric vehicle charging station and further exempts such service from constituting the retail sale of electricity.</p>		
<p><u>SB 921</u> - Ebbin (30) Uniform Statewide Building Code; security of certain records.</p>	1/19/2018 Senate: Referred to Committee on General Laws and Technology (SGL) 2/5/2018 Senate: Reported from SGL with substitute (12-Y 2-N) 2/9/2018 Senate: Read third time and passed Senate (38-Y 0-N) 2/14/2018 House: Referred to Committee on General Laws 2/15/2018 House: Reported from General Laws (22-Y 0-N) 2/20/2018 House: Passed House BLOCK VOTE (100-Y 0-N) 2/22/2018 Senate: Enrolled 2/22/2018 Senate: Bill text as passed Senate and House (SB921ER)	<p>[2/23/2018] 2/6/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
	2/22/2018 House: Signed by Speaker 2/23/2018 Senate: Signed by President 2/26/2018 Senate: Enrolled Bill Communicated to Governor on February 26, 2018 2/26/2018 Governor: Governor’s Action Deadline Midnight, March 5, 2018	
<p>[Support] (SB921ER) - Amended to conform with HB 683, which the County supports. See also HB 683 (Pogge). Amend (18104762D) – Amend to conform with HB 683 (Pogge). See also HB 683 (Pogge).</p> <p>Summary: Clarifies that while information contained in engineering and construction drawings and plans for any single-family residential dwelling submitted for the purpose of complying with the Uniform Statewide Building Code (§ 36-97 et seq.) or the Statewide Fire Prevention Code (§ 27-94 et seq.) shall not be subject to disclosure to the public under the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), such information shall not be deemed confidential. This bill is identical to HB 683.</p>		
<p><u>SB 995</u> - Carrico, Sr. (40) Outdoor advertising; regulation, signs in sight of public highways.</p>	2/19/2018 Senate: Referred to Committee on Transportation 2/21/2018 Senate: Reported from Transportation (13-Y 0-N) 2/21/2018 Senate: Re-referred to Courts of Justice 2/28/2018 Senate: Reported from Courts of Justice with amendment (8-Y 6-N)	[2/23/2018]
<p>[Support] (18107185D)</p> <p>Summary: Regulation of outdoor advertising in sight of public highways; exceptions. Provides that signs that are related to public safety, provide directional information, or provide public information may be situated or installed in highway rights of way. The bill provides that any signs other than those related to public safety, providing directional information, or providing public information may not be situated or installed in highway rights of way. The bill contains an emergency clause.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Fairfax County Positions

(Monitor)

* * *

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 155</u> - McQuinn (70) Opioids; location of clinics for treatment of addiction in Henrico County or City of Richmond.</p>	<p>12/20/2017 House: Referred to Committee on Health, Welfare and Institutions 1/18/2018 House: Reported from Health, Welfare and Institutions with amendment (22-Y 0-N) 1/24/2018 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 1/25/2018 Senate: Referred to Committee on Education and Health 2/15/2018 Senate: Reported from Education and Health with substitute (15-Y 0-N) 2/19/2018 Senate: Passed Senate with substitute (40-Y 0-N) 2/21/2018 House: Senate substitute agreed to by House (100-Y 0-N) 2/26/2018 House: Enrolled 2/26/2018 House: Bill text as passed House and Senate (HB155ER) 2/26/2018 House: Signed by Speaker 2/28/2018 Senate: Signed by President 3/2/2018 House: Enrolled Bill communicated to Governor on March 2, 2018 3/2/2018 Governor: Governor’s Action Deadline Midnight, March 9, 2018</p>	<p>2/6/2018</p>
<p>Monitor (18100826D) - See also SB 329 (Dunnavant). Summary: Clinics for the treatment of opioid addiction; location. Provides that the prohibition on locating clinics for the treatment of persons with opiate addiction through the use of methadone or opioid replacements other than opioid replacements approved for the treatment of opioid addiction by the U.S. Food and Drug Administration within one-half mile of a public or private licensed day care center or a public or private K-12 school shall not apply to an applicant for a license to operate in its current location if the facility is within one-half mile of a public or private licensed day care center or a public or private K-12 school in Henrico County or the City of Richmond and has been licensed and operated as a facility to provide treatment for persons with opiate addiction through the use of methadone or other opioid replacements by another provider immediately prior to submission of the application for a license. This bill is identical to SB 329.</p>		
<p><u>HB 192</u> - Yancey (94) Rainwater and gray water; regulations.</p>	<p>12/27/2017 House: Referred to Committee on Health, Welfare and Institutions 1/31/2018 House: Subcommittee recommends reporting with substitute (7-Y 0-N) 2/6/2018 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 2/12/2018 House: Read third time and passed House BLOCK VOTE (100-Y 0-N) 2/13/2018 Senate: Referred to Committee on Education and Health 2/22/2018 Senate: Reported from Education and Health with amendments (13-Y 0-N) 2/26/2018 Senate: Passed Senate with amendments (40-Y 0-N) 2/28/2018 House: Senate amendments agreed to by House (98-Y 0-N) 3/2/2018 House: Enrolled 3/2/2018 House: Bill text as passed House and Senate (HB192ER)</p>	<p>2/6/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Monitor (18106324D) Summary: Directs the State Department of Health (the Department) to adopt regulations regarding the use of gray water and rainwater. The regulations shall provide standards for the use of rainwater harvesting systems, which shall include systems that collect rainwater for use by commercial enterprises but do not provide water for human consumption. Such regulations shall not apply to nonpotable water, including graywater and rainwater, that is used by certain specified facilities. The bill also directs the Department to consider recognizing rainwater as an independent source of fresh water.</p>		
<p>HB 196 - Bulova (37) Child abuse or neglect; extension of hearings to review findings by local depts. of social services.</p>	<p>12/28/2017 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 1/16/2018 House: Subcommittee recommends reporting with amendments (10-Y 0-N) 1/16/2018 House: Subcommittee recommends referring to Committee on Appropriations 1/18/2018 House: Reported from HHWI with amendments (22-Y 0-N) 1/18/2018 House: Referred to Committee on Appropriations 1/30/2018 House: Subcommittee recommends reporting (8-Y 0-N) 1/31/2018 House: Reported from Appropriations (22-Y 0-N) 2/6/2018 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/7/2018 Senate: Referred to Committee on Rehabilitation and Social Services</p>	<p>1/23/2018</p>
<p>Monitor (18101323D) Summary: Extensions of hearings to review findings by local departments of social services related to child abuse or neglect. Provides that a person who appeals a determination by a local department of social services related to child abuse or neglect to a hearing officer designated by the Commissioner of Social Services may request extensions of the hearing but that no extension causing the hearing to be delayed more than 90 days after the date on which the hearing was first scheduled to be held shall be granted absent a showing of compelling reasons to justify such extension.</p>		
<p>HB 227 - Stolle (83) Adoption by stepparent; background check.</p>	<p>12/29/2017 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 1/16/2018 House: Subcommittee recommends reporting (10-Y 0-N) 1/18/2018 House: Reported from HHWI with amendment (21-Y 0-N) 1/25/2018 House: Read third time and passed House (97-Y 1-N) 1/26/2018 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 2/2/2018 Senate: Reported from SRSS with substitute (15-Y 0-N) 2/6/2018 Senate: Passed Senate with substitute (40-Y 0-N) 2/8/2018 House: Senate substitute agreed to by House (97-Y 1-N) 2/12/2018 House: Enrolled 2/12/2018 House: Bill text as passed House and Senate (HB227ER) 2/12/2018 House: Signed by Speaker 2/14/2018 Senate: Signed by President 2/15/2018 House: Enrolled Bill communicated to Governor- 2/15/17 2/15/2018 Governor: Governor's Action Deadline Midnight, 2/22/18</p>	<p>1/23/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
	2/22/2018 Governor: Approved by Governor-Chapter 9 (effective 7/1/18) 2/22/2018 Governor: Acts of Assembly Chapter text (CHAP0009)	
<p>Monitor (18102229D) Summary: Requires a circuit court, when determining whether an investigation by the director of the local department of social services should be required before a final order is entered to approve as an adoptive parent the spouse of a child's birth or adoptive parent, to consider the results of a national criminal history background check conducted on the prospective adoptive parent. The provisions of the bill expire on July 1, 2020.</p>		
<p>HB 384 - Keam (35) Washington Metropolitan Area Transit Authority Board of Directors; review of Board.</p>	1/5/2018 House: Referred to Committee on Rules 2/6/2018 House: Referred from Rules by voice vote 2/6/2018 House: Referred to Committee on Transportation 2/8/2018 House: Reported from Transportation with amendments (21-Y 0-N) 2/13/2018 House: Read third time and passed House BLOCK VOTE (100-Y 0-N) 2/14/2018 Senate: Referred to Committee on Rules 2/28/2018 Senate: Reported from Rules (14-Y 0-N)	<p>[2/23/2018]</p>
<p>[Monitor] (18103775D-E) Summary: Secretary of Transportation; review of Washington Metropolitan Area Transit Authority Board of Directors membership; report. Directs the Secretary of Transportation to conduct a review of the Washington Metropolitan Area Transit Authority Board of Directors membership provisions.</p>		
<p>HB 389 - Keam (35) Child abuse and neglect; notice of founded reports to Superintendent of Public Instruction.</p>	1/5/2018 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 1/16/2018 House: Subcommittee recommends reporting (10-Y 0-N) 1/23/2018 House: Reported from HHWI with amendments (22-Y 0-N) 1/29/2018 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 1/30/2018 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 2/2/2018 Senate: Reported from SRSS (8-Y 7-N) 2/7/2018 Senate: Passed Senate (37-Y 3-N) 2/8/2018 House: Enrolled 2/8/2018 House: Bill text as passed House and Senate (HB389ER) 2/8/2018 House: Signed by Speaker 2/9/2018 Senate: Signed by President 2/12/2018 House: Enrolled Bill communicated to Governor on 2/12/18 2/12/2018 Governor: Governor's Action Deadline Midnight, February 19, 2018 2/19/2018 Governor: Approved by Governor-Chapter 5 (effective 7/1/18) 2/19/2018 Governor: Acts of Assembly Chapter text (CHAP0005)	<p>1/23/2018</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Monitor (18101334D) - See also SB 183 (Favola). Summary: Requires local departments of social services to notify the Superintendent of Public Instruction without delay (i) when an individual holding a license issued by the Board of Education is the subject of a founded complaint of child abuse or neglect and (ii) if the founded complaint of child abuse or neglect is dismissed on appeal. This bill is identical to SB 183.</p>		
<p><u>HB 484</u> - Bell (58) Restitution; probation.</p>	<p>1/8/2018 House: Referred to Committee for Courts of Justice 2/2/2018 House: Subcommittee recommends reporting with substitute (7-Y 0-N) 2/5/2018 House: Reported from Courts of Justice with substitute (15-Y 3-N) 2/12/2018 House: Read third time and passed House (79-Y 20-N) 2/13/2018 Senate: Referred to Committee for Courts of Justice 2/19/2018 Senate: Reported from Courts of Justice with substitute (14-Y 1-N) 2/21/2018 Senate: Passed Senate with substitute (37-Y 3-N) 2/23/2018 House: Senate substitute agreed to by House 18107158D-S1 (83-Y 14-N) 2/27/2018 House: Enrolled 2/27/2018 House: Bill text as passed House and Senate (HB484ER)</p>	<p>2/6/2018</p>
<p>Monitor (18102534D) Summary: Establishes procedures to be used by courts to monitor the payment of restitution by defendants. The bill requires that a probation agency ordered to monitor the restitution payments of a defendant placed on supervised probation notify the court and the attorney for the Commonwealth of the amount of unsatisfied restitution (i) 60 days prior to the defendant's release from supervision or (ii) if the agency requests that the defendant be released from supervision, at the time the agency submits its request for the defendant's release. The bill requires that the court conduct a hearing prior to the defendant's release from supervision to review the defendant's compliance with the restitution order. The bill also requires that in the case of a defendant who was not placed on supervised probation, the court must schedule a hearing within two years of the date of the restitution order or release from incarceration to review the defendant's compliance with the restitution order. The bill requires that the court continue to conduct hearings to monitor a defendant's compliance with the restitution order for a period of 10 years from the date of the first review hearing or the period of probation, whichever is longer. The bill provides that a court may discontinue hearings to review a defendant's compliance with the restitution order if the court determines that the defendant is unable to pay and will remain unable to pay restitution for the duration of the review period. The bill also sets forth the remedies available to the court, including contempt, in the case of a defendant who fails to comply with a restitution order.</p>		
<p><u>HB 508</u> - Hodges (98) Solar facilities; local regulation.</p>	<p>1/8/2018 House: Referred to Committee on Counties, Cities and Towns 1/25/2018 House: Subcommittee recommends reporting with amendments (7-Y 1-N) 1/26/2018 House: Reported from Counties, Cities and Towns with substitute (21-Y 1-N) 2/1/2018 House: Read third time and passed House (90-Y 6-N 1-A) 2/2/2018 Senate: Referred to Committee on Local Government 2/20/2018 Senate: Reported from Local Government with amendment (12-Y 0-N)</p>	<p>[2/23/2018] 2/6/2018 1/23/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
	2/23/2018 Senate: Passed Senate with amendment (38-Y 0-N) 2/27/2018 House: Senate amendment agreed to by House (95-Y 2-N 2-A) 3/1/2018 House: Enrolled 3/1/2018 House: Bill text as passed House and Senate (HB508ER)	
<p>[Monitor] (HB508ER) - Amended to address concerns. See also SB 429 (Stanley). Amend (18106085D H1) – Amend enactment clause to reflect current law, which grandfathers existing lawful structures. See also SB 429 (Stanley). Monitor (18103843D) – See also SB 429 (Stanley).</p> <p>Summary: Local regulation of solar facilities. Provides that a property owner may install a solar facility on the roof of a dwelling or other building to serve the electricity or thermal needs of that dwelling or building, provided that such installation is in compliance with any height and setback requirements in the zoning district where such property is located as well as any provisions pertaining to any local historic or architectural preservation district. Unless a local ordinance provides otherwise, a ground-mounted solar energy generation facility shall also be permitted, provided that such installation is in compliance with any height and setback requirements in the zoning district where such property is located as well as any provision pertaining to any local historic district. Any other proposed solar facility, including any solar facility that is designed to serve, or serves, the electricity or thermal needs of any property other than the property where such facilities are located, shall be subject to any applicable zoning regulations of the locality. The bill requires that any ground-mounted solar energy generation facility existing as of January 1, 2018, be deemed a legal nonconforming use, with certain exceptions. The bill has a delayed effective date of January 1, 2019, with respect to ground-mounted solar energy generation facilities. This bill is identical to SB 429.</p>		
<p><u>HB 509</u> - Hodges (98) Comprehensive plan; solar facilities.</p>	1/8/2018 House: Referred to Committee on Counties, Cities and Towns (HCCT) 1/31/2018 House: Subcommittee recommends reporting with amendments (8-Y 0-N) 2/2/2018 House: Reported from HCCT with amendments (22-Y 0-N) 2/8/2018 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/9/2018 Senate: Referred to Committee on Local Government 2/20/2018 Senate: Reported from Local Government (12-Y 0-N) 2/23/2018 Senate: Passed Senate (38-Y 0-N) 2/27/2018 House: Enrolled 2/27/2018 House: Bill text as passed House and Senate (HB509ER)	<p>1/23/2018</p>
<p>Monitor (18103844D) - See also SB 179 (Stanley).</p> <p>Summary: Provides that a solar facility subject to provisions requiring the facility to be substantially in accord with a locality's comprehensive plan shall be deemed to be substantially in accord with the comprehensive plan if (i) such proposed solar facility is located in a zoning district that allows such solar facilities by right or (ii) such proposed solar facility is designed to serve the electricity or thermal needs of the property upon which such facility is located, or will be owned or operated by an eligible customer-generator or eligible agricultural customer-generator under § 56-594 or by a small agricultural generator under § 56-594.2. The bill authorizes a locality to allow for a substantial accord review for other solar facilities to be advertised and approved concurrently in a public hearing process with a rezoning, special exception, or other approval process. This bill is identical to SB 179.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>HB 614 - Price (95) Social work; practice.</p>	<p>1/8/2018 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 1/25/2018 House: Subcommittee recommends reporting (10-Y 0-N) 2/1/2018 House: Reported from HHWI (21-Y 0-N) 2/7/2018 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 2/8/2018 Senate: Referred to Committee on Rehabilitation and Social Services 2/16/2018 Senate: Re-referred to Education and Health (SEH) 2/22/2018 Senate: Reported from SEH (14-Y 0-N) 2/26/2018 Senate: Passed Senate (40-Y 0-N) 2/28/2018 House: Enrolled 2/28/2018 House: Bill text as passed House and Senate (HB614ER)</p>	<p>2/6/2018</p>
<p>Monitor (18101583D) Summary: Practice of social work. Provides that the Board of Social Work may license baccalaureate social workers, master's social workers, and clinical social workers, as those terms are defined, and may register persons proposing to obtain supervised post-degree experience in the practice of social work.</p>		
<p>HB 824 - Knight (81) Short-term rentals; local ordinances in City of Lexington.</p>	<p>1/9/2018 House: Referred to Committee on General Laws (HGL) 2/8/2018 House: Reported from HGL with substitute (21-Y 0-N) 2/13/2018 House: Read third time and passed House (95-Y 5-N) 2/14/2018 Senate: Referred to Committee on General Laws and Technology (SGL) 2/26/2018 Senate: Reported from SGL with substitute (15-Y 0-N) 3/1/2018 Senate: Passed Senate with substitute (38-Y 1-N 1-A)</p>	<p>1/23/2018</p>
<p>Monitor (18102104D) Summary: Regulation of short-term rentals; City of Lexington. Requires the City of Lexington to comply with various statutory provisions related to the short-term rental of property. The bill provides that (i) any business license that was required by any ordinance in effect regulating short-term rentals shall be null and void, (ii) any license taxes collected for short-term rentals subject to any ordinance in effect shall be refunded, and (iii) any taxpayer who was required to pay transient occupancy taxes for rental of real property for more than 30 days shall be refunded such payment. The bill mandates a deadline of September 30, 2018, for refunds and for the city to amend its existing ordinance.</p>		
<p>HB 886 - Stolle (83) Mental health treatment; admission regulations, toxicology results.</p>	<p>1/9/2018 House: Referred to Committee on Health, Welfare and Institutions 2/6/2018 House: Subcommittee recommends reporting with amendments (10-Y 0-N) 2/6/2018 House: Reported from Health, Welfare and Institutions with amendments (22-Y 0-N) 2/12/2018 House: Read third time and passed House BLOCK VOTE (100-Y 0-N) 2/13/2018 Senate: Referred to Committee on Education and Health 3/1/2018 Senate: Reported from Education and Health (13-Y 1-N)</p>	<p>1/23/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Monitor (18102884D) Summary: Admissions for mental health treatment; toxicology. Requires the Board of Health to include in regulations governing hospitals a provision that requires every hospital that provides inpatient psychiatric services to establish a protocol that requires, for every refusal to admit a patient for whom there is a question of medical stability or medical appropriateness for admission due to toxicology results, the on-call physician in the psychiatric unit to which the patient is sought to be transferred to participate in direct verbal communication, either in person or via telephone, with a clinical toxicologist or other person who is a Certified Specialist in Poison Information employed by a poison control center that is accredited by the American Association of Poison Control Centers to review the results of the toxicology screen and determine whether a medical reason for refusing admission to the psychiatric unit related to the results of the toxicology screen exists, if requested to do so by the referring physician.</p>		
<p>HB 888 - Orrock, Sr. (54) Onsite sewage systems & private wells; VDH to take steps to eliminate evaluation & design services.</p>	<p>1/9/2018 House: Referred to Committee on Health, Welfare and Institutions 1/18/2018 House: Subcommittee recommends reporting with amendments (9-Y 0-N) 1/23/2018 House: Reported from Health, Welfare and Institutions with amendments (22-Y 0-N) 1/29/2018 House: Read third time and passed House (93-Y 6-N) 1/30/2018 Senate: Referred to Committee on Rules 2/21/2018 Senate: Re-referred to Agriculture, Conservation and Natural Resources 2/22/2018 Senate: Reported from Agriculture, Conservation and Natural Resources (12-Y 0-N 3-A) 2/22/2018 Senate: Re-referred to Finance (SFIN) 2/27/2018 Senate: Reported from SFIN with substitute (15-Y 0-N 1-A) 2/28/2018 Senate: Passed Senate with substitute (37-Y 1-N 2-A) 2/28/2018 House: Senate substitute agreed to by House (93-Y 2-N) 3/2/2018 House: Enrolled 3/2/2018 House: Bill text as passed House and Senate (HB888ER)</p>	<p>3/2/2018 2/6/2018</p>
<p><i>Monitor (HB888ER) - Staff and the state Health Department have discussed non-legislative solutions to address concerns. Oppose (18101594D-E)</i> Summary: Onsite sewage systems; evaluation and design services. Directs the Department of Health to take steps to eliminate evaluation and design services for onsite sewage systems and private wells provided by the Department. The bill provides specific requirements and a timeline for such elimination.</p>		
<p>HB 1026 - Adams (16) Adult protective services; appealability of findings made by local department of social services.</p>	<p>1/9/2018 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 1/30/2018 House: Subcommittee recommends reporting (9-Y 1-N) 2/1/2018 House: Reported from HHWI (18-Y 0-N) 2/7/2018 House: Read third time and passed House (96-Y 0-N) 2/8/2018 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 2/16/2018 Senate: Reported from SRSS (15-Y 0-N) 2/20/2018 Senate: Passed Senate (40-Y 0-N) 2/20/2018 Senate: Reconsideration of Senate passage agreed to by Senate (40-Y 0-N)</p>	<p>2/6/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
	2/20/2018 Senate: Passed Senate (40-Y 0-N) 2/22/2018 House: Enrolled 2/22/2018 House: Bill text as passed House and Senate (HB1026ER) 2/22/2018 House: Signed by Speaker 2/23/2018 Senate: Signed by President 2/26/2018 House: Enrolled Bill communicated to Governor on February 26, 2018 2/26/2018 Governor: Governor’s Action Deadline Midnight, 3/5/18	
<p>Monitor (18101587D) Summary: Provides that all written findings and actions of a local department of social services or its director regarding adult protective services investigations are final and shall not be (i) appealable to the Commissioner for Aging and Rehabilitative Services or (ii) considered a final agency action for purposes of judicial review pursuant to the provisions of the Administrative Process Act.</p>		
<p>HB 1276 - Garrett (23) VDOT; review of enrollment in federal pilot program or project.</p>	1/10/2018 House: Referred to Committee on Transportation (HTRAN) 2/1/2018 House: Subcommittee recommends reporting with amendments (4-Y 2-N) 2/8/2018 House: Reported from HTRAN with substitute (20-Y 0-N) 2/13/2018 House: Read third time and passed House (100-Y 0-N) 2/14/2018 Senate: Referred to Committee on Transportation 2/21/2018 Senate: Reported from Transportation with amendments (11-Y 2-N) 2/26/2018 Senate: Passed Senate with amendments (36-Y 4-N) 2/28/2018 House: Senate amendments agreed to by House (98-Y 0-N) 3/2/2018 House: Enrolled 3/2/2018 House: Bill text as passed House and Senate (HB1276ER)	[2/23/2018] 2/6/2018
<p>[Monitor] (18106714D-H1) - See also SB 504 (Carrico). Oppose (18102970D) See also SB 504 (Carrico). Summary: Federal pilot programs; report. Requires the Department of Transportation to convene a work group to identify the implications of the Commonwealth's participation in a federal data collection pilot program or project involving six-axle tractor truck semitrailer combinations weighing up to 91,000 pounds and utilizing interstate highways. The bill is identical to SB 504.</p>		
<p>HB 1303 - Garrett (23) Prescribing controlled substances; veterinarian-client-patient relationship.</p>	1/10/2018 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/6/2018 House: Reported from HHWI with substitute (22-Y 0-N) 2/12/2018 House: Read third time and passed House BLOCK VOTE (100-Y 0-N) 2/13/2018 Senate: Referred to Committee on Education and Health 2/22/2018 Senate: Reported from Education and Health (14-Y 0-N) 2/26/2018 Senate: Passed Senate (40-Y 0-N) 2/28/2018 House: Enrolled 2/28/2018 House: Bill text as passed House and Senate (HB1303ER)	2/6/2018
<p>Monitor (18102425D) Summary: Provides that a veterinarian shall not prescribe medication unless a bona fide veterinarian-client-patient relationship exists and establishes the requirements for a bona fide veterinarian-client-patient relationship.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>HB 1442 - Orrock, Sr. (54) Real property tax; assessment of wetlands.</p>	<p>1/16/2018 House: Referred to Committee on Finance 1/31/2018 House: Subcommittee recommends reporting with substitute (7-Y 3-N) 2/7/2018 House: Reported from Finance with substitute (20-Y 2-N) 2/12/2018 House: Amendments by Delegate Orrock agreed to 2/13/2018 House: Read third time and passed House (98-Y 2-N) 2/14/2018 Senate: Referred to Committee on Finance 2/27/2018 Senate: Reported from Finance (16-Y 0-N) 3/1/2018 Senate: Passed Senate (40-Y 0-N)</p>	<p>[2/23/2018] 2/6/2018</p>
<p>[Monitor] (18106497D-EH1) Oppose (18103883D) Summary: Directs the commissioner of revenue when separately and specially assessing wetlands when requested by the owner to recognize (i) the National Wetlands Inventory Map prepared by the U.S. Fish and Wildlife Service, (ii) a wetland delineation map confirmed by a Preliminary Jurisdictional Determination or (iii) an Approved Jurisdictional Determination issued by the U.S. Army Corps of Engineers.</p>		
<p>HB 1595 - Wilt (26) Vested rights; owners of property not required to retrofit existing landscape cover materials.</p>	<p>1/19/2018 House: Referred to Committee on Counties, Cities and Towns (HCCT) 2/7/2018 House: Subcommittee recommends reporting with substitute (7-Y 1-N) 2/9/2018 House: Reported from HCCT with substitute (21-Y 1-N) 2/13/2018 House: Read third time and passed House (94-Y 6-N) 2/14/2018 Senate: Referred to Committee on Local Government 2/20/2018 Senate: Reported from Local Government (11-Y 2-N) 2/26/2018 Senate: Passed Senate (32-Y 8-N) 2/28/2018 House: Enrolled 2/28/2018 House: Bill text as passed House and Senate (HB1595ER)</p>	<p>[2/23/2018] 2/6/2018</p>
<p>[Monitor] (18106217D-H1) - Amended to address concerns. See also SB 972 (Obenshain). Oppose (18105605D) - See also SB 972 (Obenshain). Summary: Vested rights; existing landscape cover materials. Provides that, notwithstanding any local ordinance to the contrary, an owner of real property who has an occupancy permit issued as of January 1, 2018, shall not be required to retrofit existing landscape cover materials. The bill further provides that such owner shall not be prohibited from continuing to use, supplement, or refurbish existing landscape cover materials at such property. This bill is identical to SB 972.</p>		
<p>SB 179 - Stanley, Jr. (20) Comprehensive plan; solar facilities.</p>	<p>12/28/2017 Senate: Referred to Committee on Local Government 1/30/2018 Senate: Reported from Local Government with amendments (13-Y 0-N) 2/5/2018 Senate: Read third time and passed Senate (40-Y 0-N) 2/8/2018 House: Referred to Committee on Counties, Cities and Towns (HCCT) 2/16/2018 House: Reported from HCCT (21-Y 0-N) 2/21/2018 House: Passed House BLOCK VOTE (100-Y 0-N) 2/22/2018 Senate: Enrolled 2/22/2018 Senate: Bill text as passed Senate and House (SB179ER) 2/26/2018 Senate: Enrolled Bill Communicated to Governor on February 26, 2018 2/26/2018 Governor: Governor's Action Deadline Midnight, 3/5/18</p>	<p>1/23/2018</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Monitor (18103842D) - See also HB 509 (Hodges). Summary: Provides that a solar facility subject to provisions requiring the facility to be substantially in accord with a locality's comprehensive plan shall be deemed to be substantially in accord with the comprehensive plan if (i) such proposed solar facility is located in a zoning district that allows such solar facilities by right or (ii) such proposed solar facility is designed to serve the electricity or thermal needs of the property upon which such facility is located, or will be owned or operated by an eligible customer-generator or eligible agricultural customer-generator under § 56-594 or by a small agricultural generator under § 56-594.2. The bill authorizes a locality to allow for a substantial accord review for other solar facilities to be advertised and approved concurrently in a public hearing process with a rezoning, special exception, or other approval process. This bill is identical to HB 509.</p>		
<p><u>SB 183</u> - Favola (31) Child abuse and neglect; notice of founded reports to Superintendent of Public Instruction.</p>	<p>12/29/2017 Senate: Referred to Committee on Rehabilitation and Social Services 1/19/2018 Senate: Reported from Rehabilitation and Social Services (8-Y 6-N) 1/24/2018 Senate: Read third time and passed Senate (22-Y 18-N) 1/29/2018 House: Referred to Committee on Health, Welfare and Institutions 2/15/2018 House: Reported from Health, Welfare and Institutions with amendments (22-Y 0-N) 2/20/2018 House: Passed House with amendments BLOCK VOTE (100-Y 0-N) 2/22/2018 Senate: House amendments agreed to by Senate (36-Y 4-N) 2/26/2018 Senate: Enrolled 2/26/2018 Senate: Bill text as passed Senate and House (SB183ER) 2/26/2018 House: Signed by Speaker 2/28/2018 Senate: Signed by President 3/2/2018 Senate: Enrolled Bill Communicated to Governor on March 2, 2018 3/2/2018 Governor: Governor's Action Deadline Midnight, March 9, 2018</p>	<p>1/23/2018</p>
<p>Monitor (18101322D) - See also HB 389 (Keam). Summary: Requires local departments of social services to notify the Superintendent of Public Instruction without delay (i) when an individual holding a license issued by the Board of Education is the subject of a founded complaint of child abuse or neglect and (ii) if the founded complaint of child abuse or neglect is dismissed on appeal. This bill is identical to HB 389.</p>		
<p><u>SB 218</u> - Lewis, Jr. (6) Recycling; clarifies definitions of beneficial use and recycling center, etc.</p>	<p>1/3/2018 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 1/11/2018 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (15-Y 0-N) 1/17/2018 Senate: Read third time and passed Senate (40-Y 0-N) 1/23/2018 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/21/2018 House: Subcommittee recommends reporting (7-Y 0-N) 2/28/2018 House: Reported from Agriculture, Chesapeake and Natural Resources with amendment (22-Y 0-N)</p>	<p>1/23/2018</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Monitor (18104926D-S1) Summary: Recycling; beneficial use. Defines "beneficial use," "beneficiation facility," and "recycling center" and provides that a beneficiation facility or recycling center shall be considered a manufacturer for the purpose of any state or local economic development incentive grant. The bill directs the Department of Environmental Quality (the Department) to encourage and support beneficial use; current law requires the Department to encourage and support litter control and recycling. The bill also directs the Department to provide to the General Assembly by November 1, 2019, an evaluation of Virginia's solid waste recycling rates and a set of recommendations for improving the reliability of the supply of recycled materials during the next 10 years in order to provide for beneficial use.</p>		
<p>SB 219 - Lewis, Jr. (6) Constitutional amendment; real property tax exemption for flooding remediation, abatement, etc.</p>	<p>1/3/2018 Senate: Referred to Committee on Privileges and Elections 1/30/2018 Senate: Reported from Privileges and Elections (13-Y 0-N) 1/30/2018 Senate: Re-referred to Finance 2/7/2018 Senate: Reported from Finance (14-Y 2-N) 2/12/2018 Senate: Read third time and passed Senate (33-Y 5-N) 2/15/2018 House: Referred to Committee on Privileges and Elections 2/19/2018 House: Subcommittee recommends reporting (6-Y 1-N) 2/23/2018 House: Reported from Privileges and Elections (18-Y 3-N) 2/28/2018 House: Passed House (87-Y 12-N)</p>	<p>2/6/2018</p>
<p>Monitor (18104027D) Summary: Constitutional amendment (voter referendum); real property tax exemption for flooding remediation, abatement, and resiliency. Provides for a referendum at the November 6, 2018, election to approve or reject an amendment to allow the General Assembly to authorize the governing bodies of counties, cities, and towns to provide for a partial exemption from local real property taxation, within such restrictions and upon such conditions as may be prescribed, of improved real estate subject to recurrent flooding upon which flooding abatement, mitigation, or resiliency efforts have been undertaken.</p>		
<p>SB 278 - Petersen (34) Eminent domain proceedings; prompt payment of funds.</p>	<p>1/5/2018 Senate: Referred to Committee for Courts of Justice (SCT) 1/29/2018 Senate: Reported from Courts of Justice with substitute (15-Y 0-N) 2/1/2018 Senate: Read third time and passed Senate (40-Y 0-N) 2/5/2018 House: Referred to Committee for Courts of Justice 2/19/2018 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 2/23/2018 House: Reported from Courts of Justice with substitute (18-Y 0-N) 2/28/2018 House: Passed House with substitute BLOCK VOTE (98-Y 0-N) 3/2/2018 Senate: House substitute rejected by Senate (0-Y 38-N)</p>	<p>2/6/2018 1/23/2018</p>
<p>Monitor (18105892D-S1) - Amended to address the County's concerns. Amend (18104221D) – Amend to allow for releases from secured lienholders prior to payment. Summary: Eminent domain proceedings; payment of funds. Requires that any funds due to the landowner, whether such funds are in the possession of the court or are outstanding, shall be payable to the landowner or to the landowner's attorney, if such landowner is represented by counsel, within 30 days of a settlement or final determination in an eminent domain proceeding.</p>		

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 307</u> - Cosgrove, Jr. (14) Unmanned aircraft systems; work group to explore issues related system activities.</p>	<p>1/8/2018 Senate: Referred to Committee on Transportation 1/24/2018 Senate: Reported from Transportation with substitute (13-Y 0-N) 1/30/2018 Senate: Read third time and passed Senate (39-Y 0-N) 2/5/2018 House: Referred to Committee for Courts of Justice 2/14/2018 House: Referred from Courts of Justice by voice vote 2/14/2018 House: Referred to Committee on Transportation 2/22/2018 House: Subcommittee recommends reporting (6-Y 0-N) 2/27/2018 House: Reported from Transportation (22-Y 0-N) 3/2/2018 House: Passed House BLOCK VOTE (96-Y 0-N)</p>	<p>2/6/2018</p>
<p>Monitor (18105733D-S1) Summary: Department of Aviation; unmanned aircraft systems. Directs the Department of Aviation to convene a work group with stakeholders to explore issues related to unmanned aircraft system activities in coordination with the Federal Aviation Administration and other responsible federal agencies. The bill defines "unmanned aircraft" and "unmanned aircraft system" for application to Title 5.1 (Aviation), but such definitions shall not become effective unless reenacted by the 2019 Session of the General Assembly.</p>		
<p><u>SB 329</u> - Dunnavant (12) Opioids; location of clinics for treatment of addiction in Henrico County or City of Richmond.</p>	<p>1/8/2018 Senate: Referred to Committee on Education and Health 1/25/2018 Senate: Incorporates SB455 (McClellan) 1/25/2018 Senate: Reported from Education and Health with substitute (15-Y 0-N) 1/30/2018 Senate: Read third time and passed Senate (39-Y 0-N) 2/5/2018 House: Referred to Committee on Health, Welfare and Institutions 2/15/2018 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 2/20/2018 House: Passed House BLOCK VOTE (100-Y 0-N) 2/22/2018 Senate: Enrolled 2/22/2018 Senate: Bill text as passed Senate and House (SB329ER) 2/22/2018 House: Signed by Speaker 2/23/2018 Senate: Signed by President 2/26/2018 Senate: Enrolled Bill Communicated to Governor on February 26, 2018 2/26/2018 Governor: Governor’s Action Deadline Midnight, March 5, 2018</p>	<p>2/6/2018</p>
<p>Monitor (18102967D) - See also HB 155 (McQuinn). Summary: Clinics for the treatment of opioid addiction; location. Provides that the prohibition on locating clinics for the treatment of persons with opiate addiction through the use of methadone or opioid replacements other than opioid replacements approved for the treatment of opioid addiction by the U.S. Food and Drug Administration within one-half mile of a public or private licensed day care center or a public or private K-12 school shall not apply to an applicant for a license to operate in its current location if the facility is within one-half mile of a public or private licensed day care center or a public or private K-12 school in Henrico County or the City of Richmond and has been licensed and operated as a facility to provide treatment for persons with opiate addiction through the use of methadone or other opioid replacements by another provider immediately prior to submission of the application for a license. This bill incorporates SB 455 and is identical to HB 155.</p>		

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>SB 429 - Stanley, Jr. (20) Solar facilities; local regulation.</p>	<p>1/9/2018 Senate: Referred to Committee on General Laws and Technology 1/15/2018 Senate: Re-referred to Local Government 1/30/2018 Senate: Reported from Local Government with substitute (12-Y 0-N 1-A) 2/7/2018 Senate: Amendment by Senator Stanley agreed to 2/7/2018 Senate: Passed Senate (38-Y 1-N 1-A) 2/14/2018 House: Referred to Committee on Counties, Cities and Towns 2/21/2018 House: Subcommittee recommends reporting (8-Y 0-N) 2/23/2018 House: Reported from Counties, Cities and Towns (21-Y 0-N) 2/28/2018 House: Passed House (97-Y 0-N 2-A)</p>	<p>[2/23/2018] 2/6/2018 1/23/2018</p>
<p>[Monitor] (18106156D-ES1) - Amended to address concerns. See also HB 508 (Hodges). Amend (18106156D-S1) Amend enactment clause to reflect current law, which grandfathers existing lawful structures. See also HB 508 (Hodges). Monitor (18104541D) See also HB 508 (Hodges).</p> <p>Summary: Local regulation of solar facilities. Provides that a property owner may install a solar facility on the roof of a dwelling or other building to serve the electricity or thermal needs of that dwelling or building, provided that such installation is in compliance with any height and setback requirements in the zoning district where such property is located as well as any provisions pertaining to any local historic or architectural preservation district. Unless a local ordinance provides otherwise, a ground-mounted solar energy generation facility shall also be permitted, provided that such installation is in compliance with any height and setback requirements in the zoning district where such property is located as well as any provision pertaining to any local historic district. Any other proposed solar facility, including any solar facility that is designed to serve, or serves, the electricity or thermal needs of any property other than the property where such facilities are located, shall be subject to any applicable zoning regulations of the locality. The bill requires that any ground-mounted solar energy generation facility existing as of January 1, 2018, be deemed a legal nonconforming use, with certain exceptions. The bill has a delayed effective date of January 1, 2019, with respect to ground-mounted solar energy generation facilities. This bill is identical to HB 508.</p>		
<p>SB 476 - Reeves (17) School principals; incident reports.</p>	<p>1/9/2018 Senate: Referred to Committee on Education and Health 1/25/2018 Senate: Reported from Education and Health (15-Y 0-N) 1/30/2018 Senate: Read third time and passed Senate (39-Y 0-N) 2/5/2018 House: Referred to Committee for Courts of Justice 2/26/2018 House: Subcommittee recommends continuing to 2019 by voice vote 3/2/2018 House: Continued to 2019 in Courts of Justice by voice vote</p>	<p>2/6/2018</p>
<p>Monitor (18102416D) Summary: Provides that school principals are not required to report criminal misdemeanors or status offenses to law enforcement if in the principal's discretion, based on a totality of the circumstances and consistent with Board of Education guidelines, such report is not warranted. The bill requires the Board of Education, in consultation with the Department of Juvenile Justice, the Office of the Attorney General, and any interested stakeholders, to update its Student Conduct Policy Guidelines to provide guidance for principals in exercising such discretion.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>SB 504 - Carrico, Sr. (40) VDOT; review of enrollment in federal pilot program or project.</p>	<p>1/9/2018 Senate: Referred to Committee on Transportation 2/7/2018 Senate: Reported from Transportation with substitute (7-Y 6-N) 2/13/2018 Senate: Substitute by Senator Carrico agreed to 2/13/2018 Senate: Passed Senate (35-Y 5-N) 2/19/2018 House: Referred to Committee on Transportation 2/20/2018 House: Reported from Transportation with amendments (22-Y 0-N) 2/23/2018 House: Passed House with amendments BLOCK VOTE (98-Y 0-N) 2/27/2018 Senate: House amendments agreed to by Senate (36-Y 4-N) 3/1/2018 Senate: Enrolled 3/1/2018 Senate: Bill text as passed Senate and House (SB504ER)</p>	<p>[2/23/2018] 2/6/2018</p>

[Monitor] (18107132D-S2) - See also HB 1276 (Garrett). ~~**Oppose** (18103024D)~~ - See also ~~HB 1276 (Garrett)~~.
Summary: Federal pilot programs; report. Requires the Department of Transportation to convene a work group to identify the implications of the Commonwealth's participation in a federal data collection pilot program or project involving six-axle tractor truck semitrailer combinations weighing up to 91,000 pounds and utilizing interstate highways. The bill is identical to HB 1276.

<p>SB 539 - Hanger, Jr. (24) Child day programs; exemptions from licensure, removes certain programs from list.</p>	<p>1/9/2018 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 1/19/2018 Senate: Reported from SRSS with substitute (13-Y 0-N) 1/19/2018 Senate: Re-referred to Finance 1/23/2018 Senate: Reported from Finance (16-Y 0-N) 1/26/2018 Senate: Read third time and passed Senate (39-Y 0-N) 1/31/2018 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/20/2018 House: Reported from HHWI with substitute (22-Y 0-N) 2/20/2018 House: Referred to Committee on Appropriations 2/27/2018 House: Subcommittee recommends reporting with amendments (8-Y 0-N) 3/2/2018 House: Reported from Appropriations with amendments (22-Y 0-N)</p>	<p>2/6/2018</p>
---	---	------------------------

Monitor (18105484D-S1) - See also HB 1480 (Filler-Corn).
Summary: Removes certain programs from the list of child day programs exempt from licensure and clarifies that such programs are not considered child day programs and therefore are not subject to licensure. The bill also modifies the terms of certain child day programs that remain listed as exempt from licensure and requires that such programs (i) file with the Commissioner of Social Services (the Commissioner), prior to beginning operation of a child day program and annually thereafter, a statement indicating the intent to operate a child day program, identifying the Code provision relied upon for exemption from licensure, and certifying that the child day program has disclosed to the parents of children in the program the fact that it is exempt from licensure; (ii) report to the Commissioner all incidents involving serious injury or death to children attending the child day program; (iii) have a person trained and certified in first aid and cardiopulmonary resuscitation (CPR) present at the child day program; (iv) comply with background check requirements established by regulations of the Board of Social Services (the Board); (v) maintain daily attendance records; (vi) have an emergency preparedness plan in place; (vii) comply with all applicable laws and regulations governing transportation of children; (viii) comply with certain safe sleep practices for infants; and (ix) post in a visible location notice that the program is not licensed by the Department of

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Social Services and only certifies basic health and safety requirements. The bill exempts from licensure any program offered by a local school division, operated for no more than four hours per day, staffed by local school division employees, and attended by school-age children who are enrolled in public school within such school division. The bill also modifies staffing ratios for religious-exempt child day centers. The bill directs (a) the Board to promulgate regulations to implement the provisions of the bill and (b) the Commissioner to establish a process to inspect child day programs exempt from licensure and a process to gather and track aggregate data regarding child injuries and deaths that occur at such child day programs. The bill has a delayed effective date of July 1, 2019.</p>		
<p>SB 588 - Ebbin (30) Alcoholic beverage control; annual mixed beverage special events licenses for museums.</p>	<p>1/9/2018 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 1/18/2018 Senate: Re-referred to Rehabilitation and Social Services 1/26/2018 Senate: Reported from Rehabilitation and Social Services with amendments (15-Y 0-N) 1/31/2018 Senate: Read third time and passed Senate (37-Y 3-N) 2/5/2018 House: Referred to Committee on General Laws 2/15/2018 House: Reported from General Laws (21-Y 0-N) 2/20/2018 House: Passed House (97-Y 1-N 1-A) 2/22/2018 Senate: Enrolled 2/22/2018 Senate: Bill text as passed Senate and House (SB588ER) 2/22/2018 House: Signed by Speaker 2/23/2018 Senate: Signed by President 2/26/2018 Senate: Enrolled Bill Communicated to Governor on February 26, 2018 2/26/2018 Governor: Governor's Action Deadline Midnight, 3/5/18</p>	<p>2/6/2018 1/23/2018</p>
<p>Monitor (18103717D-E) - See also HB 136 (Levine). Amend (18103717D) – Amend to allow licenses for Park Authority facilities. See also HB 136 (Levine). Summary: Alcoholic beverage control; annual mixed beverage special events licenses. Allows annual mixed beverage special events licenses to be issued to localities for special events conducted on the premises of a museum for historic interpretation that is owned and operated by the locality.</p>		
<p>SB 622 - Surovell (36) Local transportation plan; secondary system road construction program allocation.</p>	<p>1/10/2018 Senate: Referred to Committee on Local Government 1/30/2018 Senate: Reported from Local Government with amendment (13-Y 0-N) 2/5/2018 Senate: Read third time and passed Senate (40-Y 0-N) 2/8/2018 House: Referred to Committee on Commerce and Labor 2/20/2018 House: Subcommittee recommends reporting (6-Y 0-N) 2/27/2018 House: Reported from Commerce and Labor (22-Y 0-N) 3/2/2018 House: Amendment by Delegate Krizek agreed to 3/2/2018 House: Passed House with amendment (96-Y 0-N)</p>	<p>1/23/2018</p>
<p>Monitor (18104532D) Summary: Local transportation plan; secondary system road construction program allocation; undergrounding utilities. Provides that if the adopted local transportation plan designates corridors planned to be served by mass transit, a portion of its allocation from (i) the Northern Virginia Transportation Authority distribution, (ii) the commercial and industrial real property tax revenue, and (iii) the secondary system road construction program, may be used for the purpose of utility undergrounding in the planned corridor, if the locality matches 100 percent of the state allocation.</p>		

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>SB 751 - Sturtevant, Jr. (10) Localities and school divisions; posting of register of funds expended.</p>	<p>1/10/2018 Senate: Referred to Committee on Local Government 2/6/2018 Senate: Reported from Local Government (10-Y 3-N) 2/12/2018 Senate: Read third time and passed Senate (26-Y 13-N 1-A) 2/12/2018 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) 2/12/2018 Senate: Passed Senate (26-Y 13-N 1-A) 2/15/2018 House: Referred to Committee on Counties, Cities and Towns</p>	<p>2/6/2018</p>
<p>Monitor (18104562D) Summary: Requires every locality with a population greater than 25,000 and each school division with greater than 5,000 students to post quarterly on the public government website of such locality or school division a register of all funds expended, showing vendor name, date of payment, amount, and a description of the type of expense, including credit card purchases with the same information. The bill allows any locality or school division to exclude from such posting any information that is exempt from mandatory disclosure under the Virginia Freedom of Information Act, any personal identifying information related to a court-ordered payment, and any information related to undercover law-enforcement officers. The bill has a delayed effective date of July 1, 2019.</p>		
<p>SB 972 - Obenshain (26) Vested rights; owners of property not required to retrofit existing landscape cover materials.</p>	<p>1/19/2018 Senate: Referred to Committee on Local Government 2/6/2018 Senate: Reported from Local Government with substitute (10-Y 2-N) 2/12/2018 Senate: Read third time and passed Senate (26-Y 13-N) 2/15/2018 House: Referred to Committee on Counties, Cities and Towns 2/21/2018 House: Subcommittee recommends reporting (6-Y 2-N) 2/23/2018 House: Reported from Counties, Cities and Towns (19-Y 2-N) 2/28/2018 House: Passed House (87-Y 11-N)</p>	<p>[2/23/2018] 2/6/2018</p>
<p>[Monitor] (18106216D-S1) - Amended to address concerns. See also HB 1595 (Wilt). Oppose (18105703D)- See also HB 1595 (Wilt). Summary: Vested rights; existing landscape cover materials. Provides that, notwithstanding any local ordinance to the contrary, an owner of real property who has an occupancy permit issued as of January 1, 2018, shall not be required to retrofit existing landscape cover materials. The bill further provides that such owner shall not be prohibited from continuing to use, supplement, or refurbish existing landscape cover materials at such property. This bill is identical to HB 1595.</p>		
<p>SB 993 - Reeves (17) Local planning commissions; proposed plats.</p>	<p>1/24/2018 Senate: Referred to Committee on Local Government 2/6/2018 Senate: Reported from Local Government with substitute (10-Y 3-N) 2/12/2018 Senate: Read third time and passed Senate (36-Y 4-N) 2/15/2018 House: Referred to Committee on Counties, Cities and Towns 2/21/2018 House: Subcommittee recommends reporting (7-Y 1-N) 2/23/2018 House: Reported from Counties, Cities and Towns (20-Y 1-N) 2/28/2018 House: Passed House (95-Y 4-N)</p>	<p>[2/23/2018] 2/6/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>[Monitor] (18106865D-S1) - Amended to address concerns. Oppose (18105308D) Summary: Prohibits a local planning commission from delaying the official submission of any proposed plat, site plan, or plan of development by requiring presubmission conferences, meetings, or reviews. The bill eliminates exemptions (i) for deficiencies caused by changes, errors, or omissions occurring in the applicant's plat, site plan, or plan of development filings after the initial submission of such plat, site plan, or plan of development and (ii) from the review and approval of construction plans.</p>		
<p>SJ 21 - Lewis, Jr. (6) Constitutional amendment; property tax, exemption for flooding remediation, etc.</p>	<p>1/3/2018 Senate: Referred to Committee on Privileges and Elections 1/30/2018 Senate: Reported from Privileges and Elections (13-Y 0-N) 1/30/2018 Senate: Re-referred to Finance 2/7/2018 Senate: Reported from Finance (14-Y 2-N) 2/12/2018 Senate: Read third time and agreed to by Senate (36-Y 4-N) 2/15/2018 House: Referred to Committee on Privileges and Elections 2/19/2018 House: Subcommittee recommends reporting (6-Y 1-N) 2/23/2018 House: Reported from Privileges and Elections (18-Y 3-N) 2/28/2018 House: Agreed to by House (89-Y 8-N)</p>	<p>2/6/2018</p>
<p>Monitor (18102801D) Summary: Constitutional amendment (second resolution); property tax; exemption for flooding remediation, abatement, and resiliency efforts. Provides that the General Assembly may authorize a county, city, or town to partially exempt any real estate subject to recurring flooding upon which flooding abatement, mitigation, or resiliency efforts have been undertaken.</p>		

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Fairfax County Positions

*** * ***

***Legislation
No Longer Under Consideration***

(Continued to 2019)

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 295</u> - Murphy (34) Resident stickers; turns in certain residential areas.</p>	<p>1/3/2018 House: Referred to Committee on Counties, Cities and Towns 1/31/2018 House: Subcommittee recommends reporting with amendment (7-Y 1-N) 2/2/2018 House: Reported from Counties, Cities and Towns with amendment (20-Y 2-N) 2/8/2018 House: Read third time and passed House (96-Y 3-N) 2/9/2018 Senate: Referred to Committee on Local Government 2/20/2018 Senate: Continued to 2019 in Local Government (7-Y 6-N)</p>	<p>1/23/2018</p>
<p>Support (18103592D) - See also SB 839 (Favola). Summary: Turns in certain residential areas in certain counties; resident stickers. Allows counties that operate under the urban county executive form of government (Fairfax County) by ordinance to develop a program to issue permits to residents of a designated area that will allow such residents to make turns into or out of the neighborhood during certain times of the day where such turns would otherwise be restricted.</p>		
<p><u>HB 786</u> - Keam (35) Taxes, local; taxpayer's application to court to correct erroneous assessments.</p>	<p>1/9/2018 House: Referred to Committee on Finance (HFIN) 1/24/2018 House: Subcommittee recommends reporting with substitute (10-Y 0-N) 1/29/2018 House: Reported from HFIN with substitute (22-Y 0-N) 2/2/2018 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 2/5/2018 Senate: Referred to Committee on Finance 2/14/2018 Senate: Continued to 2019 in Finance (15-Y 0-N)</p>	<p>1/23/2018</p>
<p>Oppose (18101855D) Summary: Local taxes; appeal to court. Provides that on an appeal to court for relief from local taxes, the taxpayer shall not be required to show that the assessment is a result of manifest error or disregard of controlling evidence. The bill contains technical amendments.</p>		
<p><u>HB 787</u> - Keam (35) Real property taxes; appeals to boards of equalization.</p>	<p>1/9/2018 House: Referred to Committee on Finance 1/24/2018 House: Subcommittee recommends reporting with amendment (10-Y 0-N) 1/29/2018 House: Reported from Finance with amendment (22-Y 0-N) 2/2/2018 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 2/5/2018 Senate: Referred to Committee on Finance 2/14/2018 Senate: Continued to 2019 in Finance (15-Y 0-N)</p>	<p>1/23/2018</p>
<p>Oppose (18101856D) Summary: Provides that on appeal of a real property assessment to a board of equalization, the taxpayer shall not be required to show that the assessment is a result of manifest error or disregard of controlling evidence.</p>		

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
HB 966 - Davis (84) Income tax, sales tax, etc.; refundable credit for certain local taxes.	1/9/2018 House: Referred to Committee on Finance 1/29/2018 House: Continued to 2019 in Finance by voice vote	1/23/2018
<p>Monitor (18102193D) Summary: Taxation in the Commonwealth; income tax, sales tax, and credit for certain local taxes. Provides, for taxable years 2018 through 2022, a refundable credit against individual and corporate income taxes for a business's aggregate tax liability under the machinery and tools tax, the merchants' capital tax, and the business, professional, and occupational license (BPOL) tax.</p>		
HB 1137 - Sickles (43) Commuter Rail Operating and Capital Fund; established.	1/10/2018 House: Referred to Committee on Transportation 1/30/2018 House: Subcommittee recommends reporting (7-Y 0-N) 1/30/2018 House: Subcommittee recommends referring to Committee on Appropriations 2/6/2018 House: Continued to 2019 in Transportation by voice vote	1/23/2018
<p>Support (18102127D) - See also SB 683 (Stuart). Summary: Commuter Rail Operating and Capital Fund. Establishes the Commuter Rail Operating and Capital Fund to be used by the Director of the Department of Rail and Public Transportation, with the approval of the Commonwealth Transportation Board, on projects that expand and improve commuter rail service.</p>		
SB 4 - Ebbin (30) Absentee voting; persons age 65 or older.	11/20/2017 Senate: Referred to Committee on Privileges and Elections (SPE) 1/30/2018 Senate: Continued to 2019 in SPE (13-Y 0-N)	1/23/2018
<p>Support (18100495D) - Board has historically supported. See also HB 186 (Hayes), HB 1134 (Aird), SB 164 (Wexton), SB 277 (Barker), and SB 453 (Mason). Summary: Entitles a person who will be age 65 or older on the day of an election to vote by absentee ballot in that election.</p>		
SB 114 - Locke (2) Absentee voting; no excuse.	12/15/2017 Senate: Referred to Committee on Privileges and Elections (SPE) 1/30/2018 Senate: Continued to 2019 in SPE (13-Y 0-N)	1/23/2018
<p>Support (18101566D) - See also HB 57 (Herring) and HB 1072 (Heretick). Summary: Allows for any registered voter to vote by absentee ballot in any election in which he is qualified to vote. The bill removes the current list of statutory reasons for which a person may be entitled to vote by absentee ballot and consolidates multiple sections relating to absentee voting by uniformed and overseas voters into one section and multiple sections related to absentee voting by persons with a disability into one section.</p>		
SB 136 - Howell (32) Absentee voting; no-excuse in-person available 21 days prior to election.	12/20/2017 Senate: Referred to Committee on Privileges and Elections 1/30/2018 Senate: Continued to 2019 in Privileges and Elections (13-Y 0-N)	1/23/2018

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Support with Amendment (18101090D) - Support with amendments to facilitate implementation. See also HB 733 (Carr) and SB 602 (Ebbin). Summary: Allows for any registered voter to vote by absentee ballot in person beginning on the twenty-first day prior to any election in which he is qualified to vote without providing a reason or making prior application for an absentee ballot. The bill makes absentee voting in person available beginning on the forty-fifth day prior to the election and ending at 5:00 p.m. on the Saturday immediately preceding the election. The bill retains the current provisions for voting an absentee ballot by mail or in person prior to the twenty-first day before the election, including the application requirement and the list of statutory reasons for absentee voting.</p>		
<p>SB 164 - Wexton (33) Absentee voting; persons age 65 or older.</p>	<p>12/28/2017 Senate: Referred to Committee on Privileges and Elections (SPE) 1/30/2018 Senate: Continued to 2019 in SPE (13-Y 0-N)</p>	<p>1/23/2018</p>
<p>Support (18100995D) - Board has historically supported. See also HB 186 (Hayes), HB 1134 (Aird), SB 4 (Ebbin), SB 277 (Barker), and SB 453 (Mason). Summary: Entitles a person who will be age 65 or older on the day of an election to vote by absentee ballot in that election.</p>		
<p>SB 207 - Stuart (28) Statewide prioritization process project selection; cost of project to be considered.</p>	<p>1/2/2018 Senate: Referred to Committee on Transportation 2/7/2018 Senate: Continued to 2019 in Transportation (13-Y 0-N)</p>	<p>1/23/2018</p>
<p>Oppose (18100222D) - See also HB 72 (Thomas). Summary: Statewide prioritization process project selection. Requires the total cost of a transportation project to be considered in evaluating projects under the statewide prioritization process. The bill requires the Commonwealth Transportation Board to evaluate congestion mitigation on the basis of total traffic volumes, not just traffic volumes during weekdays. The bill imposes restrictions on projects receiving funding from the High Priority Projects Program that are evaluated under the statewide prioritization process.</p>		
<p>SB 208 - Stuart (28) Impact fees; residential development.</p>	<p>1/2/2018 Senate: Referred to Committee on Local Government 2/6/2018 Senate: Continued to 2019 in Local Government (11-Y 0-N)</p>	<p>1/23/2018</p>
<p>Monitor (18100268D) Summary: Impact fees for residential development. Repeals provisions that limit existing impact fee authority to (i) localities that have established an urban transportation service district and (ii) areas outside of such service districts that are zoned for agricultural use and that are being subdivided for by-right residential development. The effect of the repeal will be to make the existing impact fee provisions available for use by any locality that includes within its comprehensive plan a calculation of the capital costs of public facilities necessary to serve residential uses.</p>		
<p>SB 224 - Petersen (34) Release of seized property; petition to stay release.</p>	<p>1/3/2018 Senate: Referred to Committee for Courts of Justice 2/5/2018 Senate: Reported from Courts of Justice with substitute (12-Y 3-N) 2/5/2018 Senate: Re-referred to Finance 2/7/2018 Senate: Continued to 2019 in Finance (16-Y 0-N)</p>	<p>1/23/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Oppose (18101669D) - Legislation relates to pending litigation. Summary: Provides that any property seized shall be released to the owner or lienholder within one year from the date of seizure unless an information has been filed against the property or the attorney for the Commonwealth files a petition to stay the release of such property. The bill provides that such petition shall allege that the property seized is an integral part of an investigation and that such property cannot be returned without jeopardizing such investigation. The bill provides that the owner or lienholder may file a response to the petition within 30 days of the filing of such petition and that, if a response is filed, the Commonwealth must prove by a preponderance of the evidence that the property is an integral part of an investigation.</p>		
<p>SB 254 - Dance (16) Absentee voting; no excuse required when voting in person.</p>	<p>1/5/2018 Senate: Referred to Committee on Privileges and Elections 1/30/2018 Senate: Continued to 2019 in Privileges and Elections (13-Y 0-N)</p>	<p>1/23/2018</p>
<p>Support (18102273D) - Board has historically supported. See also HB 835 (Bagby). Summary: Provides that any registered voter may vote by absentee ballot in person in any election in which he is qualified to vote without providing a reason for being unable to vote in person on election day. The bill retains the statutory list of reasons allowing a voter to cast an absentee ballot by mail.</p>		
<p>SB 277 - Barker (39) Absentee voting; persons age 65 or older.</p>	<p>1/5/2018 Senate: Referred to Committee on Privileges and Elections (SPE) 1/30/2018 Senate: Continued to 2019 in SPE (13-Y 0-N)</p>	<p>1/23/2018</p>
<p>Support (18103562D) - Board has historically supported. See also HB 186 (Hayes), HB 1134 (Aird), SB 4 (Ebbin), SB 164 (Wexton), and SB 453 (Mason). Summary: Entitles a person who will be age 65 or older on the day of an election to vote by absentee ballot in that election.</p>		
<p>SB 366 - Stuart (28) School personnel; staffing ratios, school nurses.</p>	<p>1/9/2018 Senate: Referred to Committee on Education and Health (SEH) 2/1/2018 Senate: Continued to 2019 in SEH (14-Y 0-N)</p>	<p>1/23/2018</p>
<p>Oppose (18100682D) - Potential fiscal impact to Fairfax County is \$35.9 million. See also HB 791 (Pogge). Summary: School personnel; staffing ratios; school nurses. Excludes school nurse positions from requirements for student support positions and instead requires each local school board to employ at least one full-time equivalent school nurse position in each elementary school, middle school, and high school in the local school division or at least one full-time equivalent school nurse position per 550 students in grades kindergarten through 12.</p>		
<p>SB 367 - Newman (23) Stormwater; localities to provide for partial waiver of service charges for management at airports.</p>	<p>1/9/2018 Senate: Referred to Committee on Local Government 1/30/2018 Senate: Continued to 2019 in Local Government (10-Y 0-N)</p>	<p>1/23/2018</p>
<p>Oppose (18100804D) - See also HB 1004 (Byron). Summary: Regulation of stormwater; airports. Allows localities to provide for a partial waiver of service charges for stormwater management to airports for that portion of the property that is used for runways and taxiways.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
SB 436 - Wexton (33) Schedule I drugs; classification for fentanyl derivatives.	1/9/2018 Senate: Referred to Committee on Education and Health (SEH) 1/25/2018 Senate: Reported from SEH (15-Y 0-N) 1/25/2018 Senate: Re-referred to Finance 1/31/2018 Senate: Continued to 2019 in Finance (15-Y 0-N)	1/23/2018
Support (18101586D) Summary: Adds to Schedule I of the Drug Control Act a classification for fentanyl derivatives.		
SB 453 - Mason (1) Absentee voting; persons age 65 or older.	1/9/2018 Senate: Referred to Committee on Privileges and Elections 1/30/2018 Senate: Continued to 2019 in Privileges and Elections (13-Y 0-N)	1/23/2018
Support (18101939D) - Board has historically supported. See also HB 186 (Hayes), HB 1134 (Aird), SB 4 (Ebbin), SB 164 (Wexton), and SB 277 (Barker). Summary: Entitles a person who will be age 65 or older on the day of an election to vote by absentee ballot in that election.		
SB 458 - Peake (22) Conditional proffers; public facility capacity, previously approved residential developments.	1/9/2018 Senate: Referred to Committee on Local Government 2/6/2018 Senate: Continued to 2019 in Local Government (13-Y 0-N)	1/23/2018
Support (18104595D) - Support elements that mitigate impacts of 2016 proffer legislation. See also HB 163 (Ware). Summary: Conditional proffers; public facility capacity; previously approved residential developments. Authorizes a locality to base its assessment of a public facility's capacity on the projected impacts specifically attributable to previously approved residential developments, or portions thereof, that have not yet been completed when determining whether a proffer is unreasonable. The bill also removes language prohibiting a locality from accepting any unreasonable proffer; language prohibiting a locality from requesting any unreasonable proffer is retained.		
SB 495 - Carrico, Sr. (40) Deputy Sheriff Supplemental Salary Fund; created, revenue source.	1/9/2018 Senate: Referred to Committee on Finance 2/6/2018 Senate: Continued to 2019 in Finance (15-Y 1-N)	1/23/2018
Oppose (18100666D) Summary: Deputy Sheriff Supplemental Salary Fund; creation and revenue source. Creates the Deputy Sheriff Supplemental Salary Fund to provide funds for qualified localities to supplement the salaries of deputy sheriffs. Twenty percent of local fines generated by a local sheriff's office would be transferred by the circuit court clerk to the Fund to pay for such supplements.		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 497</u> - Carrico, Sr. (40) Public places; disorderly conduct, right of person in charge to detain.</p>	<p>1/9/2018 Senate: Referred to Committee for Courts of Justice 1/22/2018 Senate: Continued to 2019 in Courts of Justice (14-Y 0-N)</p>	<p>1/23/2018</p>
<p>Monitor (18101055D) Summary: Disorderly conduct in public places; right to detain. Provides that the person in charge of any public building, place, conveyance, meeting, operation, or activity may detain any person who engages in disorderly conduct for a period not to exceed one hour pending arrival of a law-enforcement officer.</p>		
<p><u>SB 499</u> - Carrico, Sr. (40) Conservation easements; validity, termination.</p>	<p>1/9/2018 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 1/18/2018 Senate: Continued to 2019 in Agriculture, Conservation and Natural Resources (12-Y 2-N)</p>	<p>1/23/2018</p>
<p>Oppose (18101699D) Summary: Agriculture easements; validity; termination. Prohibits a restriction imposed by a conservation easement from being enforced against any occupied single-family dwelling structure, including any outbuilding, shed, barn, garage, or driveway, or the land lying immediately underneath any such structure, for the purposes of additions, repairs, or sale. The bill authorizes the owner of an interest in real property burdened by the easement to terminate such easement in the event of financial hardship. Such owner shall be liable to the Department of Taxation for the full amount of any land preservation tax credits claimed or transferred by the owner that are related to the easement and shall pay any legal fees associated with the termination of the easement. Until such payments are made, such conservation easement shall be considered perpetual in duration unless otherwise provided in the instrument creating it.</p>		
<p><u>SB 537</u> - Hanger, Jr. (24) Computation of composite index; land-use assessment value.</p>	<p>1/9/2018 Senate: Referred to Committee on Education and Health 2/1/2018 Senate: Re-referred to Finance 2/7/2018 Senate: Continued to 2019 in Finance (16-Y 0-N)</p>	<p>1/23/2018</p>
<p>Oppose (18100437D) - Board has historically opposed. Rather than modifying individual components of the LCI formula, a comprehensive approach should be taken, including addressing factors relating to cost of living. Summary: Education; computation of composite index; land-use assessment value. Requires the General Assembly to modify the current standards of quality funding formula and calculation of composite index of local ability to pay to incorporate within the real estate indicator of local wealth the land-use assessment value for those properties located within a land-use plan.</p>		
<p><u>SB 602</u> - Ebbin (30) Absentee voting; no-excuse in-person available 21 days prior to election.</p>	<p>1/9/2018 Senate: Referred to Committee on Privileges and Elections 1/30/2018 Senate: Continued to 2019 in Privileges and Elections (13-Y 0-N)</p>	<p>1/23/2018</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Support with Amendment (18101803D) - Support with amendments to facilitate implementation. See also HB 733 (Carr) and SB 136 (Howell). Summary: Allows for any registered voter to vote by absentee ballot in person beginning on the twenty-first day prior to any election in which he is qualified to vote without providing a reason or making prior application for an absentee ballot. The bill makes absentee voting in person available beginning on the forty-fifth day prior to the election and ending at 5:00 p.m. on the Saturday immediately preceding the election. The bill retains the current provisions for voting an absentee ballot by mail or in person prior to the twenty-first day before the election, including the application requirement and the list of statutory reasons for absentee voting.</p>		
<p><u>SB 613</u> - Surovell (36) Local government; deposition.</p>	<p>1/10/2018 Senate: Referred to Committee for Courts of Justice 1/24/2018 Senate: Continued to 2019 in Courts of Justice (15-Y 0-N)</p>	<p>1/23/2018</p>
<p>Oppose (18101221D) Summary: Deposition of local governing body. Provides that when a local governing body is named as a deponent, it shall designate one or more members of such body to serve as a deponent on its behalf. The bill provides that such designee and his testimony shall be subject to all of the same duties, responsibilities, and consequences as a corporate or organizational deponent as determined by the rules of court.</p>		
<p><u>SB 700</u> - Deeds (25) School bus video-monitoring systems; release of information by DMV.</p>	<p>1/10/2018 Senate: Referred to Committee on Transportation 1/24/2018 Senate: Continued to 2019 in Transportation (13-Y 0-N)</p>	<p>1/23/2018</p>
<p>Support (18102265D) Summary: School bus video-monitoring systems; release of information by the Department of Motor Vehicles. Authorizes the Department of Motor Vehicles to release vehicle owner data of a vehicle that failed to stop for a stopped school bus upon request of a video-monitoring system operator or upon request of the authorized agent or employee of a video-monitoring system operator.</p>		
<p><u>SB 714</u> - Chase (11) Local economic development; expenditure shall be first approved by local governing body.</p>	<p>1/10/2018 Senate: Referred to Committee on Local Government 1/30/2018 Senate: Failed to report (defeated) in Local Government (6-Y 7-N) 2/6/2018 Senate: Continued to 2019 in Local Government (13-Y 0-N)</p>	<p>2/6/2018</p>
<p>Monitor (18103334D) Summary: Local economic development expenditure. Provides that any local economic development expenditure shall be first approved by the local governing body.</p>		
<p><u>SB 766</u> - Surovell (36) Citizen water quality monitoring; use as evidence in enforcement actions.</p>	<p>1/10/2018 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/1/2018 Senate: Re-referred to Commerce and Labor 2/7/2018 Senate: Continued to 2019 in Commerce and Labor (15-Y 0-N)</p>	<p>2/6/2018 1/23/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Monitor (SACNR amendment) - Amended as requested. Amend (18104064D) – Amend to ensure that data considered in regulatory actions conforms to the standards of quality and methods set forth in the Code and other applicable law.</p> <p>Summary: Authorizes the Department of Environmental Quality (the Department) to use certain results of citizen water quality testing as evidence in enforcement actions. Such evidence is currently prohibited. The bill also directs the Department to consider in some cases data collected by a citizen group, regardless of whether the data conforms to the requirements set out in the Code of Virginia.</p>		
<p>SB 770 - Surovell (36) Absentee voting; alternative locations for in-person absentee voting.</p>	<p>1/10/2018 Senate: Referred to Committee on Privileges and Elections 1/30/2018 Senate: Continued to 2019 in Privileges and Elections (13-Y 0-N)</p>	<p>1/23/2018</p>
<p>Support with Amendment (18103486D) - Support with amendments to facilitate implementation. Summary: Provides that the alternative locations approved by the electoral boards for absentee voting in person prior to election day shall be in a public facility owned or leased by the city, the county, or a town within the county, at which all records concerning the absentee voters, the absentee ballots, both voted and unvoted, and any voting equipment in use at the location are adequately protected and secured. Currently, the law limits the electoral boards to approving alternative locations only in public buildings.</p>		
<p>SB 909 - McClellan (9) Virginia Fair Housing Law; unlawful discriminatory housing practices.</p>	<p>1/19/2018 Senate: Referred to Committee on General Laws and Technology 2/5/2018 Senate: Continued to 2019 in General Laws and Technology (13-Y 0-N)</p>	<p>2/6/2018</p>
<p>Support (18104940D) - Board has historically supported. See also HB 1408 (Bourne). Summary: Adds discrimination on the basis of a person's source of income to the list of unlawful discriminatory housing practices. The bill defines "source of income" as any source that lawfully provides funds to or on behalf of a renter or buyer of housing, including any assistance, benefit, or subsidy program, whether such program is administered by a governmental or nongovernmental entity.</p>		

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Fairfax County Positions

* * *

***Legislation
No Longer Under Consideration***

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

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 15</u> - Mullin (93) Student discipline, alternative; assault and battery without bodily injury.</p>	<p>11/20/2017 House: Referred to Committee for Courts of Justice 2/7/2018 House: Subcommittee recommends passing by indefinitely (5-Y 3-N) 2/12/2018 House: Left in Courts of Justice</p>	<p>2/6/2018</p>
<p>Monitor (18101158D) Summary: Alternative student discipline; assault and battery without bodily injury. Requires a principal to first take appropriate alternative disciplinary action or determine that no such appropriate alternative disciplinary action exists before referring to the local law-enforcement agency student incidents of assault and assault and battery without bodily injury.</p>		
<p><u>HB 57</u> - Herring (46) Absentee voting; no excuse.</p>	<p>12/1/2017 House: Referred to Committee on Privileges and Elections 1/30/2018 House: Subcommittee recommends passing by indefinitely (4-Y 2-N) 2/13/2018 House: Left in Privileges and Elections</p>	<p>1/23/2018</p>
<p>Support (18100938D) - See also HB 1072 (Heretick) and SB 114 (Locke). Summary: Allows for any registered voter to vote by absentee ballot in any election in which he is qualified to vote. The bill removes the current list of statutory reasons for which a person may be entitled to vote by absentee ballot and consolidates multiple sections relating to absentee voting by uniformed and overseas voters into one section and multiple sections related to absentee voting by persons with a disability into one section.</p>		
<p><u>HB 59</u> - Bell (87) Transportation, Department of; use of practical design methods.</p>	<p>12/4/2017 House: Referred to Committee on Transportation 1/18/2018 House: Subcommittee recommends reporting with amendments (5-Y 3-N) 1/23/2018 House: Referred from Transportation by voice vote 1/23/2018 House: Referred to Committee on General Laws 2/6/2018 House: Subcommittee recommends passing by indefinitely (5-Y 2-N) 2/13/2018 House: Left in General Laws</p>	<p>1/23/2018</p>
<p>Oppose (18101179D) - Oppose unless amended to ensure community input can be addressed. Summary: Department of Transportation; use of practical design methods. Requires the Department of Transportation to employ practical design methods for any highway system project, including all projects costing more than \$5 million. "Practical design methods" are defined in the bill as practices that incorporate maximum flexibility in application of standards that reduce the cost of project delivery while preserving and enhancing safety and mobility.</p>		
<p><u>HB 70</u> - Webert (18) Immunity of employers; employees and independent contractors convicted of a nonviolent offense.</p>	<p>12/4/2017 House: Referred to Committee for Courts of Justice 1/31/2018 House: Subcommittee recommends striking from docket (7-Y 0-N) 2/15/2018 House: Left in Courts of Justice</p>	<p>2/6/2018</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Support (18100943D) Summary: Immunity of employers; employees and independent contractors convicted of a nonviolent offense; negligent hiring. Provides that no cause of action for negligent hiring against an employer shall arise solely because such employer hired an employee or independent contractor convicted of a nonviolent offense.</p>		
<p>HB 72 - Thomas, Jr. (28) Statewide prioritization process project selection; cost of project to be considered.</p>	<p>12/4/2017 House: Referred to Committee on Transportation 1/30/2018 House: Subcommittee recommends continuing to 2019 by voice vote 2/13/2018 House: Left in Transportation</p>	<p>1/23/2018</p>
<p>Oppose (18102019D) - See also SB 207 (Stuart). Summary: Statewide prioritization process project selection. Requires the total cost of a transportation project to be considered in evaluating projects under the statewide prioritization process. The bill requires the Commonwealth Transportation Board to evaluate congestion mitigation on the basis of total traffic volumes, not just traffic volumes during weekdays. The bill imposes restrictions on projects receiving funding from the High Priority Projects Program that are evaluated under the statewide prioritization process.</p>		
<p>HB 89 - Bell (87) Conditional rezoning proffers; affordable dwelling units.</p>	<p>12/11/2017 House: Referred to Committee on Counties, Cities and Towns 1/25/2018 House: Subcommittee recommends passing by indefinitely (6-Y 2-N) 2/13/2018 House: Left in Counties, Cities and Towns</p>	<p>1/23/2018</p>
<p>Support (18101180D) - Support elements that mitigate impacts of 2016 proffer legislation. Summary: Conditional zoning proffers; affordable dwelling units. Exempts onsite proffers related to affordable dwelling units from provisions that determine whether a proffer is unreasonable.</p>		
<p>HB 92 - Sullivan, Jr. (48) Absentee voting; eligibility of certain caregivers.</p>	<p>12/11/2017 House: Referred to Committee on Privileges and Elections 1/30/2018 House: Subcommittee recommends passing by indefinitely (4-Y 2-N) 2/13/2018 House: Left in Privileges and Elections</p>	<p>1/23/2018</p>
<p>Support (18101186D) Summary: Entitles a person to vote absentee if he is unable to go in person to the polls on the day of the election because he is primarily and personally responsible for the care of an ill or disabled individual who is confined at home. Currently, such caregivers are entitled to vote absentee only if the ill or disabled individual who is confined at home is a family member of the caregiver.</p>		
<p>HB 103 - Cole (88) Interstate 95; VDOT to commence project to add additional lanes.</p>	<p>12/13/2017 House: Referred to Committee on Transportation 1/30/2018 House: Subcommittee recommends continuing to 2019 by voice vote 2/13/2018 House: Left in Transportation</p>	<p>1/23/2018</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Oppose (18101688D) - Oppose because it circumvents the Smart Scale process. Summary: Additional lanes of Interstate 95. Directs the Department of Transportation to immediately commence a transportation project to add an additional lane of travel to that portion of Interstate 95 between Exit 126 in Spotsylvania County and Interstate 495 in both the north-bound and south-bound directions.</p>		
<p><u>HB 106</u> - Delaney (67) Kinship Guardianship Assistance program; established.</p>	<p>12/13/2017 House: Referred to Committee on Health, Welfare and Institutions 1/31/2018 House: Subcommittee recommends laying on the table (7-Y 0-N) 2/13/2018 House: Left in Health, Welfare and Institutions</p>	<p>1/23/2018</p>
<p>Support (18102122D) - See also HB 1333 (Brewer) and SB 636 (Dunnivant). Summary: Kinship Guardianship Assistance program. Creates the Kinship Guardianship Assistance program (the program) to facilitate child placements with relatives and ensure permanency for children for whom adoption or being returned home are not appropriate permanency options. The bill sets forth eligibility criteria for the program, payment allowances to kinship guardians, and requirements for kinship guardianship assistance agreements. The bill also requires the Board of Social Services to promulgate regulations for the program.</p>		
<p><u>HB 116</u> - Webert (18) Distracted driving; authority of local government.</p>	<p>12/15/2017 House: Referred to Committee for Courts of Justice 2/2/2018 House: Subcommittee recommends passing by indefinitely (7-Y 0-N) 2/15/2018 House: Left in Courts of Justice</p>	<p>1/23/2018</p>
<p>Support (18101083D) Summary: Local authority; distracted driving. Authorizes any local governing body to adopt an ordinance prohibiting any person from driving a vehicle on any highway within the locality while failing to provide proper time and attention necessary for the safe operation of the vehicle where the manner of driving does not constitute reckless or improper driving. The bill provides that a violation of any such ordinance is punishable as a traffic infraction with a fine of not more than \$300.</p>		
<p><u>HB 136</u> - Levine (45) Alcoholic beverage control; annual mixed beverage special events licenses for museums.</p>	<p>12/19/2017 House: Referred to Committee on General Laws 1/25/2018 House: Reported from General Laws with amendments (21-Y 0-N) 1/31/2018 House: Read third time and passed House (95-Y 1-N 1-A) 2/1/2018 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 2/16/2018 Senate: Reported from SRSS (10-Y 0-N) 2/20/2018 Senate: Passed Senate (40-Y 0-N) 2/20/2018 Senate: Reconsideration of Senate passage agreed to by Senate (40-Y 0-N) 2/20/2018 Senate: Recommitted to SRSS 2/23/2018 Senate: Passed by indefinitely in SRSS (7-Y 4-N 2-A)</p>	<p>2/6/2018 1/23/2018</p>
<p>Monitor (18102765D-E) - See also SB 588 (Ebbin). Amend (18102765D) — Amend to allow licenses for Park Authority facilities. See also SB 588 (Ebbin). Summary: Alcoholic beverage control; annual mixed beverage special events licenses. Allows annual mixed beverage special events licenses to be issued to localities for use at special events conducted on the premises of a museum for historic interpretation that is owned and operated by the locality.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>HB 148 - Rasoul (11) Prescription Monitoring Program; requirements of prescribers, prescriptions for opioids.</p>	<p>12/19/2017 House: Referred to Committee on Health, Welfare and Institutions 1/23/2018 House: Subcommittee recommends striking from docket (10-Y 0-N) 2/13/2018 House: Left in Health, Welfare and Institutions</p>	<p>2/6/2018</p>
<p>Monitor (18101241D) Summary: Prescription Monitoring Program; requirements of prescribers; prescriptions for opioids. Requires a prescriber to request and review information from the Prescription Monitoring Program prior to issuing a prescription for opioids, including a refill of an existing prescription for opioids. Currently, a prescriber is only required to request information from the Prescription Monitoring Program prior to initiating a new course of treatment that includes the prescribing of opioids anticipated at the onset to last more than seven consecutive days.</p>		
<p>HB 163 - Ware, Jr. (65) Conditional proffers; public facility capacity, previously approved residential developments.</p>	<p>12/21/2017 House: Referred to Committee on Counties, Cities and Towns 1/25/2018 House: Subcommittee recommends passing by indefinitely (7-Y 0-N) 2/13/2018 House: Left in Counties, Cities and Towns</p>	<p>1/23/2018</p>
<p>Support (18101462D) - Support elements that mitigate impacts of 2016 proffer legislation. See also SB 458 (Peake). Summary: Conditional proffers; public facility capacity; previously approved residential developments. Authorizes a locality to base its assessment of a public facility's capacity on the projected impacts specifically attributable to previously approved residential developments, or portions thereof, that have not yet been completed when determining whether a proffer is unreasonable.</p>		
<p>HB 169 - Murphy (34) Lyme disease; information disclosure requirement, sunset.</p>	<p>12/22/2017 House: Referred to Committee on Health, Welfare and Institutions 1/18/2018 House: Stricken from docket by Health, Welfare and Institutions (21-Y 0-N)</p>	<p>1/23/2018</p>
<p>Support (18103474D) - Board has historically supported. Summary: Lyme disease information disclosure requirement; sunset. Extends to July 1, 2023, the sunset of the provision requiring disclosure of certain information to a patient when a Lyme disease test is ordered. Under current law, the disclosure requirement will expire on July 1, 2018.</p>		
<p>HB 177 - Bell (20) Distracted driving; handheld personal communications devices, driving with an animal.</p>	<p>12/23/2017 House: Referred to Committee for Courts of Justice 2/2/2018 House: Subcommittee recommends passing by indefinitely (7-Y 0-N) 2/15/2018 House: Left in Courts of Justice</p>	<p>1/23/2018</p>
<p>Monitor (18101015D) Summary: Distracted driving; handheld personal communications devices; driving with an animal. Prohibits a</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>vehicle operator from using his hands to use a handheld personal communications device while driving. Current law only prohibits the use of a handheld personal communications device for certain purposes while operating a moving vehicle. The bill exempts any person who is using a radio-based communications device during an emergency or disaster relief operation or who is using a handheld personal communications device to initiate or terminate a telephone call; the bill maintains the current exemptions for any person who is stopped or parked, emergency personnel, and reporting an emergency. The bill also prohibits any person, while operating a moving motor vehicle, to (i) have an animal on his lap, (ii) permit an animal to impede his free access to and use of vehicle controls, or (iii) obstruct his vision.</p>		
<p>HB 178 - Bell (20) Virginia Fair Housing Law; exemptions.</p>	<p>12/23/2017 House: Referred to Committee on General Laws 2/13/2018 House: Left in General Laws</p>	<p>2/6/2018</p>
<p>Oppose (18102452D) Summary: Provides that it shall not be unlawful under the Virginia Fair Housing Law for any owner to deny or limit the rental of housing to persons whose payment of rent for such housing is contingent upon the owner's acceptance of a contract authorizing payment of such rent by an entity or individual other than the lessee.</p>		
<p>HB 180 - Collins (29) Distracted driving; penalty.</p>	<p>12/23/2017 House: Referred to Committee for Courts of Justice 2/2/2018 House: Subcommittee recommends passing by indefinitely (7-Y 0-N) 2/15/2018 House: Left in Courts of Justice</p>	<p>1/23/2018</p>
<p>Monitor (18101408D) Summary: Expands the prohibition on manually entering multiple letters or text in a handheld communications device while operating a motor vehicle to also prohibit the manual selection of multiple icons and removes the condition that such manual entry is prohibited only if performed as a means of communicating with another person. The bill prohibits the operator of a motor vehicle from reading any information displayed on the device; current law prohibits reading an email or text message. The bill provides that this prohibition does not apply to reading any information displayed through the use of a global positioning system for the purpose of navigation. The bill eliminates the current exemption from the prohibition on using a handheld personal communications device while operating a motor vehicle when the vehicle is stopped or not moving; the current exemption from the prohibition when the vehicle is parked is not affected.</p>		
<p>HB 186 - Hayes, Jr. (77) Absentee voting; persons age 65 or older.</p>	<p>12/26/2017 House: Referred to Committee on Privileges and Elections 1/30/2018 House: Subcommittee recommends laying on the table (4-Y 2-N) 2/13/2018 House: Left in Privileges and Elections</p>	<p>1/23/2018</p>
<p>Support (18101097D) - Board has historically supported. See also HB 1134 (Aird), SB 4 (Ebbin), SB 164 (Wexton), SB 277 (Barker), and SB 453 (Mason). Summary: Entitles a person who will be age 65 or older on the day of an election to vote by absentee ballot in that election.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>HB 191 - Sullivan, Jr. (48) Voter identification; accepted forms of identification.</p>	<p>12/27/2017 House: Referred to Committee on Privileges and Elections 2/1/2018 House: Subcommittee recommends passing by indefinitely (4-Y 2-N) 2/13/2018 House: Left in Privileges and Elections</p>	<p>2/6/2018</p>
<p>Support (18101185D) Summary: Adds to the list of acceptable forms of voter identification a valid student photo identification card issued by any institution of higher education located in any other state or territory of the United States. Current law allows students from any institution of higher education located in the Commonwealth to use their student photo identification cards for purposes of voting.</p>		
<p>HB 219 - Morefield (3) Passing a stopped school bus; penalty.</p>	<p>12/29/2017 House: Referred to Committee for Courts of Justice 2/15/2018 House: Left in Courts of Justice</p>	<p>1/23/2018</p>
<p>Support (18103054D) Summary: Requires that any person who fails to stop his vehicle and remain stopped when approaching, from any direction, a school bus that is stopped on any highway, private road, or school driveway for the purpose of taking on or discharging passengers, and as the sole and proximate result of his reckless driving causes the serious injury or death of another, is guilty of a Class 5 felony.</p>		
<p>HB 261 - Price (95) Localities; regulation of firearms in government buildings.</p>	<p>1/2/2018 House: Referred to Committee on Militia, Police and Public Safety 2/1/2018 House: Subcommittee recommends passing by indefinitely (4-Y 2-N) 2/13/2018 House: Left in Militia, Police and Public Safety</p>	<p>2/6/2018</p>
<p>Support (18101844D) - Board has historically supported. Summary: Allows localities to regulate the possession of firearms, ammunition, or components or combination thereof in, or the carrying of firearms, ammunition, or components or combination thereof into, any building owned or used by such locality for governmental purposes. Current law prohibits localities from adopting or enforcing any ordinance, resolution, or motion regarding firearms, ammunition, or components or combination thereof unless expressly authorized by statute.</p>		
<p>HB 265 - Turpin (85) Election day; extending polling hours.</p>	<p>1/3/2018 House: Referred to Committee on Privileges and Elections 2/1/2018 House: Subcommittee recommends passing by indefinitely (4-Y 2-N) 2/13/2018 House: Left in Privileges and Elections</p>	<p>1/23/2018</p>
<p>Support (18103752D) - Support with adequate state funding for implementation. See also HB 568 (Gooditis). Summary: Extends from 7:00 p.m. to 8:00 p.m. the time at which polls close on election day. The bill aligns candidate filing deadlines and party nomination deadlines with the closing of polls. The bill contains technical amendments.</p>		
<p>HB 270 - Boysko (86) Sale of dog or cat not obtained from releasing agency or animal rescue; prohibition.</p>	<p>1/3/2018 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 1/22/2018 House: Subcommittee recommends striking from docket (8-Y 0-N) 2/13/2018 House: Left in HAG</p>	<p>1/23/2018</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Support (18102649D) Summary: Authorizes localities to adopt ordinances prohibiting the sale in a pet shop of any dog or cat that was not obtained from a Virginia releasing agency or a nonprofit animal rescue organization. The bill provides that a violation of the ordinance shall be a Class 1 misdemeanor.</p>		
<p>HB 302 - Watts (39) Counties, certain; granted powers of cities & towns.</p>	<p>1/3/2018 House: Referred to Committee on Counties, Cities and Towns 2/13/2018 House: Left in Counties, Cities and Towns</p>	<p>2/6/2018</p>
<p>Monitor (18102516D) Summary: Additional powers of certain counties. Grants counties with a population greater than 100,000 certain powers of cities and towns, including taxation, borrowing, and payments for highway maintenance. Currently, such powers are generally granted to cities and towns only.</p>		
<p>HB 307 - Watts (39) Solicitation; prohibited on premises with a no soliciting sign, penalty.</p>	<p>1/3/2018 House: Referred to Committee for Courts of Justice 1/31/2018 House: Subcommittee recommends striking from docket (7-Y 0-N) 2/15/2018 House: Left in Courts of Justice</p>	<p>1/23/2018</p>
<p>Support (18104253D) Summary: Prohibited solicitation; penalty. Provides that no seller or person acting for him shall remain upon the land, buildings, or premises of another in order to make or attempt to make a home solicitation sale to any person that he knows or reasonably should know resides in a dwelling unit located upon such land, buildings, or premises that has been posted with a no soliciting sign. A violation of this provision is punishable as a Class 1 misdemeanor.</p>		
<p>HB 308 - Watts (39) Bicycles; passing in a lane prohibited.</p>	<p>1/3/2018 House: Referred to Committee on Transportation 1/30/2018 House: Subcommittee recommends passing by indefinitely (6-Y 4-N) 2/13/2018 House: Left in Transportation</p>	<p>1/23/2018</p>
<p>Support (18104182D) Summary: Passing in a bicycle lane prohibited. Prohibits the driver of a motor vehicle from using a bicycle lane to pass or attempt to pass another vehicle.</p>		
<p>HB 374 - Yancey (94) Controlled substances; exposure, bodily injury to law-enforcement officers, etc., penalty.</p>	<p>1/5/2018 House: Referred to Committee for Courts of Justice 2/15/2018 House: Left in Courts of Justice</p>	<p>2/6/2018</p>
<p>Support (18102005D) Summary: Exposure to controlled substances; bodily injury to law-enforcement officers, etc.; penalty. Provides that if a law-enforcement officer, firefighter, search and rescue personnel, or emergency medical services personnel is exposed to a controlled substance while engaged in the performance of his official duties and such exposure causes bodily injury, the person who knowingly or intentionally possessed such controlled substance is guilty of a Class 6 felony. This provision also applies to exposure to a controlled substance by a police animal performing its lawful duties or being kept in a kennel, pen, or stable while off duty.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>HB 381 - Krizek (44) Virginia State Police Electronic Summons System Fund; created.</p>	<p>1/5/2018 House: Referred to Committee for Courts of Justice (HCT) 1/29/2018 House: Subcommittee recommends reporting with amendment (5-Y 3-N) 1/29/2018 House: Subcommittee recommends referring to Committee on Appropriations 2/5/2018 House: Reported from HCT with amendment (11-Y 7-N) 2/5/2018 House: Referred to Committee on Appropriations 2/8/2018 House: Subcommittee recommends laying on the table (5-Y 3-N) 2/13/2018 House: Left in Appropriations</p>	<p>2/6/2018</p>
<p>Oppose (18103183D) Summary: Virginia State Police Electronic Summons System Fund. Creates the Virginia State Police Electronic Summons System Fund, which is funded by a \$5 fee that the bill requires to be assessed as court costs in each criminal or traffic case in which the Virginia State Police issued the summons, ticket, or citation; executed the warrant; or made the arrest. The bill directs that the Fund be used for the purposes of funding software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system. Under current law, localities may charge a fee of up to \$5 for each criminal or traffic case to be used for such purposes.</p>		
<p>HB 401 - Levine (45) Discrimination; sexual orientation and gender identity.</p>	<p>1/5/2018 House: Referred to Committee on General Laws 2/8/2018 House: Subcommittee recommends laying on the table (5-Y 2-N) 2/13/2018 House: Left in General Laws</p>	<p>1/23/2018</p>
<p>Support (18101020D) - Board has historically supported. Summary: Prohibited discrimination; sexual orientation and gender identity. Prohibits discrimination in employment, public accommodation, public contracting, apprenticeship programs, housing, banking, and insurance on the basis of sexual orientation or gender identity. The bill codifies existing prohibited discrimination in public employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran and adds discrimination based on sexual orientation or gender identity to the list of unlawful discriminatory housing practices. The bill contains technical amendments.</p>		
<p>HB 423 - Gooditis (10) Composite index of local ability-to-pay; use value of real estate in certain localities.</p>	<p>1/6/2018 House: Referred to Committee on Appropriations 1/23/2018 House: Subcommittee recommends striking from docket (8-Y 0-N) 2/13/2018 House: Left in Appropriations</p>	<p>2/6/2018</p>
<p>Oppose (18103286D) - Board has historically opposed. Rather than modifying individual components of the LCI formula, a comprehensive approach should be taken, including addressing factors relating to cost of living. Summary: Requires, for the purpose of determining the state and local shares of basic aid funding, that the composite index of local ability-to-pay utilize the use value of all applicable real estate (i) devoted to agricultural use, horticultural use, forest use, and open-space use in each locality that has adopted an ordinance by which it provides for the use valuation and taxation of such real estate and (ii) used in agricultural and forestal production within an agricultural district, forestal district, agricultural and forestal district, or agricultural and forestal district of local significance in each locality that provides for the use valuation and taxation of such real estate, regardless of whether it has adopted a local land-use plan or local ordinance for such valuation and taxation.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 445</u> - Foy (2) School principals; incident reports.</p>	<p>1/6/2018 House: Referred to Committee for Courts of Justice 2/7/2018 House: Subcommittee recommends passing by indefinitely (5-Y 2-N) 2/15/2018 House: Left in Courts of Justice</p>	<p>2/6/2018</p>
<p>Monitor (18102544D) Summary: Eliminates the requirement that school principals report certain enumerated acts that may constitute a misdemeanor offense to law enforcement.</p>		
<p><u>HB 464</u> - Carter (50) Pedestrians; drivers yielding the right-of-way.</p>	<p>1/7/2018 House: Referred to Committee on Transportation 1/23/2018 House: Subcommittee recommends passing by indefinitely (5-Y 4-N) 2/13/2018 House: Left in Transportation</p>	<p>1/23/2018</p>
<p>Support (18101658D) - Board has historically supported. Summary: Yielding the right-of-way to pedestrians; stopping. Clarifies the duties of vehicle drivers to stop to allow pedestrians to cross highways at (i) clearly marked crosswalks, whether at mid-block or at the end of any block; (ii) any regular pedestrian crossing included in the prolongation of the lateral boundary lines of the adjacent sidewalk at the end of a block; or (iii) any intersection when the driver is approaching on a highway where the maximum speed limit is not more than 35 miles per hour. The bill contains technical amendments.</p>		
<p><u>HB 471</u> - Reid (32) Small businesses, new; state and local tax and regulatory exemptions.</p>	<p>1/7/2018 House: Referred to Committee on Commerce and Labor 1/25/2018 House: Subcommittee recommends reporting with amendments by voice vote 1/25/2018 House: Subcommittee recommends referring to Committee on Finance 1/30/2018 House: Referred from Commerce and Labor by voice vote 1/30/2018 House: Referred to Committee on Finance 2/2/2018 House: Subcommittee recommends passing by indefinitely (5-Y 3-N) 2/13/2018 House: Left in Finance</p>	<p>2/6/2018</p>
<p>Oppose (18103342D) Summary: State and local tax and regulatory exemptions for new small businesses. Exempts new small businesses from (i) payment of unemployment, sales and use, and local license taxes and (ii) certain registration and reporting requirements with the State Corporation Commission. The bill defines an eligible business as any business that has its principal place of business in the Commonwealth, has not been in existence for more than five years, and has fewer than six employees or has paid less than \$5,000 for the purchase or lease of business personal property, including machinery and tools and merchants' capital, since its inception.</p>		
<p><u>HB 492</u> - LaRock (33) Passing a stopped school bus; conviction shall not be made part of driving record.</p>	<p>1/8/2018 House: Referred to Committee for Courts of Justice 1/31/2018 House: Subcommittee recommends striking from docket (7-Y 0-N) 2/15/2018 House: Left in Courts of Justice</p>	<p>1/23/2018</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Monitor (18103682D) - See also SB 805 (Carrico). Summary: Passing a stopped school bus; driving record. Provides that the imposition of a civil penalty for passing a stopped school bus shall not be deemed a conviction as an operator and shall not be made part of the driving record of the person upon whom such civil penalty is imposed, nor shall it be used for insurance purposes in the provision of motor vehicle insurance coverage.</p>		
<p>HB 565 - Gooditis (10) Synthetic turf; 3-year moratorium on installation of turf that contains recycled crumb rubber.</p>	<p>1/8/2018 House: Referred to Committee on Rules 2/1/2018 House: Subcommittee recommends striking from docket (8-Y 0-N) 2/13/2018 House: Left in Rules</p>	<p>1/23/2018</p>
<p>Amend (18100899D) - Amend to remove moratorium on installation of synthetic turf while a comprehensive study is conducted. Board has historically recommended amendment. Summary: Three-year moratorium on installation of synthetic turf that contains recycled crumb rubber from waste tires at schools and recreational parks. Places a three-year moratorium on the installation of synthetic turf that contains recycled crumb rubber from waste tires within the boundaries of a public or private elementary or secondary school, public or private preschool, or recreational park by any (i) public or private elementary or secondary school, (ii) public or private preschool, or (iii) local governing body. The bill also requires the Virginia Department of Health, in coordination with the Virginia Department of Conservation and Recreation and the Virginia Department of Education, to analyze the potential adverse health effects of synthetic turf that contains recycled crumb rubber from waste tires and report its findings to the General Assembly no later than July 1, 2019.</p>		
<p>HB 568 - Gooditis (10) Election day; extending polling hours.</p>	<p>1/8/2018 House: Referred to Committee on Privileges and Elections 2/1/2018 House: Subcommittee recommends passing by indefinitely (4-Y 2-N) 2/13/2018 House: Left in Privileges and Elections</p>	<p>1/23/2018</p>
<p>Support (18101395D) - Support with adequate state funding for implementation. See also HB 265 (Turpin). Summary: Extends from 7:00 p.m. to 8:00 p.m. the time at which polls close on election day. The bill aligns candidate filing deadlines and party nomination deadlines with the closing of polls. The bill contains technical amendments.</p>		
<p>HB 606 - Gooditis (10) Telecommunications; Dept. of Historic Resources to convene work group to examine Sect. 106 review.</p>	<p>1/8/2018 House: Referred to Committee on Rules 2/1/2018 House: Subcommittee recommends passing by indefinitely (6-Y 0-N) 2/13/2018 House: Left in Rules</p>	<p>1/23/2018</p>
<p>Support (18104099D) - See also HB 656 (LaRock), SB 166 (Black), and SB 189 (Favola). Summary: Virginia Department of Historic Resources; telecommunications; Section 106 review process work group. Directs the Virginia Department of Historic Resources to convene a stakeholder work group to study the efficiency of the review process as it is used in telecommunications projects with regard to Section 106 of the National Historic Preservation Act and the effects of certain projects upon historic properties in association with Federal Communications Commission applications and to report its findings to the General Assembly no later than November 1, 2018.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>HB 607 - Carr (69) Recovery community organization pilot program; DBHDS to evaluate.</p>	<p>1/8/2018 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 1/18/2018 House: Subcommittee recommends reporting with substitute (6-Y 0-N) 1/18/2018 House: Subcommittee recommends referring to Committee on Appropriations 1/23/2018 House: Reported from HHWI with substitute (22-Y 0-N) 1/23/2018 House: Referred to Committee on Appropriations 2/6/2018 House: Subcommittee recommends laying on the table (5-Y 3-N) 2/13/2018 House: Left in Appropriations</p>	<p>2/6/2018</p>
<p>Monitor (18105506D-H1) Summary: Department of Behavioral Health and Developmental Services; recovery community organization pilot program. Directs the Department of Behavioral Health and Developmental Services to implement a pilot program to evaluate the recovery community organization model of substance abuse treatment.</p>		
<p>HB 639 - Boysko (86) Fiber optics and other communications infrastructure; identifying during road construction projects.</p>	<p>1/9/2018 House: Referred to Committee on Rules 2/13/2018 House: Left in Rules</p>	<p>2/6/2018</p>
<p>Support (18102696D) Summary: Creating a process for identifying and relocating fiber optics and other communications infrastructure during road construction projects; Department of Transportation. Provides that the Department of Transportation shall convene a work group of stakeholders to examine the current statutory and regulatory processes for identifying the location of, and the owners or leaseholders of, fiber optic cable and conduit, as well as other similar communications infrastructure and utilities, that are located under or across from public property or in close proximity to or in an existing or newly acquired public easement or right-of-way, in order to determine whether the current process for relocating such infrastructure as necessary for the construction of a public roadway and associated appurtenances, whether such project is locally or state administered, is appropriately efficient, timely, and cost effective, in order to avoid unnecessary and costly delays in construction. Stakeholders shall include, but are not limited to, representatives from local government, cable and telecommunications industries, the road construction industry, underground utility locating contractors, and the State Corporation Commission. The Department shall assess whether the current permitting and utility registration and relocation procedures and requirements are adequate and reasonable, and shall submit its findings and any recommendations for improving such process to the General Assembly by November 30, 2018.</p>		
<p>HB 642 - Hope (47) Legal notices; online publications.</p>	<p>1/9/2018 House: Referred to Committee for Courts of Justice 1/29/2018 House: Subcommittee recommends passing by indefinitely (5-Y 3-N) 2/15/2018 House: Left in Courts of Justice</p>	<p>1/23/2018</p>
<p>Support (18100184D) - Board has historically supported the concept. Summary: Provides that, where any ordinance, resolution, notice, or advertisement is required by law to be published in a newspaper, such ordinance, resolution, notice, or advertisement may instead be published in an online publication. The bill further specifies the requirements for such online publication.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>HB 656 - LaRock (33) Telecommunications; Dept. of Historic Resources to convene work group to examine Sect. 106 review.</p>	<p>1/9/2018 House: Referred to Committee on Rules 2/1/2018 House: Subcommittee recommends passing by indefinitely (7-Y 0-N) 2/13/2018 House: Left in Rules</p>	<p>1/23/2018</p>
<p>Support (18103597D) - See also HB 606 (Gooditis), SB 166 (Black), and SB 189 (Favola). Summary: Virginia Department of Historic Resources; telecommunications; Section 106 review process work group. Directs the Virginia Department of Historic Resources to convene a stakeholder work group to study the efficiency of the review process as it is used in telecommunications projects with regard to Section 106 of the National Historic Preservation Act and the effects of certain projects upon historic properties in association with Federal Communications Commission applications and to report its findings to the General Assembly no later than November 1, 2018.</p>		
<p>HB 668 - Kilgore (1) Transportation funding in certain areas of the Commonwealth; price floor.</p>	<p>1/9/2018 House: Referred to Committee on Rules 2/6/2018 House: Stricken from docket by Rules (17-Y 0-N)</p>	<p>1/23/2018</p>
<p>Oppose (18104460D) - Oppose unless amended to remove direct allocation to certain transportation districts. Summary: Establishes a floor on the 2.1 percent sales tax imposed on motor vehicle fuels sold in Northern Virginia and Hampton Roads. The average wholesale price of gasoline, as determined by the Commissioner of the Department of Motor Vehicles, on July 1, 2018, shall be the initial floor. If the average wholesale price rises in future determinations, the new higher average will become the floor, until such time as the average wholesale price of gasoline is determined to be equal to or greater than the average wholesale price of gasoline in the Commonwealth on February 20, 2013, which is the date of the floor used for the calculation of the state gasoline tax. After this threshold is met, the average wholesale price used for the calculation of the regional tax will be the same as the average price used to calculate the state tax. The also allocates \$40 million annually from the Priority Transportation Fund, after making any required debt service payments, to each of the Salem highway construction district and the Bristol highway construction district. Of the \$40 million allocated to the Bristol highway construction district, \$30 million each year shall be designated for the construction and completion of U.S. Route 121, the Coalfields Expressway.</p>		
<p>HB 699 - Levine (45) Motor vehicle fuels; sales tax in certain transportation districts.</p>	<p>1/9/2018 House: Referred to Committee on Rules 2/6/2018 House: Referred from Rules by voice vote 2/6/2018 House: Referred to Committee on Appropriations 2/8/2018 House: Subcommittee recommends striking from docket (7-Y 0-N) 2/13/2018 House: Left in Appropriations</p>	<p>1/23/2018</p>
<p>Support (18104463D) Summary: Motor vehicle fuels sales tax in certain transportation districts. Provides that the tax that is imposed on the sales price of motor fuel in Northern Virginia shall be imposed on the regional price of gas, defined and computed as a six-month average price of fuel. The tax shall not be imposed on a regional price that is less than a gallon of gasoline on February 20, 2013, nor shall it be imposed a price that is more than \$4 per gallon. The bill also raises the rate of taxation of motor fuel in Northern Virginia from 2.1% to 3%.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>HB 733 - Carr (69) Absentee voting; no-excuse in-person available 21 days prior to election.</p>	<p>1/9/2018 House: Referred to Committee on Privileges and Elections 2/13/2018 House: Left in Privileges and Elections</p>	<p>1/23/2018</p>
<p>Support with Amendment (18101802D) - Support with amendments to facilitate implementation. See also SB 136 (Howell) and SB 602 (Ebbin). Summary: Allows for any registered voter to vote by absentee ballot in person beginning on the twenty-first day prior to any election in which he is qualified to vote without providing a reason or making prior application for an absentee ballot. The bill makes absentee voting in person available beginning on the forty-fifth day prior to the election and ending at 5:00 p.m. on the Saturday immediately preceding the election. The bill retains the current provisions for voting an absentee ballot by mail or in person prior to the twenty-first day before the election, including the application requirement and the list of statutory reasons for absentee voting.</p>		
<p>HB 791 - Pogge (96) School personnel; staffing ratios, school nurses.</p>	<p>1/9/2018 House: Referred to Committee on Education 1/31/2018 House: Subcommittee recommends reporting (10-Y 0-N) 1/31/2018 House: Subcommittee recommends referring to Committee on Appropriations 2/5/2018 House: Reported from Education (19-Y 3-N) 2/5/2018 House: Referred to Committee on Appropriations 2/7/2018 House: Subcommittee recommends laying on the table (6-Y 2-N) 2/13/2018 House: Left in Appropriations</p>	<p>1/23/2018</p>
<p>Oppose (18101961D) - Potential fiscal impact to Fairfax County is \$35.9 million. See also SB 366 (Stuart). Summary: School personnel; staffing ratios; school nurses. Excludes school nurse positions from requirements for student support positions and instead requires each local school board to employ at least one full-time equivalent school nurse position in each elementary school, middle school, and high school in the local school division or at least one full-time equivalent school nurse position per 550 students in grades kindergarten through 12.</p>		
<p>HB 801 - O'Quinn (5) Stormwater regulation; no stricter than federal law.</p>	<p>1/9/2018 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/24/2018 House: Reported from Agriculture, Chesapeake and Natural Resources with amendments (12-Y 10-N) 1/31/2018 House: Re-referred to Agriculture, Chesapeake and Natural Resources 2/13/2018 House: Left in Agriculture, Chesapeake and Natural Resources</p>	<p>2/6/2018</p>
<p>Oppose (18100290D) Summary: Prohibits the State Water Control Board from adopting any stormwater regulation that is inconsistent with or exceeds the requirements of any federal stormwater statute, regulation, standard, criterion, or guidance document.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 835</u> - Bagby (74) Absentee voting; no excuse required when voting in person.</p>	<p>1/9/2018 House: Referred to Committee on Privileges and Elections 1/30/2018 House: Subcommittee recommends striking from docket (6-Y 0-N) 2/13/2018 House: Left in Privileges and Elections</p>	<p>1/23/2018</p>
<p>Support (18102486D) - Board has historically supported. See also SB 254 (Dance). Summary: Provides that any registered voter may vote by absentee ballot in person in any election in which he is qualified to vote without providing a reason for being unable to vote in person on election day. The bill retains the statutory list of reasons allowing a voter to cast an absentee ballot by mail.</p>		
<p><u>HB 900</u> - Freitas (30) Forfeiture of property used in connection with commission of crimes; finding of guilt required.</p>	<p>1/9/2018 House: Referred to Committee for Courts of Justice 1/24/2018 House: Subcommittee recommends reporting with substitute (5-Y 2-N) 2/5/2018 House: Reported from Courts of Justice with substitute (12-Y 6-N) 2/9/2018 House: Read third time and passed House (81-Y 18-N) 2/12/2018 Senate: Referred to Committee for Courts of Justice 2/14/2018 Senate: Reported from Courts of Justice (12-Y 2-N) 2/14/2018 Senate: Re-referred to Finance 2/21/2018 Senate: Failed to report (defeated) in Finance (8-Y 8-N)</p>	<p>2/6/2018</p>
<p>Oppose (18105993D) Summary: Forfeiture of property used in connection with the commission of crimes; finding of guilt required. Requires that any action for the forfeiture of property used in connection with the commission of a crime be stayed until the person whose property is the subject of the forfeiture action has been found guilty of the crime authorizing the forfeiture, regardless of whether he has been sentenced. The bill provides that property may be forfeited even though no finding of guilt is made if (i) the forfeiture is ordered by the court pursuant to a plea agreement, or (ii) the owner has not submitted a written demand for the return of the property within 21 days from the date the stay terminates.</p>		
<p><u>HB 903</u> - Freitas (30) Transportation, Department of; real property owners can request evaluation of completed projects.</p>	<p>1/9/2018 House: Referred to Committee on Transportation 1/30/2018 House: Subcommittee recommends laying on the table (7-Y 0-N) 2/13/2018 House: Left in Transportation</p>	<p>2/6/2018</p>
<p>Oppose (18101047D) Summary: Evaluation of Department of Transportation projects; impact on real property owners. Creates a method whereby certain real property owners can request an evaluation of a completed Department of Transportation (the Department) project to determine whether the project has created a significant financial burden on such landowners. The bill requires the Department to take certain corrective steps if a project has created such a burden. The bill creates a method by which the requesting landowner can rebut the Department's findings and bring a civil action against the Department.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>HB 917 - Stolle (83) Motor vehicle fuels; sales tax in certain areas of the Commonwealth, price floor.</p>	<p>1/9/2018 House: Referred to Committee on Rules 2/6/2018 House: Referred from Rules by voice vote 2/6/2018 House: Referred to Committee on Appropriations 2/8/2018 House: Subcommittee recommends laying on the table (7-Y 0-N) 2/13/2018 House: Left in Appropriations</p>	<p>1/23/2018</p>
<p>Support (18102733D) Summary: Motor vehicle fuels sales tax in certain areas of the Commonwealth; price floor. Establishes a floor on the 2.1 percent sales tax imposed on motor vehicle fuels sold in Northern Virginia and Hampton Roads by requiring that the average wholesale price upon which the tax is based be no less than the statewide average wholesale price on February 20, 2013.</p>		
<p>HB 931 - Lopez (49) Battery; punishment when against public transportation operators, penalty.</p>	<p>1/9/2018 House: Referred to Committee for Courts of Justice 2/15/2018 House: Left in Courts of Justice</p>	<p>2/6/2018</p>
<p>Support (18103245D) - Board has historically supported. Summary: Battery; public transportation operators; penalty. Provides that the punishment for battery of a person who is the operator of a vehicle operated by a public transportation service who is engaged in the performance of his duties is a Class 6 felony.</p>		
<p>HB 933 - Hope (47) Mandatory outpatient treatment; extends time period for adults and juveniles.</p>	<p>1/9/2018 House: Referred to Committee for Courts of Justice 1/24/2018 House: Subcommittee recommends continuing to 2019 by voice vote 1/31/2018 House: Subcommittee recommends laying on the table (8-Y 0-N) 2/15/2018 House: Left in Courts of Justice</p>	<p>1/23/2018</p>
<p>Monitor (18102530D) Summary: Mandatory outpatient treatment; time period. Extends the time period for mandatory outpatient treatment for adults and juveniles from 90 days to 180 days.</p>		
<p>HB 945 - Lopez (49) TANF; eligibility, drug-related felonies.</p>	<p>1/9/2018 House: Referred to Committee on Health, Welfare and Institutions 1/30/2018 House: Subcommittee recommends reporting (8-Y 2-N) 1/30/2018 House: Subcommittee recommends referring to Committee on Appropriations 2/1/2018 House: Reported from Health, Welfare and Institutions (16-Y 5-N) 2/1/2018 House: Referred to Committee on Appropriations 2/6/2018 House: Subcommittee recommends laying on the table (5-Y 3-N) 2/13/2018 House: Left in Appropriations</p>	<p>1/23/2018</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Support (18101638D) - Board has historically supported. Summary: Eligibility for TANF; drug-related felonies. Provides that a person who is otherwise eligible to receive Temporary Assistance for Needy Families (TANF) shall not be denied assistance solely because he has been convicted of a felony offense of possession of a controlled substance, provided that he complies with all obligations imposed by the court and the Department of Social Services and is actively engaged in or has completed a substance abuse treatment program.</p>		
<p>HB 970 - Guzman (31) Motor vehicle fuels; sales tax in certain areas of the Commonwealth, price floor.</p>	<p>1/9/2018 House: Referred to Committee on Rules 2/6/2018 House: Referred from Rules by voice vote 2/6/2018 House: Referred to Committee on Appropriations 2/8/2018 House: Subcommittee recommends striking from docket (7-Y 0-N) 2/13/2018 House: Left in Appropriations</p>	<p>1/23/2018</p>
<p>Support (18102548D) Summary: Motor vehicle fuels sales tax in certain areas of the Commonwealth; price floor. Establishes a floor on the 2.1 percent sales tax imposed on motor vehicle fuels sold in Northern Virginia and Hampton Roads by requiring that the average wholesale price upon which the tax is based be no less than the statewide average wholesale price on February 20, 2013.</p>		
<p>HB 971 - Guzman (31) Fair Housing Law; unlawful discrimination, gender identity.</p>	<p>1/9/2018 House: Referred to Committee on General Laws 2/8/2018 House: Subcommittee recommends striking from docket (7-Y 0-N) 2/13/2018 House: Left in General Laws</p>	<p>1/23/2018</p>
<p>Support (18103628D) - Board has historically supported. Summary: Fair Housing Law; unlawful discrimination; gender identity. Adds discrimination based on gender identity as an unlawful housing practice under the Virginia Fair Housing Law. The bill also defines "gender identity."</p>		
<p>HB 997 - Gilbert (15) Pretrial Services Act; repeals Act.</p>	<p>1/9/2018 House: Referred to Committee for Courts of Justice 2/7/2018 House: Subcommittee recommends continuing to 2019 by voice vote 2/15/2018 House: Left in Courts of Justice</p>	<p>1/23/2018</p>
<p>Oppose (18103124D) Summary: Pretrial Services Act; repeal. Repeals the Pretrial Services Act (§ 19.2-152.2 et seq.). The Act authorized the establishment of local pretrial services agencies that were intended to assist judicial officers in making bail determinations. The bill has a delayed effective date of July 1, 2019.</p>		
<p>HB 1004 - Byron (22) Stormwater; locality shall provide for full waiver of certain charges for public use airport runway.</p>	<p>1/9/2018 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/6/2018 House: Subcommittee recommends striking from docket (10-Y 0-N) 2/13/2018 House: Left in Agriculture, Chesapeake and Natural Resources</p>	<p>1/23/2018</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Oppose (18100851D) - See also SB 367 (Newman). Summary: Regulation of stormwater; airports. Provides that localities shall provide for full waivers of certain stormwater charges for public use airport runways and taxiways.</p>		
<p>HB 1013 - Simon (53) Transportation network company; discrimination.</p>	<p>1/9/2018 House: Referred to Committee on General Laws 2/13/2018 House: Left in General Laws</p>	<p>2/6/2018</p>
<p>Support (18100923D) Summary: Requires transportation network companies to adopt and enforce a policy of nondiscrimination on the basis of a passenger's race, color, national origin, religious belief or affiliation, sex, disability, age, sexual orientation, or gender identity.</p>		
<p>HB 1046 - Torian (52) School personnel; staffing ratios, school nurses.</p>	<p>1/9/2018 House: Referred to Committee on Education 1/31/2018 House: Subcommittee recommends striking from docket (11-Y 0-N) 2/13/2018 House: Left in Education</p>	<p>2/6/2018</p>
<p>Oppose (18102767D) - Potential fiscal impact to Fairfax County is \$57.2 million. Summary: School personnel; staffing ratios; school nurses. Excludes school nurse positions from requirements for student support positions and instead requires each local school board to employ at least one full-time equivalent school nurse position in each elementary school, middle school, and high school in the local school division and at least one full-time equivalent school nurse position per 550 students in grades kindergarten through 12.</p>		
<p>HB 1051 - Watts (39) Communications sales and use tax; services subject to taxation.</p>	<p>1/9/2018 House: Referred to Committee on Finance 1/29/2018 House: Passed by indefinitely in Finance (22-Y 0-N)</p>	<p>1/23/2018</p>
<p>Support (18102521D) - Support for modernizing the communications sales and use tax is in the County's legislative program. Summary: Applies the communications sales and use tax to services related to the streaming of audio and visual data, and prepaid calling. The bill also clarifies that the tax applies to communications services regardless of whether customers are charged a subscription fee, a periodic fee, or an actual usage fee.</p>		
<p>HB 1058 - Tran (42) Uniform Military and Overseas Voters Act; secure return of voted military-overseas ballots.</p>	<p>1/10/2018 House: Referred to Committee on Appropriations 2/7/2018 House: Subcommittee recommends laying on the table (8-Y 0-N) 2/13/2018 House: Left in Appropriations</p>	<p>1/23/2018</p>
<p>Support (18104655D) - Board has historically supported concept. Implementation issues need to be resolved. Summary: Uniform Military and Overseas Voters Act; secure return of voted military-overseas ballots by electronic means; pilot program. Requires the State Board of Elections to establish and supervise a pilot program for the secure return of voted military-overseas ballots by electronic means from those uniformed-service voters who are members</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>(i) of the active or reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States who are on active duty or (ii) of the National Guard on activated status and who are deployed outside of the United States. Under the pilot program, those uniformed-service voters shall be permitted to sign the military-overseas ballot application, the statement of voter accompanying the military-overseas ballot, and any other related documents deemed necessary by the State Board to ensure authentication of the voter's identification using his digital signature associated with his military-issued electronic mail account. The State Board is directed to request proposals for the development and maintenance of the system used for the pilot program and to provide instructions, procedures, services, and ongoing security assessments for the entity selected to develop and maintain the system. The bill has an expiration date of July 1, 2020.</p>		
<p>HB 1060 - Tran (42) Electric utilities; net energy metering, program cap.</p>	<p>1/10/2018 House: Referred to Committee on Commerce and Labor 1/30/2018 House: Subcommittee failed to recommend reporting (4-Y 6-N) 2/13/2018 House: Left in Commerce and Labor</p>	<p>2/6/2018</p>
<p>Support (18103144D) Summary: Electric utilities; net energy metering; program cap. Repeals the provision that caps the amount of the aggregate rated generating capacity of renewable generating facilities eligible for a net energy metering standard contract or tariff at one percent of each utility's adjusted Virginia peak-load forecast for the previous year.</p>		
<p>HB 1072 - Heretick (79) Absentee voting; no excuse.</p>	<p>1/10/2018 House: Referred to Committee on Privileges and Elections 1/30/2018 House: Subcommittee recommends laying on the table (4-Y 2-N) 2/13/2018 House: Left in Privileges and Elections</p>	<p>1/23/2018</p>
<p>Support (18103012D) - See also HB 57 (Herring) and SB 114 (Locke). Summary: Allows for any registered voter to vote by absentee ballot in any election in which he is qualified to vote. The bill removes the current list of statutory reasons for which a person may be entitled to vote by absentee ballot and consolidates multiple sections relating to absentee voting by uniformed and overseas voters into one section and multiple sections related to absentee voting by persons with a disability into one section.</p>		
<p>HB 1082 - Yancey (94) Environmental regulations; no stricter than federal law.</p>	<p>1/10/2018 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/13/2018 House: Left in Agriculture, Chesapeake and Natural Resources</p>	<p>2/6/2018</p>
<p>Oppose (18102000D) Summary: Prohibits the Department of Environmental Quality, the State Air Pollution Control Board, the State Water Control Board, and the Virginia Waste Management Board from adopting any environmental rule, regulation, or standard that is inconsistent with or exceeds the requirements of any relevant and duly adopted federal environmental statute, regulation, standard, criterion, or guidance document.</p>		
<p>HB 1083 - Filler-Corn (41) Motor vehicle fuels sales tax; price floor.</p>	<p>1/10/2018 House: Referred to Committee on Rules 2/6/2018 House: Referred from Rules by voice vote 2/6/2018 House: Referred to Committee on Appropriations 2/8/2018 House: Subcommittee recommends laying on the table (6-Y 1-N) 2/13/2018 House: Left in Appropriations</p>	<p>1/23/2018</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Support (18104751D) Summary: Provides that the 2.1% tax that is imposed on the sales price of motor fuel in Northern Virginia and Hampton Roads shall be imposed on the regional price of gas, defined and computed as the six-month average price of fuel, for each region. The regional price used to calculate the tax shall not be less than the average statewide price of a gallon of unleaded regular gasoline on February 20, 2013.</p>		
<p>HB 1134 - Aird (63) Absentee voting; persons age 65 or older.</p>	<p>1/10/2018 House: Referred to Committee on Privileges and Elections 1/30/2018 House: Subcommittee recommends laying on the table (4-Y 2-N) 2/13/2018 House: Left in Privileges and Elections</p>	<p>1/23/2018</p>
<p>Support (18103589D) - Board has historically supported. See also HB 186 (Hayes), SB 4 (Ebbin), SB 164 (Wexton), SB 277 (Barker), and SB 453 (Mason). Summary: Entitles a person who will be age 65 or older on the day of an election to vote by absentee ballot in that election.</p>		
<p>HB 1172 - Pillion (4) State Overdose Death Review Process Team; created, report, local and regional teams.</p>	<p>1/10/2018 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 1/23/2018 House: Subcommittee recommends reporting with substitute (9-Y 0-N) 1/23/2018 House: Subcommittee recommends referring to Committee on Appropriations 1/25/2018 House: Reported from HHWI with substitute (22-Y 0-N) 1/25/2018 House: Referred to Committee on Appropriations 2/9/2018 House: Subcommittee recommends laying on the table (7-Y 1-N) 2/13/2018 House: Left in Appropriations</p>	<p>1/23/2018</p>
<p>Support (18102981D) Summary: Overdose death review teams. Establishes the State Overdose Death Review Process Team to develop and implement processes to ensure that overdose deaths occurring in the Commonwealth are reviewed in a systematic way. The bill also authorizes the establishment of local or regional overdose death review process teams for the purpose of conducting contemporaneous reviews of local overdose deaths in order to develop interventions and strategies for prevention specific to the locality or region.</p>		
<p>HB 1175 - Pillion (4) Prescribers; notice of administration of naloxone.</p>	<p>1/10/2018 House: Referred to Committee on Health, Welfare and Institutions 2/1/2018 House: Subcommittee recommends striking from docket (9-Y 0-N) 2/13/2018 House: Left in Health, Welfare and Institutions</p>	<p>2/6/2018</p>
<p>Support (18103279D) - See also SB 635 (Dunnavant). Summary: Requires every hospital that operates an emergency department to develop and implement a protocol for (i) identifying every prescriber who has prescribed opioids to a patient to whom naloxone is administered for the purpose of reversing an opioid overdose in the emergency department or by emergency medical services personnel or a law-enforcement officer prior to admission to the emergency department and (ii) notifying each such prescriber that the patient has been treated with naloxone for the purpose of reversing an opioid overdose. Such notification shall be made in each case in which naloxone is administered for the purpose of reversing an opioid overdose by a health care provider in a hospital emergency department, emergency medical services personnel, or a law-enforcement officer to a patient to whom opioids have been prescribed by a prescriber.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
HB 1222 - Boysko (86) Campaign finance; prohibited personal use, civil penalty.	1/10/2018 House: Referred to Committee on Health, Welfare and Institutions 1/23/2018 House: Subcommittee recommends passing by indefinitely (10-Y 0-N) 2/13/2018 House: Left in Health, Welfare and Institutions	2/6/2018
<p>Support (18104520D) Summary: Possession or distribution of controlled paraphernalia; hypodermic needles and syringes; naloxone. Provides that a person who is authorized by the Department of Behavioral Health and Developmental Services to train individuals on the administration of naloxone for use in opioid overdose reversal and who is acting on behalf of an organization that provides services to individuals at risk of experiencing an opioid overdose or training in the administration of naloxone for overdose reversal and that has obtained a controlled substances registration from the Board of Pharmacy may dispense or distribute hypodermic needles and syringes in conjunction with such dispensing of naloxone and that a person to whom naloxone has been distributed by such individual may possess hypodermic needles and syringes in conjunction with such possession of naloxone. This bill includes an emergency clause.</p>		
HB 1235 - Hugo (40) Child protective services; verification of physical and legal custody.	1/10/2018 House: Referred to Committee on Health, Welfare and Institutions 2/6/2018 House: Subcommittee recommends laying on the table (10-Y 0-N) 2/13/2018 House: Left in Health, Welfare and Institutions	2/6/2018
<p>Monitor (18103281D) Summary: Child protective services; verification of custody. Requires local departments of social services, when responding to a report or complaint of suspected child abuse or neglect by conducting an investigation, to verify the physical and legal custody arrangements for the child.</p>		
HB 1242 - Cline (24) VIEW; substance abuse screening and assessment of public assistance applicants and recipients.	1/10/2018 House: Referred to Committee on Health, Welfare and Institutions 1/30/2018 House: Subcommittee recommends passing by indefinitely (5-Y 1-N) 2/13/2018 House: Left in Health, Welfare and Institutions	2/6/2018
<p>Oppose (18102887D) - Oppose unless amended to provide that added costs for additional drug testing will be paid by the state. Board has historically opposed similar bills unless amended. Summary: 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 of Social Services shall require 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 unless, in the case of a positive test result, such person enters into a drug treatment program.</p>		
HB 1247 - Cline (24) Virginia Freedom of Information Act; right to speak at open meetings.	1/10/2018 House: Referred to Committee on General Laws 1/30/2018 House: Subcommittee recommends striking from docket (8-Y 0-N) 2/13/2018 House: Left in General Laws	1/23/2018

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Oppose (18102890D) - Board has historically opposed. See also SB 336 (Peake). Summary: Requires that every public body afford an opportunity for public comment during any open meeting. The bill requires that the notice given by a public body prior to a meeting include information as to the approximate point during the meeting when public comment will be received. The bill permits public bodies to choose the approximate point during the meeting when public comment will be received and permits public bodies to adopt reasonable rules governing the public comment portion of the meeting, including imposing reasonable restrictions on time, place, and manner.</p>		
<p><u>HB 1254</u> - Thomas, Jr. (28) School personnel; staffing ratios, school nurses.</p>	<p>1/10/2018 House: Referred to Committee on Education 1/31/2018 House: Subcommittee recommends striking from docket (11-Y 0-N) 2/13/2018 House: Left in Education</p>	<p>2/6/2018</p>
<p>Oppose (18103110D) - Potential fiscal impact to Fairfax County is \$24.2 million. Summary: School personnel; staffing ratios; school nurses. Excludes school nurse positions from requirements for student support positions and instead requires each local school board to employ at least one full-time equivalent school nurse position in each elementary school, middle school, and high school in the local school division and at least one full-time equivalent school nurse position per 1,000 students in grades kindergarten through 12.</p>		
<p><u>HB 1256</u> - Hugo (40) HOT lanes on Interstate 66; operating hours.</p>	<p>1/10/2018 House: Referred to Committee on Transportation 2/6/2018 House: Reported from Transportation with amendments (19-Y 3-N) 2/6/2018 House: Referred to Committee on Appropriations 2/8/2018 House: Subcommittee recommends continuing to 2019 by voice vote 2/13/2018 House: Left in Appropriations</p>	<p>1/23/2018</p>
<p>Oppose (18103655D) - See also HB 1417 (Bulova). Summary: Sets the operating hours for HOT lanes on Interstate 66 inside the Beltway from 6:30 a.m. to 9:00 a.m. on the eastbound lanes and from 4:00 p.m. to 6:30 p.m. on the westbound lanes.</p>		
<p><u>HB 1263</u> - Kilgore (1) Bristol and Salem Highway Construction Districts; Transportation Board's prioritization process.</p>	<p>1/10/2018 House: Referred to Committee on Transportation 1/30/2018 House: Subcommittee recommends continuing to 2019 by voice vote 2/13/2018 House: Left in Transportation</p>	<p>1/23/2018</p>
<p>Oppose (18104177D) - Limiting scoring to certain factors will fundamentally change Smart Scale. Summary: Commonwealth Transportation Board prioritization process; factors considered in Bristol and Salem Highway Construction Districts. Provides that for the purposes of prioritizing projects in the Bristol Highway Construction District or the Salem Highway Construction District, the Commonwealth Transportation Board (Board) shall consider (i) the relative importance of secondary highways in such districts and (ii) only the following other factors: economic development, accessibility, and safety. Current law requires the Board to consider congestion mitigation, economic development, accessibility, safety, and environmental quality when prioritizing projects in all districts.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
HB 1284 - Hugo (40) Vehicles bearing clean special fuel license plates; HOT lanes.	1/10/2018 House: Referred to Committee on Transportation 2/6/2018 House: Reported from Transportation (21-Y 0-N) 2/6/2018 House: Referred to Committee on Appropriations 2/8/2018 House: Subcommittee recommends continuing to 2019 by voice vote 2/13/2018 House: Left in Appropriations	1/23/2018
<p>Oppose (18103649D) Summary: Allows vehicles bearing clean special fuel license plates issued before July 1, 2011, to use the HOT lanes on Interstate 66 inside the beltway if the vehicle is equipped with an E-ZPass Flex transponder. The bill contains an emergency clause.</p>		
HB 1289 - Guzman (31) Passing stopped school buses; local ordinances.	1/10/2018 House: Referred to Committee on Transportation 1/31/2018 House: Subcommittee recommends striking from docket (6-Y 0-N) 2/13/2018 House: Left in Transportation	1/23/2018
<p>Monitor (18100924D) Summary: Passing stopped school busses; local ordinances. Provides that a summons for a violation of a local ordinance prohibiting passing a stopped school bus shall be on a form provided by the Office of the Executive Secretary of the Supreme Court. The bill provides that any penalty imposed under such ordinance will not be reported to the Department of Motor Vehicles or made part of the operator's driving record. The bill provides that any such ordinance adopted by a county applies to infractions that occur in a town located within the county for which the county provides the public school system.</p>		
HB 1291 - Hugo (40) Interstate 66; tolling facilities.	1/10/2018 House: Referred to Committee on Transportation 2/6/2018 House: Reported from Transportation (20-Y 2-N) 2/6/2018 House: Referred to Committee on Appropriations 2/8/2018 House: Subcommittee recommends continuing to 2019 by voice vote 2/13/2018 House: Left in Appropriations	1/23/2018
<p>Oppose (18104505D) Summary: Directs the Secretary of Transportation to renegotiate the agreement governing transportation facilities on Interstate 66 outside the Capital Beltway in an effort to coordinate tolling inside and outside the Capital Beltway once the tolling facilities outside the Capital Beltway are established.</p>		
HB 1292 - Hugo (40) Northern Virginia; comprehensive plans, impact on state and local transportation.	1/10/2018 House: Referred to Committee on Transportation 1/25/2018 House: Subcommittee recommends striking from docket (8-Y 0-N) 2/13/2018 House: Left in Transportation	1/23/2018
<p>Oppose (18103787D) - Board has historically opposed. Summary: State and local transportation planning. Provides that prior to the adoption of or amendment to any comprehensive plan in Planning District 8 (Northern Virginia) or review of a proposed rezoning in Planning District 8, the Department of Transportation shall consider the transportation impact of the</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>proposed plan or rezoning and name any transportation facility for which a reduction in the level of service is anticipated as a result of the proposed plan or rezoning. Current law provides for such review for any transportation facility having a functional classification of minor arterial or higher for which an increase in traffic volume is expected to exceed the capacity of the facility as a result of the change. The bill requires that if the proposed comprehensive plan or rezoning is within Planning District 8, the locality shall propose one or more transportation projects in its local transportation plan, or within the regional transportation plan, to ensure no reduction of service to any transportation facility affected by the plan or rezoning.</p>		
<p>HB 1319 - Sullivan, Jr. (48) Mass transit; makes numerous changes to administration of and revenues for transit.</p>	<p>1/10/2018 House: Referred to Committee on Rules 2/6/2018 House: Referred from Rules by voice vote 2/6/2018 House: Referred to Committee on Transportation 2/8/2018 House: Incorporated by Transportation (HB1539-Hugo) by voice vote</p>	<p>1/23/2018</p>
<p>Support (18101814D) - Support for WMATA dedicated funding and governance reforms is in the County's Legislative Program; County will work with stakeholders to address concerns with the bills. See also SB 856 (Saslaw). Summary: Mass transit in the Commonwealth. Makes numerous changes to the administration of and revenues for mass transit in the Commonwealth, specifically as it relates to the membership and funding of the Washington Metropolitan Area Transit Authority, the disbursement of funds in the Commonwealth Mass Transit Fund, and the authority of the Commonwealth Transportation Board to issue bonds for transit capital. The bill sets a floor on the average price of fuel used to calculate the regional motor sales tax as the price of gas on February 20, 2013, the same floor that is used to calculate the state fuels tax. The bill also raises the regional congestion relief fee and the regional transient occupancy tax in the Northern Virginia region to raise additional revenues for mass transit.</p>		
<p>HB 1327 - Edmunds, II (60) Pneumatic guns; Class 6 felony to possess on school property, etc.</p>	<p>1/10/2018 House: Referred to Committee for Courts of Justice 2/15/2018 House: Left in Courts of Justice</p>	<p>2/6/2018</p>
<p>Support (18103983D) - The County's Legislative Program includes support for authority to adopt an ordinance banning pneumatic guns on school guns, with an exemption for persons participating in school-sponsored activities. Summary: Pneumatic guns on school property; penalty. Makes it a Class 6 felony to possess a pneumatic gun, i.e., a gun that will expel a BB or a pellet by action of pneumatic pressure, on school property, property being used exclusively for school-sponsored functions or extracurricular activities, or a school bus.</p>		
<p>HB 1334 - Brewer (64) Felony homicide; certain drug offenses constitute second degree murder, penalty.</p>	<p>1/10/2018 House: Referred to Committee for Courts of Justice 2/15/2018 House: Left in Courts of Justice</p>	<p>2/6/2018</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Support (18104180D) - See also HB 1469 (Hugo). Summary: Felony homicide; certain drug offenses; penalty. Provides that a person is guilty of felony homicide, which constitutes second degree murder and is punishable by confinement of not less than five nor more than 40 years, if the underlying felonious act that resulted in the killing of another involved the manufacture, sale, gift, or distribution of a Schedule I or II controlled substance to another and (i) such other person's death results from his use of the controlled substance and (ii) the controlled substance is the proximate cause of his death. The bill also provides that venue for a prosecution of this crime shall lie in the locality where the underlying felony occurred, where the use of the controlled substance occurred, or where death occurred. This bill serves to overrule the Court of Appeals of Virginia decision in Woodard v. Commonwealth, 61 Va. App. 567, 739 S.E.2d 220 (2013), aff'd, 287 Va. 276, 754 S.E.2d 309 (2014).</p>		
<p>HB 1352 - Thomas, Jr. (28) Motor vehicle fuels sales tax in certain areas of the Commonwealth; price floor.</p>	<p>1/11/2018 House: Referred to Committee on Rules 2/6/2018 House: Referred from Rules by voice vote 2/6/2018 House: Referred to Committee on Appropriations 2/8/2018 House: Subcommittee recommends laying on the table (7-Y 0-N) 2/13/2018 House: Left in Appropriations</p>	<p>1/23/2018</p>
<p>Support (18104418D) Summary: Establishes a floor on the 2.1 percent sales tax imposed on motor vehicle fuels sold in Northern Virginia and Hampton Roads. The average wholesale price of gasoline, as determined by the Commissioner of the Department of Motor Vehicles, on July 1, 2018, shall be the initial floor. If the average wholesale price rises in future determinations, the new higher average will become the floor, until such time as the average wholesale price of gasoline is determined to be equal to or greater than the average wholesale price of gasoline in the Commonwealth on February 20, 2013, which is the date of the floor used for the calculation of the state gasoline tax. After this threshold is met, the average wholesale price used for the calculation of the regional tax will be the same as the average price used to calculate the state tax.</p>		
<p>HB 1356 - Reid (32) Transient occupancy tax; expands tax in Northern Virginia statewide.</p>	<p>1/11/2018 House: Referred to Committee on Rules 2/8/2018 House: Stricken from docket by Rules (16-Y 0-N)</p>	<p>2/6/2018</p>
<p>Support (18104285D) - Support for WMATA dedicated funding and governance reforms is in the County's Legislative Program. Summary: State transient occupancy tax. Expands the 2% regional transient occupancy tax in Northern Virginia statewide. Thirty-five percent of the revenue generated from the tax shall be used to fund the Washington Metropolitan Area Transit Authority, and the remaining amount shall be used to fund transit and transportation projects throughout the Commonwealth.</p>		
<p>HB 1401 - Herring (46) Naloxone; administration by correctional and probation officers.</p>	<p>1/15/2018 House: Referred to Committee on Health, Welfare and Institutions 2/1/2018 House: Subcommittee recommends striking from docket (6-Y 0-N) 2/13/2018 House: Left in Health, Welfare and Institutions</p>	<p>2/6/2018</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Support (18104239D) Summary: Administration of naloxone; correctional and probation officers. Adds correctional officers and probation officers who have completed a training program to the list of individuals who may possess and administer naloxone.</p>		
<p>HB 1408 - Bourne (71) Virginia Fair Housing Law; unlawful discriminatory housing practices.</p>	<p>1/15/2018 House: Referred to Committee on General Laws 2/13/2018 House: Left in General Laws</p>	<p>2/6/2018</p>
<p>Support (18104447D) - Board has historically supported. See also SB 909 (McClellan). Summary: Adds discrimination on the basis of a person's source of income to the list of unlawful discriminatory housing practices. The bill defines "source of income" as any source that lawfully provides funds to or on behalf of a renter or buyer of housing, including any assistance, benefit, or subsidy program, whether such program is administered by a governmental or nongovernmental entity.</p>		
<p>HB 1417 - Bulova (37) HOT lanes on Interstate 66; operating hours.</p>	<p>1/15/2018 House: Referred to Committee on Transportation 2/6/2018 House: Tabled in Transportation (16-Y 4-N)</p>	<p>1/23/2018</p>
<p>Oppose (18104045D) - See also HB 1256 (Hugo). Summary: Sets the operating hours for HOT lanes on Interstate 66 inside the Beltway from 6:30 a.m. to 9:00 a.m. on the eastbound lanes and from 4:00 p.m. to 6:30 p.m. on the westbound lanes.</p>		
<p>HB 1446 - Sickles (43) Conditional rezoning proffers; provision for public facility improvement.</p>	<p>1/17/2018 House: Referred to Committee on Counties, Cities and Towns 1/25/2018 House: Subcommittee recommends passing by indefinitely (7-Y 1-N) 2/13/2018 House: Left in Counties, Cities and Towns</p>	<p>1/23/2018</p>
<p>Support (18105323D) - Support for restoration of unrestricted local authority to accept cash and in-kind proffers from developers is in the County's Legislative Program. Summary: Conditional rezoning proffers.</p>		
<p>HB 1455 - Thomas, Jr. (28) Commonwealth Transportation Board; implementing changes to SMART SCALE.</p>	<p>1/17/2018 House: Referred to Committee on Transportation 1/30/2018 House: Subcommittee recommends striking from docket (7-Y 0-N) 2/13/2018 House: Left in Transportation</p>	<p>2/6/2018</p>
<p>Oppose (18104126D) Summary: Commonwealth Transportation Board; SMART SCALE; job accessibility factors. Directs the Commonwealth Transportation Board to change both the access to jobs and the access to jobs for disadvantaged populations accessibility factors for commuting thresholds adopted for the implementation of SMART SCALE from 45 minutes for automobile trips or 60 minutes for transit trips to 60 miles for all trips.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>HB 1456 - Thomas, Jr. (28) State Inspector General; powers and duties.</p>	<p>1/17/2018 House: Referred to Committee on General Laws 2/1/2018 House: Subcommittee recommends continuing to 2019 by voice vote 2/13/2018 House: Left in General Laws</p>	<p>2/6/2018</p>
<p>Oppose (18105266D) Summary: Requires the State Inspector General to receive complaints that allege a local ordinance violates state law, determine whether the complaints give reasonable cause to investigate, and provide a report detailing any findings to the complainant.</p>		
<p>HB 1459 - Fariss (59) Signs; permit to post on a Department of Transportation right-of-way.</p>	<p>1/17/2018 House: Referred to Committee on Transportation 1/31/2018 House: Subcommittee recommends continuing to 2019 by voice vote 2/13/2018 House: Left in Transportation</p>	<p>2/6/2018</p>
<p>Oppose (18104540D) Summary: Posting a sign on a Department of Transportation right-of-way; permit. Directs the Department of Transportation (the Department) to issue permits authorizing a landowner to place signs advertising the sale of his real property on a highway right-of-way adjoining such real property, provided that (i) the proposed sign placement will not impair the full use and safety of the highway or otherwise interfere with the free flow of traffic thereon and (ii) the land on which the sign is to be placed cannot be reasonably foreseen as needed for highway or other transit uses and purposes. The bill authorizes the Department to revoke such permit at the discretion of the Commissioner of Highways.</p>		
<p>HB 1471 - Hugo (40) Teacher grievance procedures; hearing before school board, selection of panel.</p>	<p>1/17/2018 House: Referred to Committee on Counties, Cities and Towns 2/7/2018 House: Subcommittee recommends continuing to 2019 (8-Y 0-N) 2/13/2018 House: Left in Counties, Cities and Towns</p>	<p>2/6/2018</p>
<p>Oppose (18105377D) - Board has historically opposed. Summary: Local employee grievance procedure. Requires that the final step in an employee grievance procedure adopted by a local governing body, providing for a hearing before an administrative hearing officer or an impartial panel hearing, be selected by the aggrieved employee. Currently, the selection of this final step requires the agreement of both parties. The bill also permits a school board to conduct a teacher grievance hearing before a three-member fact-finding panel. Under current law, the school board has the option of appointing a hearing officer or conducting such hearing itself. The bill contains technical amendments.</p>		
<p>HB 1480 - Filler-Corn (41) Child day programs; exemptions from licensure, removes certain programs from list.</p>	<p>1/18/2018 House: Referred to Committee on Health, Welfare and Institutions 1/25/2018 House: Subcommittee recommends reporting with substitute (6-Y 0-N) 2/6/2018 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 2/8/2018 House: Referred to Committee on Appropriations 2/9/2018 House: Subcommittee recommends laying on the table (5-Y 3-N) 2/13/2018 House: Left in Appropriations</p>	<p>2/6/2018</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
-------	--------------------------	----------------------

Monitor (18101171D) - See also SB 539 (Hanger).
Summary: Child day programs; exemptions from licensure. Removes certain programs from the list of child day programs exempt from licensure and clarifies that such programs are not considered child day programs and therefore are not subject to licensure. The bill also modifies the terms of certain child day programs that remain listed as exempt from licensure and requires that such programs (i) file with the Commissioner of Social Services (the Commissioner), prior to beginning operation of a child day program and annually thereafter, a statement indicating the intent to operate a child day program, identifying the Code provision relied upon for exemption from licensure, and certifying that the child day program has disclosed to the parents of children in the program the fact that it is exempt from licensure; (ii) report to the Commissioner all incidents involving serious injury or death to children attending the child day program; (iii) have a person trained and certified in first aid and cardiopulmonary resuscitation (CPR) present at the child day program; (iv) comply with background check requirements established by regulations of the Board of Social Services (the Board); (v) maintain daily attendance records; (vi) have an emergency preparedness plan in place; (vii) comply with all applicable laws and regulations governing transportation of children; (viii) comply with certain safe sleep practices for infants; and (ix) post in a visible location notice that the program is not licensed by the Department of Social Services and only certifies basic health and safety requirements. The bill exempts from licensure any program offered by a local school division, operated for no more than four hours per day, staffed by local school division employees, and attended by school-age children who are enrolled in public school within such school division. The bill also modifies staffing ratios for religious-exempt child day centers. The bill directs (a) the Board to promulgate regulations to implement the provisions of the bill and (b) the Commissioner to establish a process to inspect child day programs exempt from licensure and a process to gather and track aggregate data regarding child injuries and deaths that occur at such child day programs. The bill has a delayed effective date of July 1, 2019.

<p><u>HB 1489</u> - LaRock (33) Tolling; Northern Virginia.</p>	<p>1/18/2018 House: Referred to Committee on Transportation 1/30/2018 House: Subcommittee recommends passing by indefinitely (7-Y 3-N) 2/1/2018 House: Reported from Transportation with substitute (21-Y 1-N) 2/1/2018 House: Referred to Committee on Appropriations 2/13/2018 House: Subcommittee recommends laying on the table (7-Y 0-N) 2/13/2018 House: Left in Appropriations</p>	<p>2/6/2018</p>
---	--	------------------------

Oppose (18105462D) - See also SB 898 (Black).
Summary: Requires the Department of Transportation to refund the holder of an electronic toll collection device for any sum of tolls collected or imposed for travel on Interstate 66 east of mile marker 67 totaling more than \$200 per calendar month per electronic toll collection device until the eastbound widening project on Interstate 66 inside the Capital Beltway (Beltway) is completed. The bill sets the tolling hours for HOT lanes on Interstate 66 inside the Beltway from 6:30 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:30 p.m. until the eastbound widening project on Interstate 66 inside the Beltway is completed. The bill requires that the Department of Transportation activate tolling on reverse commuters inside the Beltway on Interstate 66. The bill directs the Secretary of Transportation (the Secretary) to engage the Metropolitan Washington Airports Authority (MWAA) and federal government officials for the purpose of implementing dynamic tolling on the Dulles Airport Access Highway and requires that the Secretary report to the Chairmen of the House and Senate Transportation Committees. The bill also requires the Secretary to engage the MWAA for the purpose of eliminating tolls on the Dulles Toll Road by 2030 and requires the Secretary to report to the Chairmen of the House and Senate Transportation Committees regarding the same.

Bills	General Assembly Actions	Date of BOS Position
<p>HB 1514 - Watts (39) Police misconduct; locality authorized to establish civilian review panel, law-enforcement auditor.</p>	<p>1/18/2018 House: Referred to Committee on Militia, Police and Public Safety 2/1/2018 House: Subcommittee recommends striking from docket (6-Y 0-N) 2/13/2018 House: Left in Militia, Police and Public Safety</p>	<p>2/6/2018</p>
<p>(18104676D) - Because the County's Police Civilian Review Panel was recently established, the Legislative Committee asked staff to request that the patron continue this bill to the 2019 General Assembly. Summary: Police misconduct; civilian review panel; law-enforcement auditor. Authorizes a locality to establish a law-enforcement civilian review panel that may (i) receive complaints from citizens of the locality regarding the conduct of the primary law-enforcement agency serving the locality and its officers and employees and (ii) review investigations conducted by the agency into such conduct. The bill also authorizes a locality to appoint a law-enforcement auditor who may review investigations conducted by the agency regarding the use of force by a law-enforcement officer that resulted in the death or serious bodily injury of another person. The bill provides that the panel or auditor may conduct hearings and request that the city or county attorney seek a subpoena for witnesses and evidence. The bill provides that the panel and auditor shall report annually on their activities. Finally, the bill provides that the findings and recommendations made by the panel or auditor are not binding on the agency and nothing in the bill either requires or precludes the agency from conducting its own investigation.</p>		
<p>HB 1526 - Plum (36) Comprehensive plan; telecommunications towers and facilities in Northern Virginia.</p>	<p>1/19/2018 House: Referred to Committee on Counties, Cities and Towns 2/7/2018 House: Subcommittee recommends striking from docket (8-Y 0-N) 2/13/2018 House: Left in Counties, Cities and Towns</p>	<p>1/23/2018</p>
<p>Support (18105094D) Summary: Comprehensive plan; telecommunications towers and facilities; Planning District 8. Provides that localities in Planning District 8 (Northern Virginia) have the option to enact ordinances that deem proposed telecommunications towers or facilities constructed by certain entities to be substantially in accord with the comprehensive plan if any such proposed telecommunications tower or facility is located in a zoning district that allows such telecommunications towers or facilities by right, in which case local planning commission approval shall not be required. Under existing law, commission approval is not required for such proposed telecommunications towers and facilities statewide.</p>		
<p>HB 1545 - Watts (39) Metrorail; funding for capital expenses.</p>	<p>1/19/2018 House: Referred to Committee on Rules 2/6/2018 House: Referred from Rules by voice vote 2/6/2018 House: Referred to Committee on Transportation 2/8/2018 House: Stricken from docket by Transportation (21-Y 0-N)</p>	<p>2/6/2018</p>
<p>Support (18105104D) - Support for WMATA dedicated funding and governance reforms is in the County's Legislative Program. Summary: Dedicates 15 percent of state recordation tax revenue for capital expenses of the Washington Metropolitan Area Transit Authority (WMATA) for Metrorail. Such dedication is contingent on the Cities of Alexandria, Fairfax, and Falls Church, and the Counties of Arlington, Fairfax, and Loudoun, paying WMATA for capital expenses for Metrorail an amount equal to each locality's obligation to pay for operating for WMATA.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>HJ 2 - Kory (38) United States Constitution; ratifies Equal Rights Amendment.</p>	<p>11/26/2017 House: Referred to Committee on Privileges and Elections 2/13/2018 House: Left in Privileges and Elections</p>	<p>1/23/2018</p>
<p>Support (18101472D) - Board has historically supported. See also HJ 4 (Lopez), HJ 129 (Robinson), and SJ 4 (Surovell). Summary: United States Constitution; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the United States Constitution that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.</p>		
<p>HJ 4 - Lopez (49) United States Constitution; ratifies Equal Rights Amendment.</p>	<p>11/28/2017 House: Referred to Committee on Privileges and Elections 2/13/2018 House: Left in Privileges and Elections</p>	<p>1/23/2018</p>
<p>Support (18101628D) - Board has historically supported. See also HJ 2 (Kory), HJ 129 (Robinson), and SJ 4 (Surovell). Summary: United States Constitution; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the United States Constitution that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.</p>		
<p>HJ 70 - Bloxom, Jr. (100) Standards of Quality; JLARC to study cost to implement.</p>	<p>1/8/2018 House: Referred to Committee on Rules 2/13/2018 House: Left in Rules</p>	<p>1/23/2018</p>
<p>Support (18103694D) - Fairfax County's Legislative Program includes support for adequate K-12 education funding. See also HJ 115 (LaRock), SJ 29 (Spruill), and SJ 56 (Sturtevant). Summary: Study; JLARC; costs of education; report. Directs the Joint Legislative Audit and Review Commission to study the true cost of education in the Commonwealth and provide an accurate assessment of the costs to implement the Standards of Quality.</p>		
<p>HJ 91 - Webert (18) Composite index of local ability to pay; DOE to study effect of local use value assessment.</p>	<p>1/9/2018 House: Referred to Committee on Rules 2/1/2018 House: Subcommittee recommends striking from docket (7-Y 0-N) 2/13/2018 House: Left in Rules</p>	<p>1/23/2018</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Oppose (18101824D) - Board has historically opposed. Rather than modifying individual components of the LCI formula, a comprehensive approach should be taken, including addressing factors relating to cost of living. Summary: Study; Department of Education; effect of local use value assessment of certain real estate on the composite index of local ability to pay; report. Requests the Department of Education to (i) determine, for each of the 95 localities that have adopted ordinances to provide for the use value assessment and taxation of certain real estate, the use value of all applicable real estate devoted to (a) agricultural use, (b) horticultural use, (c) forest use, and (d) open-space use, as those terms are defined in the Code of Virginia, and (ii) recalculate the composite index of local ability to pay for each such locality after taking into consideration such use values.</p>		
<p>HJ 112 - Rodman (73) Standards of Quality; Secretary of Education to study full funding.</p>	<p>1/10/2018 House: Referred to Committee on Rules 2/13/2018 House: Left in Rules</p>	<p>1/23/2018</p>
<p>Support (18103693D) - Fairfax County's Legislative Program includes support for adequate K-12 education funding. Summary: Study; Secretary of Education; full funding of the Standards of Quality; report. Requests that the Secretary of Education study the requirements for the full funding of the Standards of Quality by establishing a work group consisting of interested stakeholders to review the current methods and formulae that the General Assembly utilizes to fund the Standards of Quality, with a particular focus on any adjustments or additional funding required to provide free public education to low-income students, students who receive special education, and English language learners.</p>		
<p>HJ 113 - Sickles (43) Special elections in the Commonwealth; JLARC to study streamlining.</p>	<p>1/10/2018 House: Referred to Committee on Rules 2/13/2018 House: Left in Rules</p>	<p>1/23/2018</p>
<p>Support (18102098D) - Board has historically supported. Summary: Study; JLARC; streamlining of special elections in the Commonwealth; report. Directs the Joint Legislative Audit and Review Commission to study the streamlining of special elections in the Commonwealth. In conducting its study, JLARC shall (i) review the current laws governing special elections, (ii) evaluate the costs borne in recent years by the localities to conduct special elections as compared to voter turnout at such elections, and (iii) consider options for a cohesive set of laws to govern special elections and for scheduling special elections, including the merits of establishing a uniform schedule. General registrars, members of local electoral boards, and other election administrators will be invited to participate in the study.</p>		
<p>HJ 115 - LaRock (33) Standards of Quality; JLARC to study cost to implement.</p>	<p>1/10/2018 House: Referred to Committee on Rules 2/13/2018 House: Left in Rules</p>	<p>1/23/2018</p>
<p>Support (18103648D) - Fairfax County's Legislative Program includes support for adequate K-12 education funding. See also HJ 70 (Bloxom), SJ 29 (Spruill), and SJ 56 (Sturtevant). Summary: Study; JLARC; costs of education; report. Directs the Joint Legislative Audit and Review Commission to study the true cost of education in the Commonwealth and provide an accurate assessment of the costs to implement the Standards of Quality.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
HJ 126 - Foy (2) Education; JLARC to study costs.	1/10/2018 House: Referred to Committee on Rules 2/13/2018 House: Left in Rules	1/23/2018
<p>Support (18104123D) - Fairfax County's Legislative Program includes support for adequate K-12 education funding. Summary: Study; JLARC; costs of education; report. Directs the Joint Legislative Audit and Review Commission to study the true cost of education in the Commonwealth and provide an accurate assessment of the funds necessary to fully implement the Standards of Quality.</p>		
HJ 129 - Robinson (27) United States Constitution; ratifies Equal Rights Amendment.	1/12/2018 House: Referred to Committee on Privileges and Elections 2/13/2018 House: Left in Privileges and Elections	1/23/2018
<p>Support (18105037D) - Board has historically supported. See also HJ 2 (Kory), HJ 4 (Lopez), and SJ 4 (Surovell). Summary: United States Constitution; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the United States Constitution that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.</p>		
SB 74 - Surovell (36) Handheld personal communications devices; use while driving.	12/1/2017 Senate: Referred to Committee on Transportation 1/17/2018 Senate: Incorporates SB441 (Wexton) 1/17/2018 Senate: Reported from Transportation with substitute (9-Y 4-N) 1/22/2018 Senate: Re-referred to Courts of Justice 1/24/2018 Senate: Failed to report (defeated) in Courts of Justice (4-Y 11-N)	1/23/2018
<p>Monitor (18105161D-S1) Summary: Use of handheld personal communications devices while driving. Expands the prohibition on using a handheld personal communications device while operating a motor vehicle to all communications unless the device is specifically designed to allow voice and hands-free operation and the device is being used in that manner. Current law prohibits only the reading of an email or text message and manually entering letters or text in the device as a means of communicating. The bill expands the exemptions to include handheld personal communications devices that are used (i) for navigation or generating audio transmissions when the device is physically mounted to the vehicle, (ii) as a citizens band radio, (iii) by federally licensed amateur radio operators under certain circumstances, or (iv) by an operator who activates, deactivates, or initiates a factory-installed feature or function on the vehicle.</p>		
SB 117 - Favola (31) Value engineering; raises minimum project cost.	12/15/2017 Senate: Referred to Committee on Transportation 1/24/2018 Senate: Incorporated by Transportation (SB125-Black) (13-Y 0-N)	1/23/2018
<p>Support (18102577D) - See also SB 125 (Black). Summary: Value engineering. Raises the minimum project cost requiring the use of value engineering from \$5 million to \$15 million. The bill exempts projects that are designed utilizing (i) a design-build contract or (ii) the Public-Private Transportation Act of 1995 from the value engineering requirements.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>SB 147 - Edwards (21) Commonwealth Transportation Board; factors for project selection.</p>	<p>12/28/2017 Senate: Referred to Committee on Transportation 2/14/2018 Senate: Left in Transportation</p>	<p>2/6/2018</p>
<p>Oppose (18101565D) Summary: Requires travel time reliability to be one of the factors used by the Commonwealth Transportation Board in its statewide prioritization process for project selection.</p>		
<p>SB 189 - Favola (31) Telecommunications; Dept. of Historic Resources to convene work group to examine Sect. 106 review.</p>	<p>12/29/2017 Senate: Referred to Committee on Rules 2/8/2018 Senate: Re-referred to Agriculture, Conservation and Natural Resources 2/9/2018 Senate: Incorporated by Agriculture, Conservation and Natural Resources (SB166-Black) (10-Y 0-N)</p>	<p>1/23/2018</p>
<p>Support (18102580D) - See also HB 606 (Gooditis), HB 656 (LaRock), and SB 166 (Black). Summary: Virginia Department of Historic Resources; telecommunications; Section 106 review process work group. Directs the Virginia Department of Historic Resources to convene a stakeholder work group to study the efficiency of the review process as it is used in telecommunications projects with regard to Section 106 of the National Historic Preservation Act and the effects of certain projects upon historic properties in association with Federal Communications Commission applications and to report its findings to the General Assembly no later than November 1, 2018.</p>		
<p>SB 200 - Favola (31) Local government taxing authority; equalizes municipal and county taxing authority.</p>	<p>1/1/2018 Senate: Referred to Committee on Local Government 1/23/2018 Senate: Re-referred to Finance 1/31/2018 Senate: Passed by indefinitely in Finance with letter (15-Y 0-N)</p>	<p>1/23/2018</p>
<p>Support with Amendment (18101468D) - Support with amendment to address technical issues; support for equal taxing authority is in the County's legislative program. Summary: Local government taxing authority. Equalizes municipal taxing authority and county taxing authority by granting a county the same authority available to a municipality through the uniform charter powers. The bill has a delayed effective date of July 1, 2019, prior which to the Division of Legislative Services is directed to convene a working group to develop recommendations as to what additional legislative changes are needed to effectuate the provisions of the bill.</p>		
<p>SB 203 - Favola (31) Food stamp eligibility; drug-related felonies.</p>	<p>1/2/2018 Senate: Referred to Committee on Rehabilitation and Social Services 1/19/2018 Senate: Reported from Rehabilitation and Social Services (8-Y 6-N) 1/19/2018 Senate: Re-referred to Finance 1/31/2018 Senate: Failed to report (defeated) in Finance (7-Y 8-N)</p>	<p>1/23/2018</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Support (18102659D) - Board has historically supported. Summary: Provides that a person who is otherwise eligible to receive food stamp benefits shall not be denied such assistance solely because he has been convicted of a first-time felony offense of possession with intent to distribute more than one-half ounce but not more than five pounds of marijuana, provided that he complies with all obligations imposed by the criminal court and the Department of Social Services, is actively engaged in or has completed substance abuse treatment, and participates in drug screenings. Current law prohibits denial of such benefits only if such persons have been convicted of felony possession of a controlled substance.</p>		
<p>SB 204 - Favola (31) TANF; eligibility, person who refuses to participate in periodic drug testing, drug-related felony.</p>	<p>1/2/2018 Senate: Referred to Committee on Rehabilitation and Social Services 1/19/2018 Senate: Reported from Rehabilitation and Social Services with amendments (8-Y 6-N) 1/19/2018 Senate: Re-referred to Finance (SFIN) 1/31/2018 Senate: Failed to report (defeated) in SFIN (7-Y 8-N)</p>	<p>1/23/2018</p>
<p>Support (18102662D) - Board has historically supported. Summary: Eligibility for TANF; drug-related felonies. Provides that a person who is otherwise eligible to receive Temporary Assistance for Needy Families (TANF) shall not be denied assistance solely because he has been convicted of a first-time felony offense of possession of a controlled substance, provided that he complies with all obligations imposed by the court and the Department of Social Services, is actively engaged in or has completed a substance abuse treatment program, and participates in drug screenings. The bill provides that a person who fails or refuses to participate in periodic drug testing or who tests positive for the use of illegal substances shall be ineligible to receive TANF benefits for a period of 12 months; however, such person is given one opportunity during the 12-month period to comply with the testing requirement and be reinstated to eligibility for TANF benefits.</p>		
<p>SB 341 - Peake (22) Commission of crimes; forfeiture of property used in connection with crimes.</p>	<p>1/8/2018 Senate: Referred to Committee for Courts of Justice 1/31/2018 Senate: Reported from Courts of Justice (15-Y 0-N) 1/31/2018 Senate: Re-referred to Finance 2/6/2018 Senate: Passed by indefinitely in Finance (12-Y 3-N)</p>	<p>2/6/2018</p>
<p>Oppose (18103145D) Summary: Forfeiture of property used in connection with the commission of crimes; finding of guilt required. Requires that any action for the forfeiture of property used in connection with the commission of a crime be stayed until the owner of the property or the person in whose custody such property is found has been found guilty of the crime authorizing the forfeiture, regardless of whether he has been sentenced. The bill provides that property may be forfeited even though no finding of guilt is made if (i) the forfeiture is ordered by the court pursuant to a plea agreement or (ii) the owner of the property or the person in whose custody the property is found has not submitted a written demand for the return of the property within one year from the date the property was seized.</p>		
<p>SB 381 - Chafin (38) School buses; passing while stopped, injury to another person, penalty.</p>	<p>1/9/2018 Senate: Referred to Committee for Courts of Justice (SCT) 1/22/2018 Senate: Reported from SCT with substitute (11-Y 3-N) 1/22/2018 Senate: Re-referred to Finance 1/31/2018 Senate: Passed by indefinitely in Finance (16-Y 0-N)</p>	<p>1/23/2018</p>
<p>Support (18100710D) Summary: Passing a stopped school bus; injury to another person; penalty. Provides that any person who unlawfully passes a stopped school bus while driving a motor vehicle and causes serious bodily injury to another person is guilty of a Class 5 felony.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
SB 393 - Barker (39) Motor vehicle fuels; sales tax in certain areas of the Commonwealth, price floor.	1/9/2018 Senate: Referred to Committee on Finance 2/8/2018 Senate: Incorporated by Finance (SB856-Saslaw) (16-Y 0-N)	1/23/2018
<p>Support (18103710D) Summary: Motor vehicle fuels sales tax in certain areas of the Commonwealth; price floor. Establishes a floor on the 2.1 percent sales tax imposed on motor vehicle fuels sold in Northern Virginia and Hampton Roads by requiring that the average wholesale price upon which the tax is based be no less than the statewide average wholesale price on February 20, 2013. This bill was incorporated into SB 856.</p>		
SB 440 - Wexton (33) School boards, local; prior authorization for legal action.	1/9/2018 Senate: Referred to Committee on Education and Health 1/25/2018 Senate: Reported from Education and Health (8-Y 7-N) 1/29/2018 Senate: Re-referred to Courts of Justice 1/31/2018 Senate: Passed by indefinitely in Courts of Justice (10-Y 5-N)	2/6/2018
<p>Oppose (18102563D) Summary: Local school boards; prior authorization for legal action. Narrows the restriction, to appointed school boards, that a local school board receive prior authorization from the local governing body prior to instituting any legal action or proceeding against any other governmental agency in Virginia. Under current law, the restriction applies to all school boards regardless of selection method.</p>		
SB 455 - McClellan (9) Opioid addiction; clinics for treatment.	1/9/2018 Senate: Referred to Committee on Education and Health 1/25/2018 Senate: Incorporated by Education and Health (SB329-Dunnavant) (15-Y 0-N)	2/6/2018
<p>Monitor (18101226D) Summary: Clinics for the treatment of opioid addiction; location. Provides that the prohibition on locating clinics for the treatment of persons with opiate addiction through the use of methadone or opioid replacements other than opioid replacements approved for the treatment of opioid addiction by the U.S. Food and Drug Administration within one-half mile of a public or private licensed day care center or a public or private K-12 school shall not apply to an applicant for a license to operate in its current location an existing facility when the facility is currently located within one-half mile of a public or private licensed day care center or a public or private K-12 school in the City of Richmond, has been licensed and operated as a facility to provide treatment for persons with opiate addiction through the use of methadone or other opioid replacements by another provider immediately prior to submission of the application for a license, and, upon issuance of the license, will be operated by a behavioral health authority. This bill was incorporated into SB 329.</p>		
SB 469 - Reeves (17) Conditional zoning; removes restrictions on types of proffers a locality may request or accept.	1/9/2018 Senate: Referred to Committee on Local Government 2/6/2018 Senate: Stricken at request of Patron in Local Government (10-Y 0-N)	1/23/2018

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Oppose (18100807D) Summary: Conditional zoning. Removes restrictions on the types of proffers a locality may request or accept in connection with a rezoning or proffer condition amendment as a condition of approval of a new residential development or residential use. The bill removes a restriction on denying an application on the basis of a failure or refusal to submit an unreasonable proffer or proffer condition amendment. The bill also removes a requirement that a proffer be made only when the new development will create a need in excess of the existing public facility capacity.</p>		
<p>SB 616 - Surovell (36) Waiver of immunity; persons covered by insurance policy.</p>	<p>1/10/2018 Senate: Referred to Committee for Courts of Justice 1/24/2018 Senate: Failed to report (defeated) in Courts of Justice (2-Y 13-N)</p>	<p>1/23/2018</p>
<p>Oppose (18103488D) Summary: Waiver of immunity; insurance coverage. Provides that no person who is sued in a civil cause of action and who is immune from liability under Virginia law may claim such immunity if his actions that gave rise to the civil cause of action would otherwise be covered by an insurance policy.</p>		
<p>SB 623 - Surovell (36) Electronic Routing Registry; created.</p>	<p>1/10/2018 Senate: Referred to Committee on Transportation 1/31/2018 Senate: Failed to report (defeated) in Transportation (6-Y 6-N 1-A)</p>	<p>2/6/2018</p>
<p>Oppose (18104485D) Summary: Electronic Routing Registry. Requires the Department of Transportation to create and maintain an Electronic Routing Registry (the Registry) of highways where electronic routing of through traffic is prohibited and provides the criteria for a highway to be eligible for placement on the Registry at the request of a locality. The bill requires that a digital routing provider remove a highway placed on the Registry from its routing algorithms within six months of such placement and provides that any digital routing provider who violates such requirement is subject to a \$500 civil penalty for each day it is in violation.</p>		
<p>SB 635 - Dunnivant (12) Prescribers; notice of administration of naloxone.</p>	<p>1/10/2018 Senate: Referred to Committee on Education and Health 1/25/2018 Senate: Stricken at request of patron in Education and Health (15-Y 0-N)</p>	<p>2/6/2018</p>
<p>Support (18102855D) - See also HB 1175 (Pillion). Summary: Requires every hospital that operates an emergency department to develop and implement a protocol for (i) identifying every prescriber who has prescribed opioids to a patient to whom naloxone is administered for the purpose of reversing an opioid overdose in the emergency department or by emergency medical services personnel or a law-enforcement officer prior to admission to the emergency department and (ii) notifying each such prescriber that the patient has been treated with naloxone for the purpose of reversing an opioid overdose. Such notification shall be made in each case in which naloxone is administered for the purpose of reversing an opioid overdose by a health care provider in a hospital emergency department, emergency medical services personnel, or a law-enforcement officer to a patient to whom opioids have been prescribed by a prescriber.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 757</u> - Sturtevant, Jr. (10) Certificate of public need; psychiatric beds and services.</p>	<p>1/10/2018 Senate: Referred to Committee on Education and Health 2/8/2018 Senate: Reported from Education and Health (8-Y 7-N) 2/13/2018 Senate: Read third time and defeated by Senate (17-Y 22-N)</p>	<p>1/23/2018</p>
<p>Support (18101914D) Summary: Repeals the requirement for a certificate of public need for certain projects involving mental hospitals or psychiatric hospitals and intermediate care facilities established primarily for the medical, psychiatric, or psychological treatment and rehabilitation of individuals with substance abuse. The bill creates a new permitting process for such projects, exempted from the certificate of public need process, that requires the Commissioner of Health to issue a permit upon the agreement of the applicant to certain charity care conditions and quality of care standards.</p>		
<p><u>SB 805</u> - Carrico, Sr. (40) Passing a stopped school bus; conviction shall not be made part of driving record.</p>	<p>1/11/2018 Senate: Referred to Committee on Transportation 1/31/2018 Senate: Stricken at request of Patron in Transportation (13-Y 0-N)</p>	<p>1/23/2018</p>
<p>Monitor (18104568D) - See also HB 492 (LaRock). Summary: Passing a stopped school bus; driving record. Provides that the imposition of a civil penalty for passing a stopped school bus shall not be deemed a conviction as an operator and shall not be made part of the driving record of the person upon whom such civil penalty is imposed, nor shall it be used for insurance purposes in the provision of motor vehicle insurance coverage.</p>		
<p><u>SB 822</u> - Edwards (21) Delinquent taxes; collection of amounts due locality.</p>	<p>1/15/2018 Senate: Referred to Committee on Finance 1/30/2018 Senate: Passed by indefinitely in Finance (15-Y 0-N)</p>	<p>2/6/2018</p>
<p>Support (18104758D) Summary: Collection of delinquent amounts due locality. Amends provisions that currently allow the treasurer in any locality to employ the services of private collection agents to assist with the collection of delinquent local taxes by also including "other charges." The bill also changes from six months to three months the period for which certain taxes or other charges must be delinquent prior to certain collection efforts.</p>		
<p><u>SB 839</u> - Favola (31) Resident stickers; turns in certain residential areas.</p>	<p>1/15/2018 Senate: Referred to Committee on Local Government 2/6/2018 Senate: Reported from Local Government with amendment (11-Y 2-N) 2/12/2018 Senate: Read third time and defeated by Senate (20-Y 20-N)</p>	<p>1/23/2018</p>
<p>Support (18104060D) - See also HB 295 (Murphy). Summary: Turns in certain residential areas; resident stickers. Allows counties by ordinance to develop a program to issue permits to residents of a designated area that will allow such residents to make turns into or out of the neighborhood during certain times of the day where such turns would otherwise be restricted.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>SB 862 - Vogel (27) Pharmacy drug disposal program; each pharmacy required to participate in a program.</p>	<p>1/17/2018 Senate: Referred to Committee on Education and Health 2/1/2018 Senate: Passed by indefinitely in Education and Health with letter (15-Y 0-N)</p>	<p>1/23/2018</p>
<p>Support (18104343D) Summary: Pharmacy drug disposal program. Requires that each pharmacy participate in a pharmacy drug disposal program in order to properly dispose of unwanted prescription drugs. Under current law, participation in such program is voluntary.</p>		
<p>SB 898 - Black (13) Tolling; Northern Virginia.</p>	<p>1/19/2018 Senate: Referred to Committee on Transportation 1/31/2018 Senate: Incorporates SB 643 (McPike) 1/31/2018 Senate: Failed to report (defeated) in Transportation (6-Y 7-N)</p>	<p>2/6/2018</p>
<p>Oppose (18105330D) - See also HB 1489 (LaRock). Summary: Requires the Department of Transportation to refund the holder of an electronic toll collection device for any sum of tolls collected or imposed for travel on Interstate 66 east of mile marker 67 totaling more than \$200 per calendar month per electronic toll collection device until the eastbound widening project on Interstate 66 inside the Capital Beltway (Beltway) is completed. The bill sets the tolling hours for HOT lanes on Interstate 66 inside the Beltway from 6:30 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:30 p.m. until the eastbound widening project on Interstate 66 inside the Beltway is completed. The bill requires that the Department of Transportation activate tolling on reverse commuters inside the Beltway on Interstate 66. The bill directs the Secretary of Transportation (the Secretary) to engage the Metropolitan Washington Airports Authority (MWAA) and federal government officials for the purpose of implementing dynamic tolling on the Dulles Airport Access Highway and requires that the Secretary report to the Chairmen of the House and Senate Transportation Committees. The bill also requires the Secretary to engage the MWAA for the purpose of eliminating tolls on the Dulles Toll Road by 2030 and requires the Secretary to report to the Chairmen of the House and Senate Transportation Committees regarding the same.</p>		
<p>SB 911 - Chase (11) Eminent domain; redefines lost profits.</p>	<p>1/19/2018 Senate: Referred to Committee for Courts of Justice 1/29/2018 Senate: Incorporated by Courts of Justice (SB809-Petersen) (15-Y 0-N)</p>	<p>2/6/2018</p>
<p>Monitor (18104948D) Summary: Eminent domain; lost profits. The bill redefines lost profits for the purposes of calculating an award in an eminent domain proceeding as a loss of business profits from a business or farm operation for a period not to exceed three years from the date of valuation, regardless of the amount of property that is taken. Under current law, lost profits are calculated for a period not to exceed three years from the date of valuation if there is a partial taking of property and for a period not to exceed one year from the date of valuation if the entire parcel of property is taken. This bill was incorporated into SB 809.</p>		
<p>SB 929 - McPike (29) Tolling; sets hours for high-occupancy toll (HOT) lanes on Interstate 66 inside Capital Beltway.</p>	<p>1/19/2018 Senate: Referred to Committee on Transportation 1/31/2018 Senate: Incorporated by Transportation (SB898-Black) (13-Y 0-N)</p>	<p>2/6/2018</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>Oppose (18105091D) Summary: Tolling; hours. Sets the tolling hours for HOT lanes on Interstate 66 inside the Capital Beltway from 6:30 a.m. to 9:00 a.m. and from 4:00 p.m. to 6:30 p.m. until (i) the eastbound widening project on Interstate 66 inside the Capital Beltway is completed and (ii) additional commuter parking capacity is constructed to serve commuters outside the Capital Beltway.</p>		
<p><u>SJ 4</u> - Surovell (36) United States Constitution; ratifies Equal Rights Amendment.</p>	<p>11/20/2017 Senate: Referred to Committee on Rules 2/9/2018 Senate: Failed to report (defeated) in Rules by voice vote</p>	<p>1/23/2018</p>
<p>Support (18100396D) - Board has historically supported. See also HJ 2 (Kory), HJ 4 (Lopez), and HJ 129 (Robinson). Summary: United States Constitution; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the United States Constitution that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.</p>		
<p><u>SJ 13</u> - Black (13) 2016 conditional rezoning proffer reform bill; joint committee to study.</p>	<p>12/28/2017 Senate: Referred to Committee on Rules 2/9/2018 Senate: Passed by indefinitely in Rules with letter by voice vote</p>	<p>1/23/2018</p>
<p>Support (18101228D) Summary: Study; joint committee to study the 2016 conditional rezoning proffer reform bill; report. Establishes a joint committee of the Senate Committee on Local Government and the House Committee on Counties, Cities and Towns to study the 2016 conditional rezoning proffer reform bill. In conducting its study, the joint committee is directed to gather information and develop recommendations on the impact that the 2016 proffer reform bill has had on development, including: (i) data regarding the growth, decline, or stagnation in the number, size, scale, or monetary value of development projects in the Commonwealth; (ii) new or revised policies, guidance, and practices adopted by localities regarding negotiations with developers; (iii) litigation, decisions of local boards of appeals, and other justiciable matters that have arisen from, or been directed at the proffer reform bill; and (iv) any other result, consequence, or impact the proffer reform bill has had on development in the Commonwealth. The joint committee shall invite developers, localities, and other stakeholders to participate in the study.</p>		
<p><u>SJ 29</u> - Spruill, Sr. (5) Standards of Quality; JLARC to study cost to implement.</p>	<p>1/6/2018 Senate: Referred to Committee on Rules 2/9/2018 Senate: Passed by indefinitely in Rules by voice vote</p>	<p>1/23/2018</p>
<p>Support (18102145D) - Fairfax County's Legislative Program includes support for adequate K-12 education funding. See also HJ 70 (Bloxom), HJ 115 (LaRock), and SJ 56 (Sturtevant). Summary: Study; JLARC; costs of education; report. Directs the Joint Legislative Audit and Review Commission to study the true cost of education in the Commonwealth and provide an accurate assessment of the costs to implement the Standards of Quality.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p><u>SJ 56</u> - Sturtevant, Jr. (10) Standards of Quality; JLARC to study cost to implement.</p>	<p>1/10/2018 Senate: Referred to Committee on Rules 2/9/2018 Senate: Passed by indefinitely in Rules by voice vote</p>	<p>1/23/2018</p>
<p>Support (18101324D) - Fairfax County's Legislative Program includes support for adequate K-12 education funding. See also HJ 70 (Bloxom), HJ 115 (LaRock), and SJ 29 (Spruill). Summary: Study; JLARC; costs of education; report. Directs the Joint Legislative Audit and Review Commission to study the true cost of education in the Commonwealth and provide an accurate assessment of the costs to implement the Standards of Quality.</p>		
<p><u>SJ 58</u> - Surovell (36) Law clerks; study on use and impact on judicial workload and work product.</p>	<p>1/10/2018 Senate: Referred to Committee on Rules 2/9/2018 Senate: Passed by indefinitely in Rules with letter by voice vote</p>	<p>1/23/2018</p>
<p>Support (18101458D) Summary: Study; use and impact of law clerks on judicial workload and work product; report. Requests the Office of the Executive Secretary of the Supreme Court of Virginia to study the use and impact of law clerks on judicial workload and work product, including potential costs to the Commonwealth to provide funds for law clerks in all circuit courts.</p>		

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

This page intentionally
left blank.

Overview of Opportunity Zones

Background

- The Federal Tax and Jobs Act of 2017 provided new revitalization and economic development tools, including Opportunity Funds and related Opportunity Zones.
- These two tools will allow investors to receive tax benefits on unrealized capital gains by investing those gains in qualified census tracts.
- The federal government has identified census tracts throughout the nation that qualify for nomination as Opportunity Zones.
- Each Governor can then nominate 25 percent of qualified census tracts in their state as Opportunity Zones (in Virginia that could include up to 210 of 840 eligible tracts statewide).
- Nominated tracts will be subject to additional review by the U.S. Department of the Treasury.
- Nominations are due to the U.S. Department of the Treasury by March 22, 2018.

Potential Opportunity Zones in Fairfax County

- There are 35 census tracts in Fairfax County eligible to be designated as Opportunity Zones.
- The Commonwealth has asked the County to nominate up to 25 percent of those tracts for state consideration (up to 8.75 of 35 eligible tracts).
- Submissions should include a priority ranking of the tracts to be considered, along with information about the importance of those areas to the locality's long-term economic development strategy.
- Localities are encouraged to highlight specific market conditions or revitalization efforts (rezonings, transit oriented development, mixed income/use development, capital improvements, significant public/private site acquisition/transfers) for particular tracts.
- The County Executive must submit proposed Opportunity Zone designations to the Governor's office by March 2, 2018.

(over)

Staff Recommendations for Assessment of Eligible Census Tracts

Potential criteria for designation of qualified Opportunity Zones:

- Located within a Revitalization District or Revitalization Area;
- Access to major roadway and transit/transportation infrastructure;
- Significant economic development or public-private partnership/joint-venture opportunity;
- Alignment with Comprehensive Plan policies, on-going plan amendments, and entitlement activities;
- Presence of commercial land uses, including mixed-use development;
- Preserves or expands affordable housing opportunities;
- Impacts on tracts identified as areas of lower opportunity in the Equitable Growth Profile;
- Distribution within Fairfax County.

Additional information is available at the Virginia Development of Housing and Community Development web site:

<http://www.dhcd.virginia.gov/index.php/component/content/article/346.html>



Opportunity Zones

Briefing on a New Economic and Revitalization Tool

Scott Sizer, P3/Joint-Ventures Policy Coordinator, Office of the County Executive

February 23, 2018

129
b9

Task

- Fairfax County has been asked to nominate up to 25% of our qualified census tracts as Opportunity Zones
- List of tracts nominated should include justification based upon federal, state, and local guidance. List was also requested to be prioritized.
- County Executive must submit proposed Opportunity Zones to the Governor's Office by March 2, 2018 for consideration.

130

What is an Opportunity Fund and Zone?

- The Federal Tax Cuts and Jobs Act of 2017 created Opportunity Funds, and related Opportunity Zones
- Goal is to encourage long-term investments of private funds into designated areas nationwide, by allowing investors to receive tax benefits on unrealized capital gains by investing those gains in qualified census tracts (Opportunity Zones)

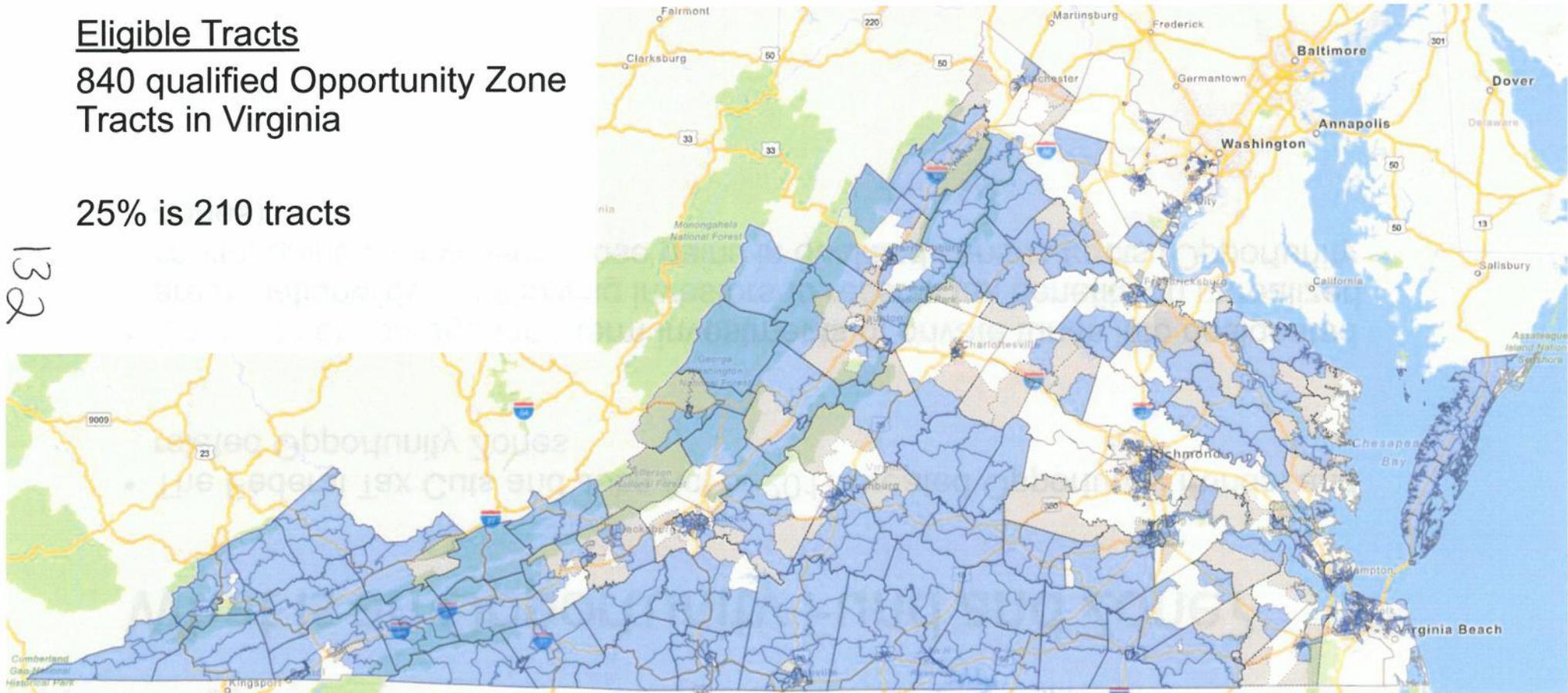
31

Eligible Tracts in Virginia

Eligible Tracts

840 qualified Opportunity Zone
Tracts in Virginia

25% is 210 tracts



132

Fairfax County Eligible Tracts

Eligible Tracts

35 qualified Opportunity Zone Tracts
in Fairfax County

25% is 8.75 tracts



133

Local Selection Criteria

- Incentives



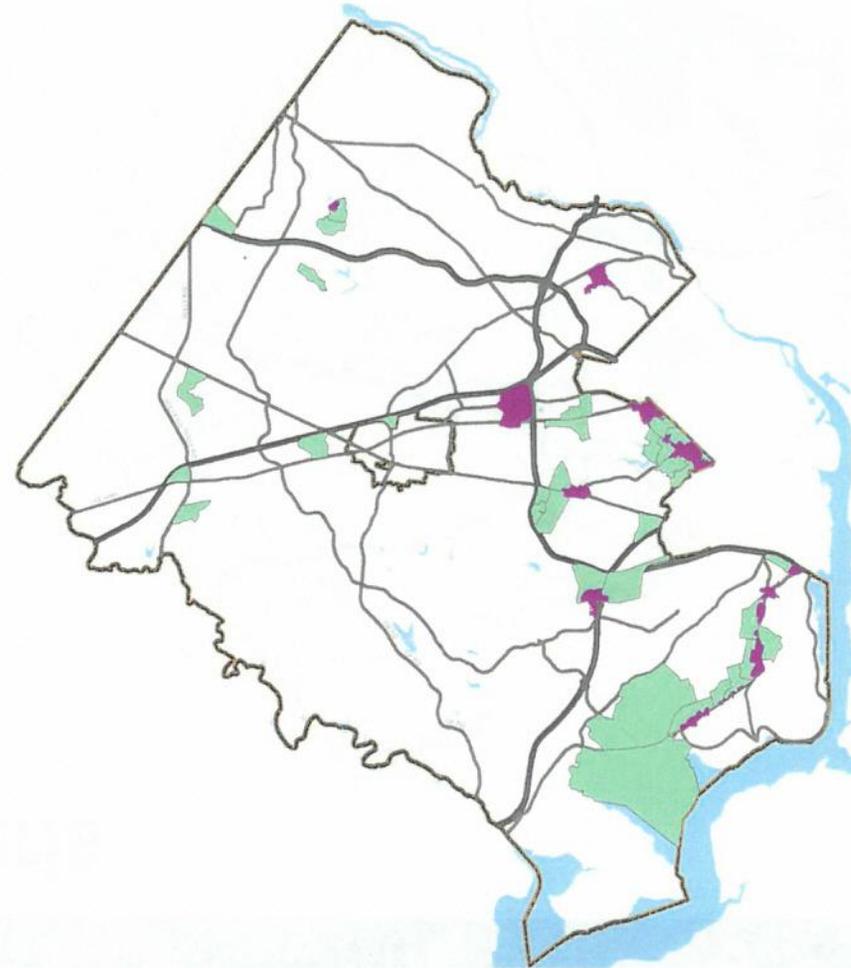
134

Local Selection Criteria

- **Incentives**

Located in Revitalization District/Area

- Lake Anne
- Annandale
- Seven Corners & Bailey's X-Roads
- Springfield
- Richmond Highway



135

Local Selection Criteria

- Incentives
- Economic Development

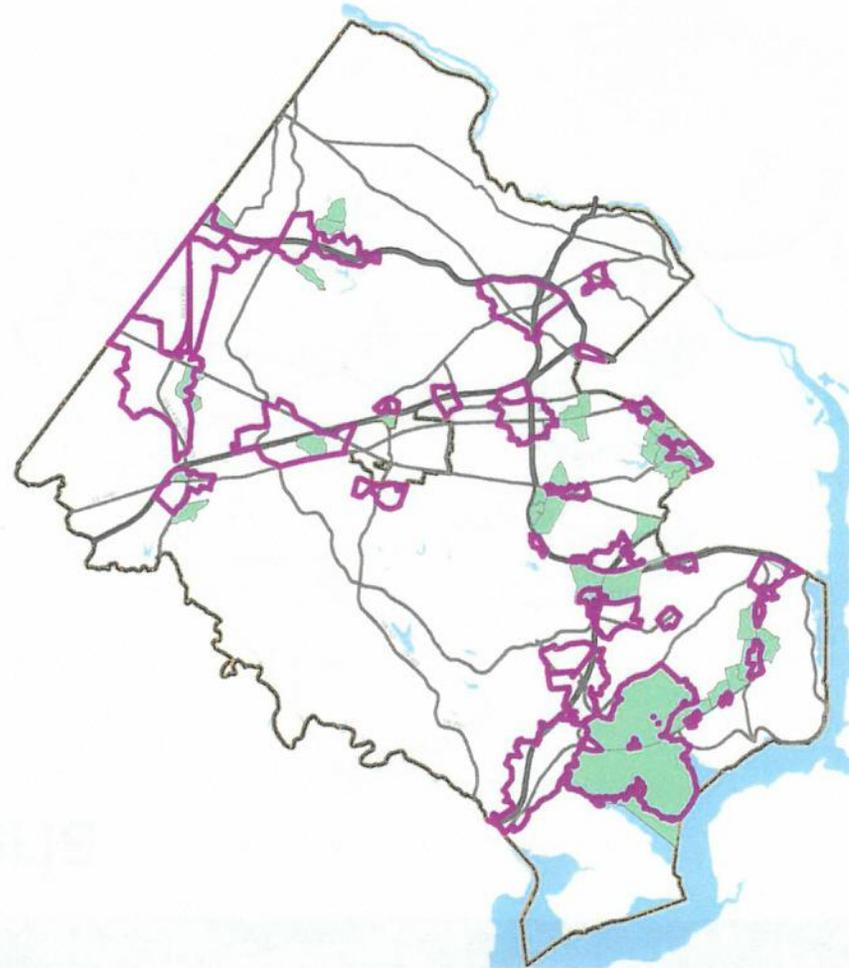


136

Local Selection Criteria

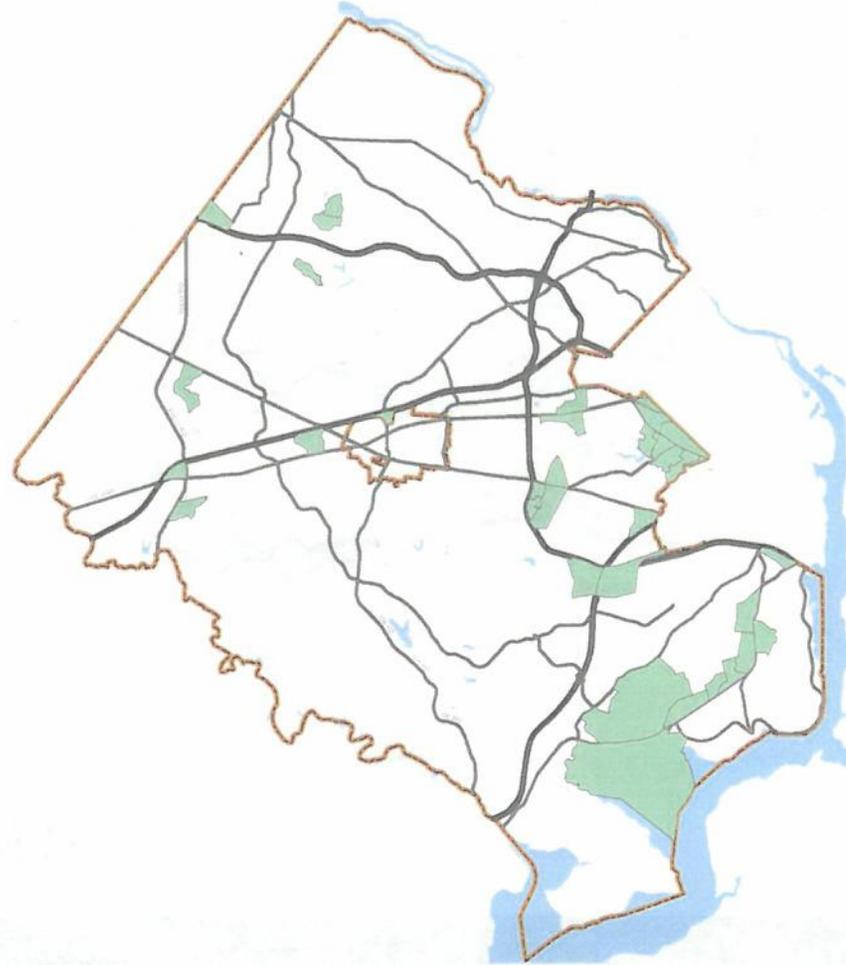
- Incentives
- Economic Development
 - Significant economic development or public-private/joint-venture opportunity
 - Alignment with Comprehensive Plan
 - Commercial land uses, including mixed-use development

137



Local Selection Criteria

- Incentives
- Economic Development
- Neighborhood Indicators

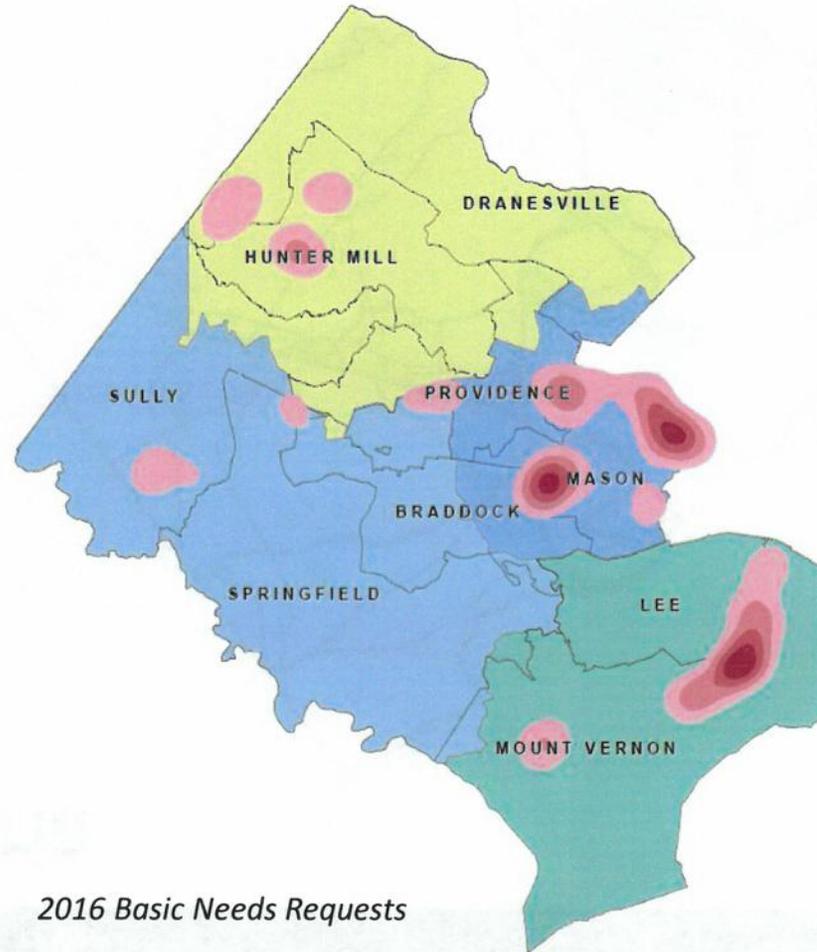


138

Local Selection Criteria

- Incentives
- Economic Development
- Neighborhood Indicators
 - Preserve or expand affordable housing opportunities
 - Impact on tracts identified as lower opportunity areas

139



2016 Basic Needs Requests

Local Selection Criteria

- Incentives
- Economic Development
- Neighborhood Indicators
- Geographic distribution

146



Next Steps

Finalize list of 8 proposed tracts for Opportunity Zone designation

-Submissions due to Virginia DHCD by 3/2/2018

Va. DHCD and VEDP coordinate map and criteria at state level

-Final Va. DHCD/VEDP nomination recommendations complete 3/9/2018

Governor review and submission to U.S. Treasury

-Nominations submitted on 3/20/2018

141

This page intentionally
left blank.

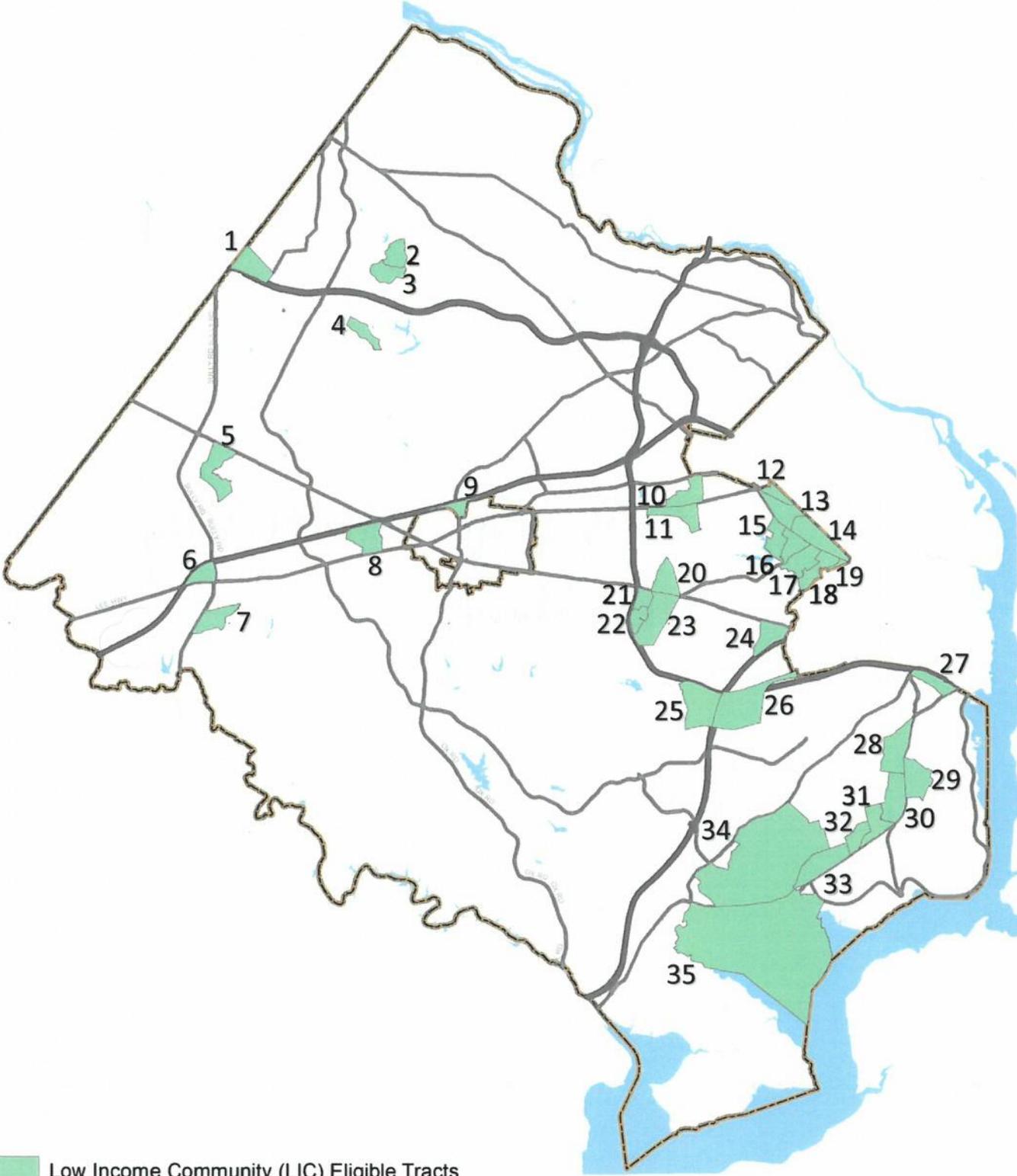
Opportunity Zones Local Input & Priorities Survey Questions

1. Contact Information Form
2. Please identify your locality (there will be a dropdown box for you to select).
3. Please identify eligible census tracts that are a priority in your community in order of their importance to your long-term economic development strategy. Use the process below to move your census tracts into the order in which you would like them considered. All eligible census tracts should be listed. Using your cursor, slide them over to the provided space to the right and into the order in which you have prioritized them, with the census tract at the top being of greatest priority and the census tract at the bottom of lowest priority. You may refer to [this map](#) to help orient your work.
Census tracts designated within your locality will be auto-generated for this question once you select your locality from question 2.
4. Please write a brief summary explaining why you have prioritized these tracts as you have. In your answer, highlight specific market conditions or revitalization efforts (rezoning; transit oriented development, mixed income/use development, capital improvements, significant public/private site acquisition/transfers, etc.) and connect these with specific tracts using their tract codes.
5. Please check off any activities below that your locality is undertaking to promote investment and revitalization in your community that may have some relation to the census tracts you identified.
 - a. Early stage capital investment funds active in your locality (e.g. angel investors, venture capital, etc.)
 - b. Targeted entrepreneurship programs (e.g. business skills training, business incubators, business plan competitions, etc.)
 - c. Comprehensive revitalization strategies
 - d. Future target industrial investment opportunities (Required - please describe if checked).
 - e. Current investment opportunities
 - f. Commercialization of research
 - g. technology incubators
 - h. Other - Write In (Required)
6. Does your locality provide any of the following business incentives in the eligible tracts you have selected?
 - a. Tax abatement
 - b. Fast-track permitting
 - c. Fee reduction
 - d. Special incentive districts (e.g. technology zones, tourism zones, enterprise zones, arts and cultural districts, etc.)
 - e. Local economic development funding/financing
 - f. Other - Write In (Required)
7. Are there any census tracts that are contiguous to eligible census tracts in your locality that you think should be included in your priority list? Please provide compelling evidence using the criteria referenced above. Please note that Virginia can only include 11 of these contiguous tracts total for the entire state out of the 210 designated census tracts for Opportunity Zones. Please provide the FIPS code for such census tracts.
For reference in answering this question, please refer to [this map](#). Zoom in to your area of

interest or use the search bar in the upper left corner of the screen. Eligible Non-LIC Contiguous Tracts appear in gray.

8. Do you have any additional comments?

Potential Opportunity Zones



145

This page intentionally
left blank.

Number on Map	Census Tract Number	Tract's General Area	Magisterial District
1	4810	Herndon South	Dranesville
2	4821	Lake Anne	Hunter Mill
3	4822.01	Hidden Creek	Hunter Mill
4	4823.02	Hunter Woods North	Hunter Mill
5	4916.01	Southeast Chantilly	Sully
6	4912.02	Centreville Trinity	Sully
7	4914.02	Southwest Centreville	Sully
8	4917.03	Government Center	Braddock
9	4619.02	I-66/Route 123 Interchange	Providence
10	4502	Graham Road North	Providence
11	4506.02	Graham Road South	Mason
12	4514	Willston Center	Mason
13	4515.01	Seven Corners	Mason
14	4515.02	Bailey's N/ Glen Forest	Mason
15	4516.02	Seven Corners South/ Stuart	Mason
16	4516.01	Bailey's W/ Culmore	Mason
17	4527	Bailey's South	Mason
18	4528.01	Skyline Towers	Mason
19	4528.02	Skyline Plaza	Mason
20	4507.02	Northwest Annandale	Mason
21	4523.01	Heritage Northwest	Braddock
22	4523.02	Heritage Southwest	Braddock
23	4522	Annandale Terrace	Mason
24	4525.02	Lincolnia South	Mason
25	4306	Central Springfield	Lee
26	4201	Northeast Springfield	Lee
27	4204	Huntington	Mount Vernon
28	4214	Beacon/Groveton West	Lee
29	4154.01	North Hill	Mount Vernon
30	4215	Hybla Valley	Lee
31	4216	Mount Vernon Woods	Lee
32	4217.01	North Buckman	Lee
33	4218	South County Center (West)	Mount Vernon
34	4219	Fort Belvoir (North of Richmond Hwy)	Mount Vernon
35	4162	Fort Belvoir (South of Richmond Hwy)	Mount Vernon

This page intentionally
left blank.

**BUDGET PROPOSALS FOR FY 2018 - FY 2020 DURING THE 2018 GENERAL ASSEMBLY SESSION
as of February 23, 2018**

Estimated Impact to Fairfax County - Increase/Decrease Over Prior Fiscal Year (\$ million)

Direct County Impact	Governor's Budget		House		Senate	
	FY 2019*	FY 2020	FY 2019*	FY 2020	FY 2019*	FY 2020
Provide 2% Salary Increase for State Supported Local Employees in FY 2020	\$0.00	\$0.40	\$0.00	\$0.64	\$0.00	\$0.00
Increase HB599 Funding	\$0.90	\$1.00	\$0.90	\$1.00	\$0.90	\$0.00
Partially eliminate E-Summons Fee authority	\$0.00	\$0.00	(\$0.20)	\$0.00	\$0.00	\$0.00
TOTAL DIRECT COUNTY IMPACT	\$0.90	\$1.40	\$0.70	\$1.64	\$0.90	\$0.00
TOTAL OVER THE BIENNIUM	\$2.30		\$2.34		\$0.90	

* Compares to County's FY 2018 Adopted Budget

Impact to the Fairfax County Public Schools (FCPS) FY 2019 Operating Fund Budget

Governor McAuliffe's Budget:

Compared to the FCPS' FY 2018 Approved Budget, Governor McAuliffe's Budget includes \$31.3 million more in state aid and \$8.9 million in sales tax revenue.

Compared to the FCPS' FY 2019 Advertised Budget, Governor McAuliffe's Budget includes \$8.7 million more in state aid and \$5.0 million in sales tax revenue.

House amendments:

Compared to the FCPS' FY 2018 Approved Budget, the House budget amendments include \$34.7 million more in state aid and \$8.9 million in sales tax revenue.

Compared to the FCPS' FY 2019 Advertised Budget, the House budget amendments include \$12.1 million more in state aid and \$5.0 million in sales tax revenue.

Senate amendments:

Compared to the FCPS' FY 2018 Approved Budget, the Senate budget amendments include \$31.3 million more in state aid and \$8.9 million in sales tax revenue.

Compared to the FCPS' FY 2019 Advertised Budget, the Senate budget amendments include \$8.7 million more in state aid and \$5.0 million in sales tax revenue.

**BUDGET PROPOSALS FOR FY 2018 - FY 2020 DURING THE 2018 GENERAL ASSEMBLY SESSION
as of February 23, 2018**

Budget Bill Item #	Issue	Fairfax County Impact
Compensation		
State-Supported Employee Compensation		
474.T1	<p>Governor McAuliffe's Budget: Provides 2% salary increase for all Constitutional officers and employees effective December 1, 2019 (FY 2020), provided that the governing body uses the added funding to support such salary increases.</p> <p>No compression based increases are included for Constitutional officers and their employees in FY 2019 or FY 2020; no additional funding to support qualified and unfunded new participation in approved career development programs is included for FY 2019 or FY 2020.</p> <p>No additional funding or positions are included to address staffing standards, including law enforcement, court services, or jail overcrowding.</p>	<p>Impact is in FY 2020. Results in an increase of \$0.4 million in FY 2020.</p>
474 #3h	<p>House: Includes additional funding to make the 2% salary increase effective July 1, 2019.</p>	<p>Impact is in FY 2020. Results in an increase of approximately \$640,000 in FY 2020.</p>
474 #1s and #2s	<p>Senate: Does not include funding for salary increases. Directs the Governor to include funding in the next introduced budget to offset any downward revenue revision. If no revenue reforecast is required after the close of FY 2018, the funds are to be used for a 2% salary increase for state supported local employees effective July 1, 2019.</p>	
Inmate Per Diem Funding		
67	<p>Governor McAuliffe's Budget: Provides additional per diem funding of \$0.4 million in FY 2019 and \$1.4 million in FY 2020 based upon revised local- and state-responsible inmate population forecasts.</p>	<p>Funding to localities will be based on actual inmate population.</p>
	<p>House/Senate: No change from the introduced budget.</p>	
	<p>Sheriff's Salaries House: Provides funding of \$4.5 million over the biennium for a \$1,000 salary increase for sworn deputy sheriffs in localities where the sheriff has primary law enforcement responsibility.</p>	<p>No impact on Fairfax County.</p>
Public Safety		
State Aid to Localities with Police Departments (HB 599)		
397	<p>Governor McAuliffe's Budget: Provides \$6.6 million in FY 2019 and an additional \$7.2 million in FY 2020 based on a projected General Fund (GF) revenue growth rate of 3.7% and 3.9%. Statutory policy requires that HB 599 funding increase at the rate of GF revenue growth.</p>	<p>Results in an increase of \$900,000 for Fairfax County in FY 2019 and \$1 million in FY 2020.</p>
	<p>House: No change from the introduced budget.</p>	<p>Results in an increase of \$900,000 for Fairfax County in FY 2019 and \$1 million in FY 2020.</p>
397 #1s	<p>Senate: Reduces funding by \$7.2 million in FY 2020 that was included in the introduced budget.</p>	<p>Results in an increase of \$900,000 for Fairfax County in FY 2019. Eliminates the increase in FY 2020 and keeps it level with FY 2019.</p>
	<p>Body-Worn Cameras House: Includes language requiring localities that opt for local law enforcement officers to use body-worn cameras to provide the local Commonwealth's Attorney with additional staff using local funds to accommodate the workload. Affected Commonwealth's Attorneys are to provide information to the State Compensation Board on the additional staffing and funding provided by localities.</p>	<p>The Fairfax County Police Department is currently testing a pilot program for body-worn cameras by police officers. Impact of the proposed amendment TBD.</p>
	<p>Senate: Includes language requiring localities that opt for local law enforcement officers to use body-worn cameras to fund positions in Commonwealth's Attorneys' offices with local funds at a rate of one Assistant Commonwealth's Attorney per 50 body-worn cameras.</p>	

**BUDGET PROPOSALS FOR FY 2018 - FY 2020 DURING THE 2018 GENERAL ASSEMBLY SESSION
as of February 23, 2018**

Budget Bill Item #	Issue	Fairfax County Impact
Revenue		
Health Department/Onsite Sewage Systems Permit Fees		
292	<p>Governor McAuliffe's Budget: Effective July 1, 2019 (FY 2020), authorizes certain state fees for repair of an onsite sewage system or an alternative discharging system. The revenue would accrue to the state.</p> <p>In addition, requires the development of a long-term plan to adequately fund the food safety and restaurant inspection programs. In developing the plan, the state will seek input from representatives from local governments, private sector organizations, and the public. Among other things, the state will consider options to fund the programs through a flexible fee schedule that takes into account the number, size, and type of establishments and the time and resources to inspect such establishments. The state will also consider the feasibility of unifying the food safety inspections; currently, non-restaurant facilities (e.g., Wegmans) are inspected by the Local Health Department (inspects restaurant portion of facility) and the Virginia Department of Agriculture and Consumer Services (inspects other portions of the food facility). The plan should be developed no later than October 1, 2018.</p> <p>House/Senate: No change from the introduced budget.</p>	<p>Fairfax County would not receive any new revenue.</p> <p>This might increase operating budget costs if Local Health Departments become responsible for all food safety inspections at non-restaurant establishments such as grocery stores. Consolidation of inspections would be positive for public health, less confusing to facility owners and more efficient. However, the County would need to monitor and provide input during the development of the plan to ensure that Local Health Departments receive adequate funding to support inspection of non-restaurant facilities.</p>
3-6.04#1h, 419 #2h	<p>E-summons Fee</p> <p>House: Eliminates the local governing body's authority to assess an electronic summons fee of \$5 on any summons issued by a law-enforcement agency of the Commonwealth. Also provides \$1.7 million GF in FY 2019 and \$262,000 GF in FY 2020 for the Department of State Police to implement an electronic summons system in Division 7 (including Fairfax County and other Northern Virginia jurisdictions).</p>	<p>Estimated revenue loss for Fairfax County is approximately \$200,000 annually.</p>
3-6.04 #1s	<p>Senate: Creates a new \$5 fee to be assessed as part of the costs in each criminal or traffic case in which a law-enforcement agency of the Commonwealth issues a summons, ticket, or citation, executes a warrant, or makes an arrest. All fees collected pursuant to this section shall be deposited into the state treasury and credited to the Virginia State Police Electronic Summons System Fund to implement and maintain an e-summons system for the Virginia State Police.</p>	<p>Based on preliminary analysis, this amendment would not have a negative impact on the County.</p>
3-1.01 #1s	<p>Communications Sales and Use Tax</p> <p>Senate: Diverts \$2 million per year in expected savings from the telecommunications relay contract (which is funded by Communications Sales and Use Tax Trust Fund revenues) to the General Fund.</p>	<p>Diverts a local tax to the state General Fund, which violates the agreement that was reached in 2007 to reform the Communications Sales and Use Tax.</p>
3-5.16 #3s	<p>Cigarette Tax</p> <p>Senate: Directs the Joint Subcommittee to Evaluate Tax Preferences to study options for modernizing tobacco taxes to account for non-combustible tobacco products as well as tobacco tax reforms that will "provide fairness and equity for all local governments."</p>	<p>Currently, Arlington and Fairfax are the only counties in Virginia authorized to levy a Cigarette Tax.</p>

**BUDGET PROPOSALS FOR FY 2018 - FY 2020 DURING THE 2018 GENERAL ASSEMBLY SESSION
as of February 23, 2018**

Budget Bill Item #	Issue	Fairfax County Impact
Other Items of Interest		
362.B1	<p><u>Water Quality Improvement Fund (WQIF)</u> Governor McAuliffe's Budget: Provides \$22.5 million for the mandatory deposit to the Water Quality Improvement Fund (WQIF) associated with the FY 2017 year-end surplus. \$19.8 million is designated for Virginia cost-share programs and technical assistance provided through the Virginia Natural Resources Commitment Fund, and \$2 million is designated for the WQIF Reserve. The remaining \$750,000 remains in the WQIF for specified statewide purposes.</p>	
362 #2s	<p>Senate: Provides \$2.6 million in FY 2019 and \$2.6 million in FY 2020 to the WQIF. This amendment increases the amount of un-refunded marine fuel sales tax revenues that are transferred to the General Fund for improvement of the Chesapeake Bay.</p>	
C-45 #1s	<p><u>Stormwater Local Assistance Fund</u> Senate: Provides \$20 million in bond proceeds for the Stormwater Local Assistance Fund in FY 2019.</p>	
38	<p><u>Mental Health and Drug Court Dockets</u> Governor McAuliffe's Budget: Provides \$0.4 million each year to expand mental health and drug court dockets, as well as \$0.2 million and positions for drug court evaluation and monitoring. House: No change from the introduced budget.</p>	The County's Legislative Program includes support for specialty dockets.
38 #1s and #2s	<p>Senate: Reduces by \$0.4 million the first year, and by \$0.2 million the second year funding for the expansion of drug court dockets. Reduces by \$0.25 million each year funding for the expansion of mental health dockets.</p>	
42 #1h	<p><u>Judgeships</u> House: Provides authority and sufficient funding to fill eight vacant Juvenile and Domestic Relations Court judgeships as of July 1, 2018, including two in the 19th district (Fairfax County).</p>	This would increase the number of Juvenile and Domestic Relations Court judgeships in the 19th district from 7 to 8.
106	<p><u>Virginia Growth and Opportunity Fund (Go Virginia)</u> Governor McAuliffe's Budget: Provides \$49 million over the biennium for the Go Virginia initiative to foster public-sector growth and job creation through state incentives for regional collaboration by business, education, and government.</p>	
106 #2h	<p>House: Increases funding by \$5 million in FY 2019 and by \$10 million in FY 2020 for the Go Virginia initiative.</p>	
107	<p><u>Virginia Enterprise Zone program</u> Governor McAuliffe's Budget: Provides \$12.8 million each year for the Virginia Enterprise Zone Program. House: No change from the introduced budget.</p>	
107 #1s	<p>Senate: Increases funding for the Enterprise Zone program to \$13.5 million each year, an increase of \$0.7 million compared to the introduced budget.</p>	

**BUDGET PROPOSALS FOR FY 2018 - FY 2020 DURING THE 2018 GENERAL ASSEMBLY SESSION
as of February 23, 2018**

Budget Bill Item #	Issue	Fairfax County Impact
122 #1h	<p><u>Virginia Economic Development Partnership (VEDP)</u> House: Increases funding by \$5 million over the biennium for VEDP for marketing and business-ready site development initiatives.</p>	
105	<p><u>Housing Trust Fund</u> Governor McAuliffe's Budget: Provides \$11 million over the biennium to support the Housing Trust Fund. House/Senate: No change from the introduced budget.</p>	The County's Legislative Program includes support for additional appropriations to the Virginia Housing Trust Fund.
466	<p><u>Veterans Benefits Offices</u> Governor McAuliffe's Budget: Provides \$0.2 million in FY 2019 and \$0.4 million in FY 2020 and positions to open new veterans benefits offices in Virginia Beach and Fort Belvoir in Fairfax County. House/Senate: No change from the introduced budget.</p>	
38 #1h	<p><u>Electronic Filing System</u> House: Directs the establishment of a working group to consider administrative and fiscal implications of the implementation of a statewide electronic case filing system, and to report the findings and recommendations by November 30, 2018.</p>	

BUDGET PROPOSALS FOR FY 2016 - FY 2018 DURING THE 2018 GENERAL ASSEMBLY SESSION
as of February 23, 2018

Budget Bill Item #	Issue	Fairfax County Impact
Human Services		
<u>Medicaid Expansion</u>		
310	Governor McAuliffe's Budget: Provides funding to cover administrative costs for the Department of Medical Assistance Services to begin the work necessary to expand Medicaid by October 1, 2018.	Support for the expansion of Medicaid as envisioned by the Affordable Care Act is included in the County's Legislative Program. The Fairfax-Falls Church Community Services Board (CSB) anticipates that additional individuals served by the CSB will receive Medicaid benefits as a result of this change.
306 #2h, 310 #1h	House: Increases health care coverage to uninsured Virginians with incomes up to 138% of the federal poverty level pursuant to the Affordable Care Act (ACA), with an effective date of January 1, 2019. Language authorizes DMAS to submit a State Plan Amendment and section 1115 demonstration waiver to create a "dual track" for Medicaid transformation and key reforms. Also provides \$3.5 million GF and federal Medicaid matching funds to hire an expert with successful experience with similar waivers to assist with design and federal approval process.	
306 #2s, 310 #2h	Senate: Removes authority included in the introduced Caboose budget for expanding the Medicaid program pursuant to the ACA. Also removes funding for administrative costs to begin implementation of and expansion of Medicaid.	

**BUDGET PROPOSALS FOR FY 2018 - FY 2020 DURING THE 2018 GENERAL ASSEMBLY SESSION
as of February 23, 2018**

Budget Bill Item #	Issue	Fairfax County Impact
Human Services		
Medicaid Expansion		
303	<p>Governor McAuliffe's Budget: Authorizes the expansion of Medicaid on October 1, 2018, to non-elderly adults with incomes up to 133 percent of the federal poverty level (over 300,000 Virginians would gain access to health care). The Governor proposes that the matching contributions needed to draw down federal Medicaid funds be covered by an assessment on the net patient revenue of private acute care hospitals operating in Virginia. The estimated GF savings to the Commonwealth is approximately \$152 million in FY 2019 and \$269.7 million in FY 2020.</p> <p>Also directs the Department of Medical Assistance Services (DMAS) to disenroll and eliminate coverage for newly eligible individuals, in the event that a federal action results in a reduction in federal medical assistance.</p>	<p>Support for the expansion of Medicaid as envisioned by the Affordable Care Act is included in the County's Legislative Program.</p> <p>The Fairfax-Falls Church Community Services Board (CSB) anticipates that additional individuals served by the CSB will receive Medicaid benefits as a result of this change.</p>
303 #1h, 16h, 17h, 312 #2h, 390 #2h	<p>House: Restores some of the projected Medicaid expansion savings in the Governor's budget, assuming a less aggressive timeline for rolling out expansion (\$45.5 million GF funding to reduce savings assumed in the introduced budget for the Medicaid program and community mental health and substance abuse services, and \$5.7 million GF for the Department of Corrections, to reflect the estimated program launch date of January 1, 2019).</p> <p>Increases health care coverage to uninsured Virginians with incomes up to 138% of the federal poverty level pursuant to the ACA, with an effective date of January 1, 2019. Authorizes DMAS to submit a State plan amendment and section 1115 demonstration waiver to create a "dual track" for Medicaid transformation and key reforms. Also includes about \$306 million from a provider assessment that would be held in trust to pay for the state's future share of expansion costs. If the federal share were to drop below 90 percent, the state would reverse the expansion and take newly eligible people off the Medicaid rolls.</p> <p>Provides \$4.6 million GF in FY 2019 and \$16.9 million GF in FY 2020, and reduces federal Medicaid matching funds by \$26.8 million in FY 2019 and \$98.1 million in FY 2020, to fund the fiscal impact of the Medicaid Training, Education, Employment and Opportunity Program (TEEOP) pursuant to HB 338. Funding assumes Medicaid expansion pursuant to the Affordable Care Act will begin on January 1, 2019.</p>	
303 #15s, 18s, 306 #1s	<p>Senate: Reverses the Governor's Medicaid expansion proposal, and removes the provider assessment. Also includes language stating that it is the General Assembly's intent, subject to future appropriation, to increase coverage to currently unserved populations in need of behavioral health treatment, fund waiver slots for individuals on waiting lists for Medicaid waiver services, and other safety net programs reflected in SB 915, which creates the Priority Needs Access Program. This program modifies the existing Medicaid GAP waiver to: (i) include individuals with income up to 138 percent of the federal poverty level; (ii) add inpatient and emergency room hospital benefits; (iii) add qualifying diagnoses of mental illness, substance use disorder, or life-threatening or complex medical conditions; and (iv) moves the waiver population into Medicaid managed care. In addition, it provides for 2,296 Medicaid waiver slots to eliminate the Priority One waiting list for disabled individuals in need of services. Lastly, it includes language to ensure that children in Medicaid and FAMIS are being screened for adverse childhood experiences. These items are all subject to appropriation, and will not take effect until an appropriation is provided for these purposes.</p>	
303 # 2h	<p>House: Eliminates \$41.9 million GF and \$41.9 million in matching federal Medicaid funds in FY 2020 in the Medicaid forecast that was included to pay the health insurance fee on managed care contracts.</p>	
303 #2s	<p>Senate: Eliminates \$41.9 million GF and \$41.9 million in matching federal Medicaid funds in FY 2020 in the Medicaid forecast that was included to pay the health insurance fee on managed care contracts.</p>	

7 155

**BUDGET PROPOSALS FOR FY 2018 - FY 2020 DURING THE 2018 GENERAL ASSEMBLY SESSION
as of February 23, 2018**

Budget Bill Item #	Issue	Fairfax County Impact
341	Governor McAuliffe's Budget: Provides \$2.3 million GF and \$16.9 million NGF in FY 2019 and \$3.6 million GF and \$27.3 million NGF in FY 2020 to increase the capacity of local eligibility workers to handle the increased volume of applications associated with an expansion of Medicaid.	Support for the expansion of Medicaid as envisioned by the Affordable Care Act is included in the County's Legislative Program.
	House: No change.	
341 #1s	Senate: Eliminates funding.	
Medicaid Waivers		
303 I	Governor McAuliffe's Budget: Provides approximately \$14.5 million GF and \$14.5 million NGF in FY 2019 and \$30.5 million GF and \$30.5 million NGF in FY 2020 to add a total of 825 new waiver slots to the Community Living (CL) and Family and Individual Support (FIS) waivers over the biennium. These slots are mandated by the settlement agreement with the U.S. Department of Justice, and include 70 slots for individuals transitioning out of facilities (35 each year), 75 slots to address the FIS waiver waitlist (25 in the first year and 50 in the second year), and 680 slots to address the CL waiver waitlist (325 the first year and 355 the second year). Also provides approximately \$940,000 GF and \$940,000 NGF in FY 2019 and \$1.9 million GF and \$1.9 million NGF in FY 2020 to fund 50 CL waiver slots that will be held in reserve capacity by the Department of Behavioral Health and Developmental Services (DBHDS), to address unanticipated emergency situations. Adds language requiring DBHDS to report on the use of emergency slots, and requiring the Department of Medical Assistance (DMAS) and DBHDS to track all costs, placements, and services associated with the additional CL and FIS waiver slots.	Likely positive, although demand for the CL and FIS will continue to exceed the available waiver slots, even with this increase. More than 2,000 individuals are on the Fairfax Falls Church CSB's DD waiver waitlist (a combined waitlist for all the different waivers). The additional funding will support Fairfax individuals with DD, but the amount allocated will not cause a significant reduction in the number of individuals waiting for a waiver.
	House: No change.	
	Senate: No change.	
303 000	Governor McAuliffe's Budget: Provides approximately \$4.8 million GF in FY 2019 and \$5.1 million in FY 2020 (with matching NGF in both years) to increase rates for consumer-directed personal, respite, and companion care services by two percent in the home and community-based services waivers and Early Periodic Screening, and Diagnosis and Treatment (EPSDT) program to cover provider expenses.	No direct impact on Fairfax County, as these rates are paid to providers in the community. Fairfax County's Human Services Issue Paper includes support for state funding and expansion of Virginia's Medicaid waivers.
303 #7h, 8h	House: Eliminates funding and language contained in the introduced budget for the proposed two percent rate increase for consumer-directed personal care, respite, and companion services. A companion amendment reallocates funding in FY 2020 for a one percent rate increase for both agency-directed and consumer-directed personal care.	
303 #12s	Senate: Eliminates the authorization and funding provided for a two percent rate increase for consumer-directed personal care, respite, and companion services.	

**BUDGET PROPOSALS FOR FY 2018 - FY 2020 DURING THE 2018 GENERAL ASSEMBLY SESSION
as of February 23, 2018**

Budget Bill Item #	Issue	Fairfax County Impact
	Medicaid	
305, 306	Governor McAuliffe's Budget: Increases funding for the Family Access to Medical Insurance Security (FAMIS) program (Virginia's Children's Health Insurance Program (CHIP)) by approximately \$5.7 million GF in FY 2019 and \$40 million GF in FY 2020 to reflect the latest expenditure forecast. Funding assumes that the current enhanced federal match (88 percent) is maintained for federal FY 2018 and 2019. In federal FY 2020, it is expected that the federal match rate for Virginia will drop to 76.5 percent.	These are required increases due to higher costs and utilization. Congress has authorized CHIP through FY 2027.
	House: No change.	
	Senate: No change.	
303	Governor McAuliffe's Budget: Increases funding by \$575.8 million GF over the biennium for the cost of Medicaid utilization and inflation as estimated in the most recent forecast expenditures.	These are required increases due to higher costs and utilization.
303 #15h	House: Reduces the Medicaid forecast by \$10.9 million GF and \$10.9 million in federal matching Medicaid funds in FY 2019 to reflect a 50% reduction in FY 2019 inflation adjustment for hospital payments. The introduced budget included funding in the Medicaid forecast for a 2.8% inflation adjustment in fiscal year 2019 for hospital payments.	
	Senate: No change.	
73 #1h, 307 #1h, 391 #3h, 413 #1h	House: Provides funding associated with implementing the recommendations of a 2017 study on streamlining eligibility determination and enrollment of incarcerated individuals in Medicaid. VACo worked with a coalition of stakeholders on this package of amendments, which will facilitate coverage of eligible inmates' inpatient hospital stays by Medicaid.	TBD.
	Children's Services Act (CSA)	
282	Governor McAuliffe's Budget: Provides approximately \$16.9 million in FY 2019 and \$37.3 million in FY 2020 to fund the anticipated caseload and expenditure growth in services provided through CSA. It is projected that expenditures will grow by 6.9 percent in FY 2019 and an additional 7.3 percent in FY 2020. The majority of growth in the program is attributed to an increase in special education private day programs.	These are required increases due to higher costs and utilization (sum sufficient language ensures that state and local governments provide the necessary funds).
	House: No change.	
	Senate: No change.	
282	Governor McAuliffe's Budget: Provides \$250,000 in FY 2019 and authority for the OCS to contract with a consultant for a study on the adequacy of current rates paid to special education private day service providers. The language also requires the consultant to recommend a rate setting methodology.	This study would need to be monitored closely due to possible changes in scope that could impact the state-local funding partnership.
	House: No change.	
	Senate: No change.	
282 #1s	Senate: Reduces \$3.8 million GF in FY 2019 and \$10.3 million GF in FY 2020 to reflect a lower rate of spending growth for private day special education rates. The language provides that rates paid by localities for these services shall not exceed two percent per year. This limit is temporary until the rate study included in the introduced budget is complete. The rates for private day education services have been increasing rapidly in recent years, which has resulted in an increase in funding need for the CSA.	TBD.
282 #3s	Senate: Directs the OCS, along with the Department of Education, to facilitate a workgroup with stakeholders to develop outcome measures to assess students' progress in private day placements. A report with recommendations shall be submitted by November 1, 2018.	This is an attempt to contain private day costs, but this should be monitored closely to ensure there is not a negative impact on sum-sufficiency.
282 #1h	House: Adds language to require the OCS to work with the DMAS and DBHDS to transform the CSA system of care to emphasize community services that are evidence-based and trauma informed. The language requires OCS to engage stakeholders in the process to develop program requirements, training and reporting requirements in the use of evidence-based and trauma informed services, and to report on these efforts. Increasing the use of such services is expected to shorten the length of the program's involvement with youth and families, and assist in serving youth in the least restrictive setting in their home community. Currently, not all CSA providers use evidence-based treatment models, and purchasers of CSA services may be unfamiliar with the use of such models and their value.	No additional funding is included with this language, so the impact of this effort may be limited.

**BUDGET PROPOSALS FOR FY 2018 - FY 2020 DURING THE 2018 GENERAL ASSEMBLY SESSION
as of February 23, 2018**

Budget Bill Item #	Issue	Fairfax County Impact
Virginia Preschool Initiative		
128	Governor McAuliffe's Budget: Provides \$50,000 GF in both years for the Department of Education (DOE) to resume site visits to VPI programs to help ensure compliance with state guidelines and provide technical assistance to localities. These funds will also provide increased technical assistance and professional development for VPI local coordinators through regional annual meetings.	Positive, as this will support program quality throughout the state.
128 #1h	House: Adds \$275,000 GF in FY 2019 and \$275,000 GF in FY 2020 for DOE to coordinate with the University of Virginia's Center for Advanced Study of Teaching and Learning (UVA CASTL) to implement a statewide assessment of all kindergarten students using the Virginia Kindergarten Readiness Program assessment model, and to provide appropriate annual training and professional development to kindergarten teachers. Language requires all school divisions to have all kindergartners participate in the assessments each year.	This could have an impact on Fairfax County Public Schools, which already uses screeners and assessments for kindergartners.
128 #2s	Senate: Adds language directing the DOE, in cooperation with the Departments of Health, Social Services, and Planning & Budget, to convene a workgroup facilitated by the Virginia Early Childhood Foundation, to examine opportunities including, but not limited to, leveraging existing funds targeted to early childhood development, with the goal of identifying strategies and mechanisms for developing an integrated early childhood fund. The findings of the workgroup shall be provided by September 15, 2018, to the Joint Subcommittee on the Virginia Preschool Initiative, and shall articulate the potential for existing but underutilized appropriations including, but not limited to, unused Virginia Preschool Initiative funds and TANF, and other funds to support administrative costs that would assist with more fully drawing down federal CACFP funds.	No anticipated fiscal impact to the County.
136	Governor McAuliffe's Budget: Captures approximately \$24 million GF in each year in savings based on an anticipated percentage of unused student slots calculated through the 2018-2020 biennium rebenchmarking process. Also adds language that reallocates unused slots to school divisions that utilized 100 percent of their calculated slots in the previous school year and have a waiting list for additional, unserved eligible children.	Fairfax County does not currently use all available slots, partially due to the required local match.
	House: No change.	
136 #10s	Senate: Provides \$4.6 million GF each year to increase the allocation formula for the VPI program from \$6,125 to \$6,500 for full-day programs and from \$3,062 to \$3,250 for half-day programs. Also provides funding to ensure a minimum floor for each school division of at least 9 slots.	The increased per-pupil amount will require an increase in the local match, which is determined in accordance with the Local Composite Index, with a cap of 0.5000. Currently, FCPS' VPI per pupil cost is higher than the state per pupil cost.
136 #4h	House: Provides \$75,000 in FY 2019 GF and requires the Department of Education to develop a plan of action to ensure that the VPI program is effective and beneficial to at-risk four year-old children enrolled in it.	No anticipated fiscal impact to the County.
136 #13s	Senate: This language-only amendment clarifies that the local philanthropy, non-profit, or corporate support can satisfy the required local match.	TBD.

**BUDGET PROPOSALS FOR FY 2018 - FY 2020 DURING THE 2018 GENERAL ASSEMBLY SESSION
as of February 23, 2018**

Budget Bill Item #	Issue	Fairfax County Impact
	<u>Child Care/Head Start</u>	
340	Governor McAuliffe's Budget: Provides an additional \$2.2 million NGF over the biennium in federal Child Care and Development Fund grant awards.	TBD.
	House: No change.	
	Senate: No change.	
341 E	Governor McAuliffe's Budget: Provides an additional approximately \$26.5 million NGF over the biennium for anticipated expenditure increases in local staff, operations and supportive costs.	Likely positive, although it is not clear how the funds will be distributed throughout the state.
	House: No change.	
	Senate: No change.	
347 E	Governor McAuliffe's Budget: Reduces the number of positions from the federal Child Care and Development Fund to address the workload associated with licensing, inspecting, and monitoring family day homes, from 79 to 59 in both years. Also changes the reporting frequency (from quarterly to annually) for the Department of Social Services' report on implementation of licensing, inspecting and monitoring family day homes.	No anticipated impact to the County.
	House: No change.	
	Senate: No change.	
340 #4h	House: Provides \$925,000 in FY 2019 and \$325,000 in FY 2020 from the federal Child Care and Development block grant for a pilot program to improve early childhood classrooms in faith-based and private child care centers, and directs DSS to implement the pilot program in cooperation with the UVA CASTL to implement their curriculum, professional development and coaching modules to improve Kindergarten readiness. Also requires the development and use of a program to assess the Kindergarten readiness of four-year-olds in the pilot program. Of the amounts provided in this amendment, \$400,000 in FY 2019 shall be used for the development of the Kindergarten readiness assessment and \$325,000 in FY 2020 shall be used for an evaluation of the pilot program.	No anticipated fiscal impact to the County.
	<u>Child Protective Services</u>	
344 M	Governor McAuliffe's Budget: Provides \$3 million GF in each year of mandated reinvestment funding to begin to procure a comprehensive child welfare information system for case management to replace four existing information systems. The new system will serve as the system of record for all local department of social services employees who investigate reports of abuse and neglect; provide prevention services to families; and serve children in foster care as well as those who have been adopted.	Fairfax County Department of Family Services staff will use the new system, but staff do not anticipate a local fiscal impact.
	House: No change.	
	Senate: No change.	

**BUDGET PROPOSALS FOR FY 2018 - FY 2020 DURING THE 2018 GENERAL ASSEMBLY SESSION
as of February 23, 2018**

Budget Bill Item #	Issue	Fairfax County Impact
Foster Care/Adoption		
344	Governor McAuliffe's Budget: Adds \$6.6 million GF and \$13.4 million NGF over the biennium to cover the cost of providing foster care and adoption subsidy payments. Based on recent expenditure trends and the impact of child welfare policy changes, this adjusts the appropriation to cover the necessary costs of providing payments to foster care and adoptive parents.	There is no local match required for adoption subsidies.
344 #2h	House: Reduces appropriations for adoption subsidy payments by \$100,000 GF each year to reflect estimated expenditures.	
	Senate: No change.	
Kinship Guardianship Assistance Program		
344 #1h	House: Provides approximately \$56,000 GF and \$24,600 NGF in FY 2019, and \$112,000 GF and \$49,000 NGF in FY 2020, for implementation of HB 1333, which creates the Kinship Guardianship Assistance Program.	The County's Human Services Issue Paper includes support for legislation and resources to encourage the increased use of kinship care, including the development of a legal framework, such as guardianship, to allow kinship caregivers to make decisions for children in their care.
344 #1s	Senate: Same funding level provided as the House, pursuant to SB 44 and SB 636.	
Behavioral Health/Substance Use Disorder		
303, 312	Governor McAuliffe's Budget: Provides \$5.9 GF in each year for staffing costs, and \$1.6 million GF in each year to cover Medicaid costs to implement same day access at all 40 Community Services Boards (CSBs) by July 1, 2019. The 2017 GA passed legislation making this a mandated service and appropriated funds to implement same-day access in 18 of the 40 CSBs (not including the Fairfax-Falls Church CSB). The funds in this amendment will provide the same support to the remaining CSBs.	The Fairfax-Falls Church CSB has been working towards meeting this standard, but does not have sufficient funding or staffing to meet the demand. Staff estimate that the Fairfax-Falls Church CSB would receive \$250,000, but implementing this mandate will cost \$2.5 million.
	House Budget: No change.	
	Senate Budget: No change.	
312	Governor McAuliffe's Budget: Provides \$3.7 million GF in FY 2019 and \$7.4 million GF in FY 2020 to implement primary care screening services at all 40 CSBs in Virginia, as required by legislation passed by the 2017 GA. Beginning July 1, 2019, all CSBs are responsible for outpatient clinic primary care screening and monitoring of key health indicators and health risk.	Although DBHDS has not specified all required aspects of primary care screening, Fairfax-Falls Church CSB staff anticipate that additional nursing staff will be needed to perform this task. It is unclear how this money will be distributed throughout the state, but it is unlikely that the funding received will be sufficient to cover the cost of providing this mandated service.
	House: No change.	
312 #9s	Senate: Reduces \$3.7 million GF in FY 2019 and \$3.7 million GF in FY 2020 provided in the introduced budget for primary care outpatient screening services at Community Services Boards. Funding of \$3.7 million remains in FY 2020 to comply with the requirements of state law.	Negative.
308	Governor McAuliffe's Budget: Increases the number of licensing officer positions in DBHDS by five in FY 2019 with four additional positions in FY 2020, totaling nine new licensing positions. The additional positions are needed to address the backlog generated by the increasing number of providers and provider locations that must be licensed by the agency in order to provide services.	Likely positive, as this will help facilities obtain licenses more quickly.
	House: No change.	
	Senate: No change.	
312	Governor McAuliffe's Budget: Replaces federal grant funding with \$5 million GF in each year for medication-assisted treatment for individuals with substance use disorders, and provides approximately \$800,000 GF in FY 2019 and \$1.7 million GF in FY 2020 for permanent supportive housing for up to 75 pregnant or parenting women with substance abuse disorders.	Positive, although it is unclear how this funding will be distributed throughout the state. The County's Legislative Program includes support for programs to combat substance use disorder.
	House: No change.	
	Senate: No change.	
312	Governor McAuliffe's Budget: Provides \$1.8 GF in FY 2019 and \$2.8 million GF in FY 2020 to fund the projected growth in the Early Intervention - Part C Caseload.	These are required increases due to increased costs and utilization (Part C is a mandated service). This will increase program capacity.

**BUDGET PROPOSALS FOR FY 2018 - FY 2020 DURING THE 2018 GENERAL ASSEMBLY SESSION
as of February 23, 2018**

Budget Bill Item #	Issue	Fairfax County Impact
	House: No change.	
	Senate: No change.	
	Mental Health	
310, 311, 343	Governor McAuliffe's Budget: Provides approximately \$1.8 million GF in FY 2019 and \$2.8 million GF in FY 2020 to fund the development and support of one assisted living facility for individuals with serious mental illness in the first year, and a second assisted living facility in the second year. In addition, funds are included to create two community support teams, and funds are provided to cover associated costs to the Auxiliary Grant program.	This will expand the capacity of mental health services, but it is not clear where the new facilities will be located. DBHDS recently released an RFP requesting proposals for group homes and 24-hour facilities in the southern part of the state.
	House: No change.	
310 #2s, 311 #2s	Senate: Eliminates funding.	
312	Governor McAuliffe's Budget: Provides \$1.5 million GF in FY 2019 and \$3 million GF in FY 2020 to expand supportive housing options for up to 200 individuals with serious mental illness. Priority will be given to individuals currently residing in state facilities who have been determined ready for discharge, but need housing to be placed in the community.	Likely positive, as this may increase the number of licensed providers in Northern Virginia.
	House: No change.	
312 #11s	Senate: Adds language directing DBHDS, in collaboration with DMAS, to evaluate the options for developing a supportive housing program for Medicaid-eligible high cost super utilizers, pregnant women and mothers with a substance use disorder and/or mental illness, and report on a pilot program with Medicaid managed care health plans.	
312	Governor McAuliffe's Budget: Provides \$2.3 million GF in FY 2019 and \$4.6 million GF in FY 2020 to transition individuals currently on the extraordinary barriers to discharge list at state mental health facilities into the community.	Likely positive, although it is not clear how these funds will be distributed throughout the state.
	House: No change.	
312 #7s	Senate: Eliminates half of the new funding included in the introduced budget.	
300	Governor McAuliffe's Budget: Provides an additional \$3 million GF in FY 2019 and \$3.9 million in FY 2020 for hospital and physician services for persons subject to an involuntary mental commitment.	Likely positive.
	House: No change.	
300 #1s	Senate: Adds \$1.6 million GF in FY 2019 and \$2.8 million GF in FY 2020 to restore the savings included in the introduced budget related to medical services for temporary detention orders. The savings resulted from the expansion of Medicaid pursuant to the Affordable Care Act.	
311 #1s	Senate: Provides \$2.5 million GF in FY 2019 and \$4.5 million GF in FY 2020 for DBHDS to implement an alternative transportation system for adults and children under a temporary detention order. This is a recommendation of the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century.	Likely positive.
312 #1s	Senate: Provides \$1.6 million GF in each year for CSBs to provide discharge planning services at two jails with a high percentage of inmates with serious mental illness. This is a recommendation of the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century.	TBD.

161

**BUDGET PROPOSALS FOR FY 2018 - FY 2020 DURING THE 2018 GENERAL ASSEMBLY SESSION
as of February 23, 2018**

Budget Bill Item #	Issue	Fairfax County Impact
<u>Northern Virginia Training Center (NVTC)/DOJ Settlement Agreement</u>		
310	Governor McAuliffe's Budget: Provides \$1.2 million GF in FY 2019 for expenditures needed to comply with the DOJ settlement agreement to include provider training, provider compliance review, and quality management and IT improvements.	Staff anticipate that this funding will be appropriated to DBHDS to fund statewide training for DD providers and increase DBHDS' ability to conduct quality assurance compliance reviews on contracted services. This issue has been identified in several reports by the independent DOJ implementation auditor.
	House: No change.	
	Senate: No change.	
303	Governor McAuliffe's Budget: Adjusts the budget to reflect anticipated closures of the Central Virginia Training Center (CVTC) and Southwestern Virginia Training Center (SWVTC) and the associated costs (\$10.5 million GF and \$10.5 million NGF in FY 2019, and \$17 million GF and \$17 million NGF in FY 2020).	TBD. Some individuals served by the Fairfax-Falls Church CSB currently reside in training centers in other parts of the state.
	House: Adds \$250,000 in FY 2019 and language regarding an environmental site assessment at CVTC.	No impact.
310 #1s, 6s	Senate: Directs DBHDS to accept a proposal from a private hospital that would provide the necessary level of care for the residents at CVTC. Also directs DBHDS, in conjunction with the Department of the Treasury, to report on the estimated bond defeasance costs related to the future closure of the SWVTC and CVTC. The report shall indicate the bond defeasance costs for the date of the planned facility closure and the balance each year thereafter until such time as all bonds will be repaid on those facilities.	TBD. Some individuals served by the Fairfax-Falls Church CSB currently reside in training centers in other parts of the state.
312	Governor McAuliffe's Budget: Adjusts appropriation from the Behavioral Health Trust Fund to properly reflect the amount of funds anticipated to be available in FY 2019 from the sale of the Northern Virginia Training Center. A portion of the anticipated proceeds was appropriated in FY 2018. This reduces the appropriation by approximately \$4.8 million NGF in FY 2019 and \$8.6 million NGF in FY 2020. The remaining \$3.9 million in FY 2019 will be used to develop services for individuals with complex medical needs and multiple diagnoses.	TBD. It is unclear if the remaining \$3.9 million will be dedicated to developing services in Northern Virginia. The County's Legislative Program includes support for budget language that requires the proceeds of the sale of the NVTC to be used solely to develop services and housing opportunities for persons with developmental disabilities in Northern Virginia. DBHDS continues to be non-committal regarding the allocation of these dollars to Northern Virginia.
	House: No change.	
	Senate: No change.	
312	Governor McAuliffe's Budget: Provides approximately \$2.4 million GF in FY 2019 and \$3.2 million GF in FY 2020 to staff a children's crisis therapeutic home and an adult transitions home located in Northern Virginia, acquired pursuant to Chapter 780, the 2016 Appropriation Act, which provided one-time funds from the Behavioral Health and Developmental Services Trust Fund for the development of services in the region for those with intensive behavioral or medical needs. The DOJ settlement agreement mandates the development of crisis infrastructure to support the target population.	TBD. The County's Legislative Program includes support for additional funding for community-based services for individuals in Northern Virginia.
	House: No change.	
	Senate: No change.	

**BUDGET PROPOSALS FOR FY 2018 - FY 2020 DURING THE 2018 GENERAL ASSEMBLY SESSION
as of February 23, 2018**

Budget Bill Item #	Issue	Fairfax County Impact
312	Governor McAuliffe's Budget: Provides \$1.6 million GF in FY 2019 and \$4 million GF in FY 2020 to fund rental subsidies for 343 individuals with developmental disabilities to live in their own housing with appropriate supports. The DOJ settlement agreement requires the Commonwealth to establish and implement a plan to address access to independent housing options. As a result of this requirement, the Commonwealth has established a goal of providing rental assistance to 847 individuals. Current funding has allowed for 504 individuals to receive rental assistance. This request would provide funding to support the remaining 343.	Likely positive.
	House: No change.	
312 #8s	Senate: Reduces \$1 million GF in FY 2020 for rental subsidies for individuals with intellectual and developmental disabilities. Out of the additional funding provided in the introduced budget there is \$3.1 million of new funding remaining.	Negative.
311	Governor McAuliffe's Budget: Provides \$1.3 million GF and authorizes 8.75 positions in FY 2020 to create a Developmental Disability Health Supports Network (DDHSN) in the region currently served by the Central Virginia Training Center. Current base funding for DDHSNs in FY 2018 is \$3.9 million, which funds networks that replace services previously provided by the Southside Virginia Training Center, Northern Virginia Training Center, and Southwestern Virginia Training Center.	Likely positive, as these funds will support the specialized health needs of individuals leaving the training centers that are closing. Some individuals served by the Fairfax-Falls Church CSB currently reside in training centers in other parts of the state. However, staff do not anticipate that this appropriation would significantly impact individuals' ability to return to Northern Virginia.
	House: No change.	
	Senate: No change.	
	Long-Term Care	
343 A	Governor McAuliffe's Budget: Increases the licensed assisted living facility rates for individual facilities (with an occupancy rate of 85 percent of licensed capacity) and adult foster care homes from \$1,221 per month to \$1,271 per month. The Department of Social Services may add a 15 percent differential to the maximum amount for facilities in Planning District 8.	Likely positive.
	House: No change.	
343 #1s	Senate: Provides \$1.0 million GF in FY 2020 to raise the auxiliary grant monthly rate for adult foster care, assisted living facilities and supportive housing by \$25 per month the second year of the biennium. The auxiliary grant is funded by state and local funds at a match rate of 80 percent from the state general fund and 20 percent from local funds. The introduced budget provided an increase in the auxiliary grant rate of \$35 per month beginning July 1, 2018. This budget amendment was recommended by the Joint Commission on Health Care.	
334	Governor McAuliffe's Budget: Provides \$440,000 GF in both years to cover the on-going operating costs associated with replacing the current case management system used by adult services and adult protective services (APS) workers. Federal funds are being used to implement the new system, and state GF support is needed to cover licensing and support costs.	Likely positive. The Northern Virginia Aging Network's legislative platform includes this as a budget priority. These funds will support Peer Place/No Wrong Door, which will bring local APS and Adult Services programs into the No Wrong Door Virginia network, and improve access to services and supports for older adults, individuals with disabilities, caregivers, veterans and families.
	House: No change.	
	Senate: No change.	

**BUDGET PROPOSALS FOR FY 2018 - FY 2020 DURING THE 2018 GENERAL ASSEMBLY SESSION
as of February 23, 2018**

Budget Bill Item #	Issue	Fairfax County Impact
<u>Safety Net Programs</u>		
340	Governor McAuliffe's Budget: Reduces by approximately \$25 million NGF in FY 2019 and \$29 million NGF in FY 2020 funding for TANF to properly account for the anticipated costs of providing mandated TANF benefits.	This reduction reflects projected caseload changes. No local impact anticipated.
	House: Makes a technical amendment to adjust the Commonwealth's accumulated balance for authorized federal TANF block grant funds to reflect TANF spending included in the House's proposed budget amendments.	
	Senate: No change.	
340	Governor McAuliffe's Budget: Adjusts funding by adding \$800,000 in each year for the TANF Unemployed Parents (UP) program, based on a revised projection of the estimated 2018-2020 biennial costs.	This reduction reflects projected caseload changes. Fairfax County staff are seeing a slight increase in TANF-UP clients.
	House: No change.	
	Senate: No change.	
346 #1h, 2h	House: Provides \$2 million each year from the federal TANF block grant in additional support for Community Action Agencies.	Likely positive, as this would result in an additional \$120,000 added to the Consolidated Community Funding Pool.
346 #1s	Senate: Provides \$2 million each year from the federal TANF block grant in additional support for Community Action Agencies.	Likely positive, as this would result in an additional \$120,000 added to the Consolidated Community Funding Pool.
343 #1h	House: Provides an additional \$500,000 each year from the federal TANF block grant to local domestic violence programs for services for victims of domestic violence.	TBD. It is unclear how these funds will be distributed throughout the state.
<u>Northern Virginia Family Services</u>		
346 G	Governor McAuliffe's Budget: Provides \$500,000 from the TANF block grant in each year to NVFS to provide supportive services that address the basic needs of families in crisis. The 2016-2018 biennium budget provided \$200,000 GF in FY 2017 and \$500,000 from the TANF block grant in FY 2018.	Likely positive.
	House: No change.	
	Senate: No change.	
<u>FACETS</u>		
346 #7s	Senate: Provides \$200,000 in FY 2019 and \$100,000 in FY 2020 from the TANF block grant to FACETS, which provides homeless assistance services in Fairfax County.	Likely positive.
<u>Area Agencies on Aging</u>		
330 #1s	Senate: Adds \$500,000 GF each year to address the waiting list for services available through local Area Agencies on Aging. Funds may be used for homemaker, personal care, chore services, and home-delivered meals to allow older Virginians to remain in their homes and communities and delay more costly out of home placements.	Likely positive. The County's Human Services Issue Paper includes support for funding for programs that promote the independence, self-sufficiency, and community engagement of older adults and people with disabilities.

**BUDGET PROPOSALS FOR FY 2018 - FY 2020
DURING THE 2018 GENERAL ASSEMBLY SESSION
as of February 23, 2018**

Budget Item #	Issue	Fairfax County Impact
	Public Education	Fairfax County Public Schools (FCPS) Impact (School Operating Fund)
136	Direct Aid to Public Education	
	Recalculation of Local Composite Index for 2018-2020	
	Governor McAuliffe's Budget: The Local Composite Index (LCI) is calculated every two years for the state's biennium budget. Counties and cities with a lower composite index receive more state funding, while those with a higher index receive less funding.	FCPS' local composite index decreased from 0.6844 to 0.6754 for the new biennium. The state did not delineate the impact due to the LCI.
	House/Senate: No change from the Introduced budget.	
	Update Costs of the Standards of Quality (SOQ), Sales Tax and Basic Aid	
	Governor McAuliffe's Budget: Provides \$230.2 million in FY 2019 and \$254.7 million in FY 2020 to fully fund the biennial rebenchmarking of K-12 SOQ costs. These increases do not reflect changes in policy but adjust the cost of continuing current programs with the required data revisions.	The combined impact of rebenchmarking and the impact due to a decrease in the LCI totals \$8.7 million as compared to FCPS FY 2019 Advertised Budget.
	Updates Sales Tax revenue projections, increasing state funding by \$32.9 million in FY 2019 and \$63.9 million in FY 2020. The state share of Basic Aid decreases approximately \$18.3 million in FY 2019 and \$35.7 million in FY 2020 due to the revised sales tax estimates. The net change is an increase of \$14.5 million in FY 2019 and \$28.2 million in FY 2020.	Results in an additional \$5.0 million as compared to FCPS FY 2019 Advertised Budget. Due to the volatility often experienced in sales tax receipts, FCPS staff historically have not relied on the state's projections for this revenue item at this phase in the budget process.
	House/Senate: No change from the Introduced budget.	
	Academic Year Governor's School	
	Governor McAuliffe's Budget: Extends Governor School Funding add-on.	Additional \$0.3 million which was included in the total increase of \$8.7 million as compared to FCPS FY 2019 Advertised Budget.
	House: Redirects funding of \$2.6 million from Governor's schools to PPA lottery distributions.	Removes \$0.3 million in both FY 2019 and FY 2020.
	Senate: No change from the Introduced Budget.	
	Update Lottery Proceeds	
	Governor McAuliffe's Budget: Total Lottery proceeds are projected to increase (by \$40.2 million) to \$586.7 million in each year of the biennium.	The impact on Lottery funding to FCPS is minimal, at \$0.5 million, and already reflected in the overall impact of \$8.7 million due to rebenchmarking and a decrease in the LCI.
136 #3h	House: Updates the lottery proceeds estimate and increases the Supplemental Lottery Per Pupil Allocation by \$43.4 million the first year and \$48.1 million the second year. This funding can be used at local discretion for either operating or capital costs, and no local match is required.	FCPS will receive \$3.7 million in FY 2019 and \$4.1 million in FY 2020.
	Senate: Updates the lottery proceeds estimate but does not change the per pupil allocation.	
	Salary Increase in FY 2020	
	Governor McAuliffe's Budget: Provides \$51.3 million in FY 2020 for the state's share of a 2% salary increase for instructional and support positions, effective December 1, 2019.	No Compensation Supplement provided in FY 2019. For FY 2020, funding of \$4.7 million is included for the state share to FCPS.
136 #8h	House: Includes additional funding to make the 2% salary increase effective July 1, 2019.	For FY 2020, includes an additional \$3.4 million compared to the Governor's Introduced budget to advance the salary increase to July 1, 2019.
136 #6s	Senate: Does not include funding for salary increases. Directs the Governor to include funding in the next introduced budget to offset any downward revenue revision. If no revenue reforecast is required after the close of FY 2018, the funds are to be used for a 2% salary increase effective July 1, 2019.	Removes \$4.7 million that was included in the Introduced budget for the state share of the salary increase in FY 2020.

**BUDGET PROPOSALS FOR FY 2018 - FY 2020
DURING THE 2018 GENERAL ASSEMBLY SESSION
as of February 23, 2018**

Budget Item #	Issue	Fairfax County Impact
474	Virginia Retirement System (VRS) Contributions	
	<p>Governor McAuliffe's Budget: Decreases state funding for fringe benefit rates by \$22.5 million in FY 2019 and \$22.6 million in FY 2020 based on lower employer contribution rates:</p> <p>1) VRS contribution rate of 15.68% in for FY 2019 and FY 2020 (down from 16.32% in FY 2018); 2) retiree health care credit rate of 1.20% in FY 2019 and FY 2020 (down from 1.23% in FY 2018); 3) employer rate for group life of 0.52% in FY 2019 and FY 2020, the same as in FY 2018.</p> <p>Decreases transfer from the Literary Fund to support the state's share of cost for teacher retirement by \$35 million in FY 2019 and by \$45 million in FY 2020 and replaces it with General Funds. This is only a change in the source of funding.</p>	Results in reduced expenditures of \$9.8 million as compared to the FY 2018 approved budget. This impact was previously included in the FY 2019 Proposed Budget.
	House/Senate: No change from the Introduced budget.	
	At-Risk Program	
	<p>Governor McAuliffe's Budget: Provides \$7.1 million in FY 2020 to enhance funding for the At-Risk program, which provides funding to support the additional costs of educating at-risk students.</p>	No impact to FY 2019. FCPS will receive additional \$0.2 million in FY 2020.
136 #6h	House: Redirects the proposed increase of \$7.1 million included in the Introduced budget for the At-Risk program to the per pupil lottery allocation.	A decrease of \$0.2 million for at-risk add-on supplement in FY 2020.
	Senate: Maintains the additional \$7.1 million for At-Risk add-on funding and allows it to be used for teacher recruitment programs and initiatives.	No impact to FY 2019. FCPS will receive additional \$0.2 million in FY 2020.
	Other Items of Interest	
136	Full-time Principals	
	<p>Governor McAuliffe's Budget: Provides \$7.7 million in state funding for a full time principal in every elementary school in FY 2020. Currently, state funding is provided for 0.5 of an elementary school principal in schools with enrollment under 300 students.</p>	No impact in FY 2019. Currently, there is only one elementary school (Bucknell) in FCPS with enrollment under 300.
136 #12h	House: Redirects \$7.7 million included in the Introduced budget for a full-time principal in schools with fewer than 300 students to the per pupil lottery allocation.	Results in reduced funding of \$0.1 million in FY 2020.
136 #1s	Senate: Removes \$7.7 million included in the Introduced budget for a full-time principal in schools with fewer than 300 students.	Results in reduced funding of \$0.1 million in FY 2020.
135	Cyber Camps	
	<p>Governor McAuliffe's Budget: Provides \$1 million over the biennium to fund two-week cybersecurity camps dedicated to exposing high school students to cybersecurity careers.</p>	No direct impact to FCPS.
135 #2h	House: Redirects \$1 million over the biennium included in the Introduced budget for cyber camps to the per pupil lottery allocation.	No direct impact to FCPS.
135 #4s	Senate: Removes \$1 million over the biennium included in the Introduced budget for cyber camps.	No direct impact to FCPS.
135	Principal Recruitment and Retention	
	<p>Governor McAuliffe's Budget: Provides \$1 million over the biennium to support principal recruitment and retention incentives in Virginia's most challenged school divisions.</p>	No direct impact to FCPS. The Department of Education will establish criteria for awarding funds.
135 #3h	House: Redirects \$1 million over the biennium that was included to support principal recruitment and retention incentives to the per pupil lottery allocation.	No direct impact to FCPS.
135 #9s	Senate: Removes \$0.4 million out of \$1 million over the biennium that was included to support principal recruitment and retention incentives.	No direct impact to FCPS.

**BUDGET PROPOSALS FOR FY 2018 - FY 2020
DURING THE 2018 GENERAL ASSEMBLY SESSION
as of February 23, 2018**

Budget
Item #

Issue	Fairfax County Impact
Hold Harmless Funding	
Governor McAuliffe's Budget: Includes \$11.5 million to ensure that no locality loses state funding for public education in FY 2019 as compared to that locality's FY 2018 state distribution.	No direct impact to FCPS.
House: Redirects \$11.5 million in FY 2019 from proposed "no loss" payment in the Introduced budget that would hold harmless localities that would otherwise lose state dollars due to rebenchmarking. Uses the funds to increase the supplemental lottery per pupil allocation.	No direct impact to FCPS.
Senate: Reverses the proposed "no loss" payment in the Introduced budget.	No direct impact to FCPS.

Impact to the Fairfax County Public Schools (FCPS) FY 2019 Operating Fund Budget
<p>Governor McAuliffe's Budget: Compared to the FCPS' FY 2018 Approved Budget, Governor McAuliffe's Budget includes \$31.3 million more in state aid and \$8.9 million in sales tax revenue.</p> <p>Compared to the FCPS' FY 2019 Advertised Budget, Governor McAuliffe's Budget includes \$8.7 million more in state aid and \$5.0 million in sales tax revenue.</p>
<p>House amendments: Compared to the FCPS' FY 2018 Approved Budget, the House budget amendments include \$34.7 million more in state aid and \$8.9 million in sales tax revenue.</p> <p>Compared to the FCPS' FY 2019 Advertised Budget, the House budget amendments include \$12.1 million more in state aid and \$5.0 million in sales tax revenue.</p>
<p>Senate amendments: Compared to the FCPS' FY 2018 Approved Budget, the Senate budget amendments include \$31.3 million more in state aid and \$8.9 million in sales tax revenue.</p> <p>Compared to the FCPS' FY 2019 Advertised Budget, the Senate budget amendments include \$8.7 million more in state aid and \$5.0 million in sales tax revenue.</p>

BUDGET PROPOSALS FOR FY 2016 - FY 2018 CABOOSE
as of February 23, 2018

Budget Item #	Issue	Fairfax County Impact
Transportation		
Regional Funding		
456	<p>Governor McAuliffe's Budget: Includes the regional funds provided for in HB 2313, including \$658.6 million for distribution of Northern Virginia Transportation Authority Fund Revenues over the biennium. The Commonwealth's revised estimates are \$800,000 above what was projected for the biennium last year.</p>	<p>The amount received by the County is dependent on actual collections of the revenue sources. However, based on these projections, over the biennium, Fairfax County should receive approximately \$98.8 million to allocate for local projects approved by the Board of Supervisors, minus the respective shares provided to Vienna and Herndon (30% funding returned to localities). NVTA will allocate approximately \$461 million, of which approximately \$230 million should benefit the County (70% funding retained by NVTA). Staff anticipate that Fairfax County could receive approximately \$400,000 more than previously estimated.</p>
	<p>House: Updates appropriation to \$660.1 million (increase of \$1.5 million) due to technical corrections.</p>	<p>Due to discussions of how to address WMATA funding, the impact of these funds has not been determined.</p>
	<p>Senate: No Change</p>	
Mass Transit		
442	<p>Senate: Authorizes DMV to provide all relevant information (including price and volume of fuels sold in Hampton Roads and Northern Virginia) to which the regional gas tax is calculated to each region.</p>	<p>No impact. NVTC already receives this information.</p>
Highway Construction		
453	<p>Governor McAuliffe's Budget: Increases Highway Construction Programs' overall funding by \$355.9 million over the biennium. \$259.6 million is provided for State of Good Repair (\$.5 million increase); \$227.8 million for the High Priority Projects Program (\$72.5 million increase); \$209.3 million for the Construction District Grant Program (\$54 million increase); \$2.7 billion for Specialized State and Federal Programs (\$382.4 million increase); and \$1.2 billion is available for Legacy Construction Formula Programs (\$153.5 million decrease). Of the Specialized State and Federal Programs:</p> <ul style="list-style-type: none"> • \$205.3 million is for the Regional Surface Transportation Program (RSTP); • \$109.1 million is for the Highway Safety Improvement Program (HSIP); • \$140.8 million is for the Congestion Mitigation and Air Quality (CMAQ) Program; • \$250 million is for Revenue Sharing; • \$40.6 million is for the Surface Transportation Block Grant Program Set-Aside; • \$6.9 million is for the Virginia Transportation Infrastructure Bank (VTIB); and • \$3.5 million is for the Transportation Partnership Opportunity Fund (TPOF). 	<ul style="list-style-type: none"> • Many of these funds are subject to the Smart Scale prioritization process, so the impact to Fairfax County is currently unclear. • Retaining the current funding levels for Revenue Sharing (\$100 million in FY 2018), which is a reduction from previous years. This could be detrimental to the County, which regularly applies for, and receives, close to the maximum award (recently reduced from \$10 million to \$5 million total award per locality). • RSTP, HSIP, CMAQ, and TAP funds are similar to what was allocated in previous years.
	<p>House: No Change</p>	
	<p>Senate: No Change</p>	

**BUDGET PROPOSALS FOR FY 2016 - FY 2018 CABOOSE
as of February 23, 2018**

Budget Item #	Issue	Fairfax County Impact
	<u>Highway Maintenance</u>	
454	Governor McAuliffe's Budget: Increases funding for Highway System Maintenance and Operations by \$.5 million for the biennium; with \$41 million less for Interstates, \$22.4 million less for primaries, and \$55.4 million more for secondaries, and \$11.4 million more for Transportation Operations Services.	Using historical estimates, an estimated \$85,000 more may be available for maintenance within Northern Virginia.
	House: No Change	
	Senate: No Change	
	<u>Toll Facilities</u>	
455	Governor McAuliffe's Budget: Increases funding to the Toll Facilities Account by \$22.1 million for the biennium; with \$2.7 million more for Acquisition and Construction; \$10.7 million more for Maintenance and Operations; and \$8.7 million more for the Toll Facilities Revolving Fund.	This relates to the construction and operation of new facilities, including those located in the County.
	House: No Change	
	Senate: No Change	
	<u>Miscellaneous</u>	
442/ 3-2.03	Governor McAuliffe's Budget: Provides a line of credit up to \$20.7 million to the Department of Motor Vehicles (DMV) as a temporary cash flow advance to support operational costs related to the implementation and issuance of REAL ID compliant credentials. DMV has authority to impose a \$10 surcharge on all first issuances of REAL ID compliant credentials that are acceptable for federal purposes, which will be used to reimburse the line of credit.	No direct impact on the County.
	House: No Change	
	Senate: Reduces line of credit to \$10.5 million.	

**BUDGET PROPOSALS FOR FY 2018 - FY 2020
DURING THE 2018 GENERAL ASSEMBLY SESSION
as of February 23, 2018**

Budget Item #	Issue	Fairfax County Impact
Transportation		
County-Related Projects		
446	Governor McAuliffe's Budget: Removes language directing the Department of Rail and Public Transportation (DRPT) to work with Fairfax County and the Virginia Department of Transportation to develop a cost-effective method to make improvements to the rail bridge over Route 1 as part of the Atlantic Gateway project.	Progress has been made on the project, but language may need to be retained until the full issue has been resolved.
	House: No Change	
	Senate: No Change	
	House: No Language	
449	Senate: Directs VDOT to undertake an initial assessment for remediation of the American Legion Bridge, and coordinate any potential projects with Maryland project to add express lanes on Interstate 495.	Similar to legislation supported by the County.
Regional and Washington Metropolitan Area Transit Authority (WMATA)/VRE Funding		
456	Governor McAuliffe's Budget: Includes the regional funds provided for in HB 2313, including \$823.2 million for distribution of Northern Virginia Transportation Authority Fund Revenues over the biennium. The funding is \$164.6 million above what was projected for the 2016-2018 biennium in the Caboose Bill to provide funding for WMATA and VRE. The additional revenue comes from increasing two regional revenue sources provided to NVTA for regional transportation projects – the regional congestion relief fee (grantor's tax) would increase from \$0.15 to \$0.25 for each \$100 of value of property sold, and the Transient Occupancy Tax on hotel stays would increase from two percent to three percent. Of the total funds provided to NVTA, 35 percent would be allocated to WMATA capital needs and 5 percent would be allocated to VRE capital and operating needs. Language also includes a price floor for the regional gas tax to match the price floor for the statewide gas tax, with such funds being provided to WMATA for capital improvements.	Impact on the County is currently unknown. The proposal would provide additional funding for WMATA and VRE. However, the number (and amount) of new projects that NVTA would be able to fund would be reduced. Support for the regional gas tax floor is included in the County's Legislative Program.
453	House: Removes the proposed increase in regional taxes for WMATA Capital Funding.	Separate legislation to provide funding is currently moving through legislative process.
456	Senate: Removes the proposed increase in regional taxes for WMATA Capital Funding.	Separate legislation to provide funding is currently moving through legislative process.
Regional Transportation Entity Appointments		
4-14.	House: Permits the Speaker to appoint non-legislative members to NVTA, NVTC, and PRTC.	Unknown at this time.
	Senate: No Language	

**BUDGET PROPOSALS FOR FY 2018 - FY 2020
DURING THE 2018 GENERAL ASSEMBLY SESSION
as of February 23, 2018**

Budget Item #	Issue	Fairfax County Impact
Other WMATA Items		
433	Governor McAuliffe's Budget: Removes language directing the Secretary of Transportation to undertake a review of WMATA with the intent of identifying issues requiring reform, including identifying all issues of concern that must be addressed as part of the WMATA Compact renegotiation.	The review was completed and has been provided to the General Assembly.
	House: No Change	
	Senate: No Change	
445	Governor McAuliffe's Budget: Includes \$2.4 million from the Mass Transit Account for federally mandated state safety oversight of fixed rail guideway transit agencies, i.e. the Metrorail Safety Commission (MSC).	The County supported the MSC Legislation during the 2017 General Assembly session. Utilizing this funding for the MSC could lead to slightly reduced funding for statewide transit funding (the Northern Virginia region receives a large portion of this funding).
	House: No Change	
	Senate: No Change	
445	Governor McAuliffe's Budget: Removes language requiring WMATA to submit quarterly reports on actions taken to address recommendations of the USDOT's 2014 Systems Review.	WMATA has fulfilled this requirement in the past and the Governor is proposing discontinuing the requirement. No direct impact on the County is expected.
	House: No Change	
	Senate: No Change	
448	Governor McAuliffe's Budget: Retains language directing VDOT to provide a loan of up to \$6.2 million, in each year, to address any shortfall in transit funding due to FTA's withholding of Virginia's transit allocations because the Metro Safety Commission has not been enacted by all of the signatory parties. The amounts would be repaid once FTA releases Virginia's allocations. Certification has not occurred yet, but the MSC recently conducted its first meeting.	Should help address funding shortfalls for transit systems related to FTA's decision. The delay could impact approximately \$4 million for Northern Virginia transit systems, including WMATA and VRE.
	House: No Change	
	Senate: No Change	
Dulles Airport Funding		
433	Governor McAuliffe's Budget: No longer includes language regarding funding for \$50 million in additional funding for the Metropolitan Washington Airports Authority (MWAA) for the reduction of enplanement costs at Dulles Airport, along with requirements in regards to the receipt of those funds.	These were one-time funds expected to help improve the competitiveness of Dulles, which was consistent with the Board's Federal Legislative Strategy.
	House: No Change	
	Senate: No Change	

**BUDGET PROPOSALS FOR FY 2018 - FY 2020
DURING THE 2018 GENERAL ASSEMBLY SESSION
as of February 23, 2018**

Budget Item #	Issue	Fairfax County Impact
	Mass Transit Funding	
445	<p>Governor McAuliffe's Budget: Provides \$950.1 million for Public Transportation Programs for the biennium, including \$378.2 million for Operating Assistance (\$7.8 million increase) and \$191.3 million for Capital Assistance (\$77.5 million increase).</p> <p>Authorizes the CTB to issue \$110 million in bonds in the second year for the Transit Capital Fund, to be used to support capital expenditures involving the establishment, improvement, or expansion of public transportation services through specific projects approved by the CTB.</p>	<p>This funding will help address the transit capital funding shortfall, conservatively identified at \$130 million annually over the ten years, expected to begin in 2019. Northern Virginia receives a significant amount of the funding, due to the amount of transit service provided. While the increased funding will address capital needs, the specific impact is unknown due to proposed changes to the capital funding process (as noted in the item below).</p>
	House: Sets out separate allocation for WMATA, as proposed in HB 1539 and SB 856.	Unknown at this time.
	House: Eliminates the proposed authorization of \$110 million in bonds for transit capital. Includes language directing DRPT to investigate options to establish a Master Equipment Leasing Program to serve as a revolving fund for the purchase of this equipment.	Lack of funding to address capital funding shortfall can adversely impact the County. Impact of investigation of the Master Equipment Leasing Program is unknown at this time.
	Senate: Eliminates the proposed authorization of \$110 million in bonds for Transit Capital.	Lack of funding to address capital funding shortfall can adversely impact the County.
445	<p>Governor McAuliffe's Budget: Requires DRPT, in conjunction with the Transit Service Delivery Advisory Committee, to complete the development and implementation of a statewide project-specific prioritization process for state transit capital funding to be approved by the Commonwealth Transportation Board. The process should be based upon the recommendations of the Transit Capital Project Revenue Advisory Board and undertaken with input from localities, MPOs, transit authorities, transportation authorities, and other stakeholders. DRPT will report annually on the state of implementation of the process, which must be in place no later than July 1, 2020.</p>	<p>Extensive changes have been made to the distribution of these funds in the past two years, pursuant to SB 1140 (2013). Additionally, capital funds are already prioritized for rolling stock (buses and trains), many of which are replacement vehicles (which is more analogous to road maintenance and is not prioritized through HB 2). Further, the majority of statewide transit service exists in Northern Virginia - changing current formulas is likely to reduce funding for the region. The Transit Capital Project Revenue Advisory Board report noted that the General Assembly and CTB should consider the additional need for revenues before implementing a new prioritization process.</p>
	House: Expedites the implementation of the process to July 1, 2019, to be applied to the FY 2020-2025 Six Year Improvement Program.	Same as above.
	Senate: No change.	
445	House: Requires that all transit operating funds be distributed based on service delivery factors beginning in FY 2020. Legislation adopted in 2013 required that such factors be utilized for a portion of operating funds. This expands the process to all operating funds.	The agreement made in 2013 specially held harmless some funds, with only new funds being allocated using this process. The majority of statewide transit service exists in Northern Virginia, and changing this formula is likely to reduce funding for the region.
	Senate: No Language	
445	House: Requires all transit agencies in urbanized areas with a population over 50,000 and bus fleets of 20+ vehicles to develop a strategic plan that includes a needs and route analysis every five years.	County currently undertakes planning for the Connector; however, these requirements are fairly specific. Budget does not appear to provide funding for such detailed analysis.
	Senate: No language	

172

**BUDGET PROPOSALS FOR FY 2018 - FY 2020
DURING THE 2018 GENERAL ASSEMBLY SESSION
as of February 23, 2018**

Budget Item #	Issue	Fairfax County Impact
Regional Gas Tax		
443	House Authorizes DMV to provide all relevant information (including price and volume of fuels sold in Hampton Roads and Northern Virginia) to which the regional gas tax is calculated to each region.	No impact. NVTC already receives this information.
443	Senate: Authorizes DMV to provide all relevant information (including price and volume of fuels sold in Hampton Roads and Northern Virginia) to which the regional gas tax is calculated to each region.	No impact. NVTC already receives this information.
Highway Maintenance		
454	Governor McAuliffe's Budget: Increases funding for Highway System Maintenance and Operations by \$41.9 million for the biennium over the 2016-2018 Caboose bill: \$631.5 million for Interstates (\$21.1 million reduction); \$928.3 million for primaries (\$16.4 million reduction) and \$1.3 billion for secondaries (\$75.7 million increase); and \$382.0 million for Transportation Operations Services (\$3.8 million increase).	Using historical estimates, approximately \$7.1 million more may be available for maintenance within Northern Virginia.
	House: No Change	
	Senate: No Change	
Highway Construction		
Overall Funding		
450	Governor McAuliffe's Budget: Increases Highway Construction Programs' overall funding by \$196 million over the biennium from the 2016-2018 Caboose. \$129.1 million is provided for State of Good Repair (\$130.5 million reduction); \$309 million for the High Priority Projects Program (\$81.2 million increase); \$309 million for the Construction District Grant Program (\$99.7 million increase); \$2.97 billion for Specialized State and Federal Programs (\$293.5 million increase); and \$988.7 million is available for Legacy Construction Formula Programs (\$167.4 million decrease). Of the Specialized State and Federal Programs: <ul style="list-style-type: none"> • \$221.1 million is for the Regional Surface Transportation Program (RSTP); • \$106.2 million is for the Highway Safety Improvement Program (HSIP); • \$155.9 million is for the Congestion Mitigation and Air Quality (CMAQ) Program; • \$200 million is for Revenue Sharing; • \$40.4 million is for the Surface Transportation Block Grant Program Set-Aside; • \$6.9 million is for the Virginia Transportation Infrastructure Bank (VTIB); • \$3.5 million is for the Transportation Partnership Opportunity Fund (TPOF) • \$769.8 million represents the estimated project participation costs from localities and regional entities. • \$150.9 in the second year represents the bond proceeds to be used for the Route 58 Corridor Development Program. 	<ul style="list-style-type: none"> • Many of these funds are subject to the Smart Scale prioritization process, so the impact to Fairfax County is currently unclear. • Retaining the current funding levels for Revenue Sharing (\$100 million in FY 2018), which is a reduction from previous years. This could be detrimental to the County, which regularly applies for, and receives, close to the maximum award (recently reduced from \$10 million to \$5 million total award per locality). • RSTP, HSIP, CMAQ, and TAP funds are similar to what was allocated in previous years.
	House: No Change	
450	Senate: Directs the CTB to assess conditions, estimate potential costs, and develop recommendations for funding infrastructure needs of the Robert O. Norris Bridge, the Big Walker Mountain Tunnel, and other unique bridge and tunnel structures within the provisions of SMART SCALE.	This could result in statewide funding being reserved for specific projects, which could negate the Smart Scale process.

**BUDGET PROPOSALS FOR FY 2018 - FY 2020
DURING THE 2018 GENERAL ASSEMBLY SESSION
as of February 23, 2018**

Budget Item #	Issue	Fairfax County Impact
I-66 Projects		
433	Governor McAuliffe's Budget: Removes language directing the CTB to enter into discussions with Fairfax and Arlington Counties regarding use of air rights over I-66 in their respective jurisdictions no later than October 1, 2016. A report on the progress and outcome of such discussions was required by July 15, 2017.	A report was submitted to the General Assembly. An update was provided to the Board of Supervisors at the September 19, 2017, Legislative Committee meeting.
433	Governor McAuliffe's Budget: Removes language directing the Secretary of Transportation to report to House Appropriations and Senate Finance on the outcome of negotiations under the I-66 Outside the Beltway RFP by October 31, 2016, to enable consideration of proceeding with public financing of such project if the public-private proposal does not meet the terms outlined in the RFP.	The CTB approved commercial close with the project partner for the project in December 2016. Financial close occurred in Fall 2017.
	Governor McAuliffe's Budget: Removes language requiring that the CTB provide up to \$140 million in the FY 2017-2022 SYIP to add a third eastbound travel lane on I-66 from the Dulles Connector Road to the Glebe Road/Fairfax Drive exit; begin environmental work on such project by July 15, 2016; and complete a minimum of 30 percent of the design work by November 1, 2017; as well as the language noting it is the intent of the General Assembly that tolling on I-66 Inside the Beltway should not extend beyond four hours during the morning rush hour and four hours during the evening rush hour on weekdays, excluding national holidays and weekends.	The funding has already been committed and the project is ongoing. Additionally, the hours of operation have been addressed in legal documents.
452	House: Directs VDOT to reevaluate the algorithm utilized to determine the variable toll rate on I-66 Inside the Beltway to lower the optimum travel speed and lower tolls, to the extent allowed under federal law. The evaluation and any necessary changes must be completed and implemented by July 1, 2018.	Impacts currently unknown.
452	House: Directs VDOT to implement reverse commuter tolling on I-66 Inside the Beltway in conjunction with the completion of the I-66 widening project from the Dulles Connector Road to Fairfax Drive.	Impacts currently unknown.
	Senate: No Language	
Toll Facilities		
452	Governor McAuliffe's Budget: Reduces funding to the Toll Facilities Account by \$31.8 million for the biennium from the 2016-2018 Caboose Bill; no funding is provided for Acquisition and Construction; \$6.4 million is provided for Debt Service (similar to the amount provided in the 2016-2018 biennium); \$12.8 million more for Maintenance and Operations; and, \$23.1 million more for the Toll Facilities Revolving Fund.	TBD. There are several toll facilities in the County.
	House: No Change	
	Senate: No Change	
433	Governor McAuliffe's Budget: Removes language stating that existing statutory provisions governing project labor agreements apply to PPTA projects.	Removes any concern about multistate facilities. The impact on other projects is TBD.
	House: Reinserts language stating that existing statutory provisions governing project labor agreements apply to PPTA projects. A public body would be prevented from requiring or prohibiting project labor agreements as part of the contract, though voluntary agreements between contractors and labor would not be impacted. Does not apply to any such projects or facilities that (i) improve or construct a limited access roadway that crosses state borders, and (ii) include construction of a new bridge or expansion of an existing bridge.	The exclusion language seems to address concerns related to projects with neighboring states that do not have similar regulations.
	Senate: No Change	

**BUDGET PROPOSALS FOR FY 2018 - FY 2020
DURING THE 2018 GENERAL ASSEMBLY SESSION
as of February 23, 2018**

Budget Item #	Issue	Fairfax County Impact
452	Governor McAuliffe's Budget: Removes language directing VDOT to examine how to develop an annual report on public and private toll road violations and civil penalties and administrative fees levied and collected each year.	No direct impact to the County. Report was due on November 15, 2017, but has not been submitted yet.
	House: No Change	
	Senate: No Change	
Miscellaneous		
REAL ID		
439 / 3-2.03	Governor McAuliffe's Budget: Continues a line of credit up to \$20.7 million to the Department of Motor Vehicles (DMV) as a temporary cash flow advance to support operational costs related to the implementation and issuance of REAL ID compliant credentials. DMV has authority to impose a \$10 surcharge on all first issuances of REAL ID compliant credentials that are acceptable for federal purposes, which will be used to reimburse the line of credit.	No direct impact on the County.
	House: No Change	
	Senate: Reduces line of credit to \$10.5 million.	
DMV Funding		
	House: Increases fees on motor vehicle titles from \$10 to \$20.	No direct impact on the County. Would provide an additional \$52 million to DMV for operations over the biennium. Fees would still be lower than the fees in neighboring jurisdictions.
439	Senate: Allows DMV to impose a \$6 processing fee on all vital record transactions.	No direct impact on the County. Would provide an additional \$1.6 million to DMV for operations over the biennium.

This page intentionally
left blank.

Wireless Telecommunications Infrastructure (HB 1258 (Kilgore)/ SB 405 (McDougle))

Overview of Regulation of Wireless Telecommunications Facilities

- The federal Telecommunications Act of 1996 and the Spectrum Act (2012), administered by the Federal Communications Commission (FCC), allow local regulation of wireless telecommunications facilities as long as state and local regulations do not unreasonably discriminate among functionally equivalent providers, and do not prohibit or have the effect of prohibiting wireless service.
- The FCC has imposed presumptively reasonable time periods – referred to as a “shot clock” – in which localities must decide upon zoning applications.
- The Spectrum Act requires streamlined local administrative approvals for the colocation of certain new wireless facilities on structures previously approved to support wireless facilities, if the new facilities do not “substantially change the physical dimensions” of the pre-existing structure.
- Federal law currently allows localities to request that telecommunications companies disclose information about the character and location of wireless telecommunication facilities of all types (i.e., towers, monopoles, distributed antenna systems, and other small-cell facilities, and related equipment cabinets and structures), including a proposed facility’s service coverage area and alternative, less-intrusive locations.
- Federal law specifically prohibits localities from basing denials of facility applications on environmental concerns about radio frequency emissions when the facility complies with the FCC’s radio frequency regulations.

2017 Virginia Wireless Legislation

- In 2017, the General Assembly (GA) enacted legislation that restricted local land use authority over small cell wireless facilities of certain dimensions that attach to structures.
- That legislation eliminated public hearings by prohibiting special exceptions for such facilities, and instead created a local administrative process with capped fees.
- Under the 2017 legislation, the only allowable reasons for disapproval in the administrative process include:
 - Interference with other communications facilities, including those for public safety;
 - Public safety or critical public service needs;

- Aesthetic impact or failure to obtain other required government permits or approvals, but only if installed on or in publicly owned or publicly controlled property; or,
- Conflict with certain historic ordinances.

Overview of Provisions of 2018 GA Legislation

Similar to the 2017 legislation, **HB 1258** (Kilgore) and **SB 405** (McDougle) further reduce community participation and local land use authority over privately owned towers and poles.

Administrative Process

- The bills allow only administrative review of towers that are: not more than 50 feet tall; not more than 10 feet taller than the closest utility pole within 500 feet in a right-of-way (ROW) or, if not a ROW, in a line of utility poles; not in a historic district; not in a locality that has spent at least 35% of current GF operating revenue on undergrounding since 1980; and, designed for small cell.
- Additionally, only administrative review is allowed for collocation of a facility larger than a small cell facility on any structure that exists or has been approved for installation but not yet constructed.
- Such an administrative process eliminates the public hearing currently required for towers or poles, and removes the discretion or flexibility of the governing body in the process.
- It is important to note that federal law requires approval of a subsequent increase in height that is not a “substantial” change to a tower’s physical dimensions (at least 10 feet in the ROW and at least 20 feet outside the ROW), so this administrative process could result in towers 60-70 feet tall.
- The bills cap fees for an administrative review at \$500.

Restrictions on all facilities (whether the process is administrative or non-administrative, including special exceptions)

- The bills: set time limits for approval of applications (the lesser of the bills’ time limits or federal requirements); require local governments to notify applicants within 10 days of receipt that an application is incomplete or else the application is deemed complete; and, state that an application for any size tower is deemed approved if the deadlines are exceeded without the applicant’s consent.
- A locality cannot require proprietary business information to show a need for the tower/collocation, or placement of a locality-owned facility on the project.

- A locality cannot disapprove an application based on: the applicant's choice of technology; a business decision about service, customer demand, or quality of service; or, the fact that a tower or collocated facility exceeds 50 feet unless that prohibition is in a local ordinance and applies generally to all wireless, cable and electric services.
- A locality also cannot disapprove an application in favor of undergrounding utilities in an area unless: all cable and public utilities in that area are required to be undergrounded by a date certain (it is unclear whether localities have authority to create such a requirement, and that requirement does not currently exist in the County); the requirement existed three months before the application was filed; the locality allows collocation on existing structures, including a building within the undergrounded area; and, the locality allows replacement of structures with structures of the same size or smaller within the area.

Additional Provisions

- The bills provide for appeals of administrative and non-administrative decisions to circuit court.
- They confirm existing prohibitions on "unreasonable" discrimination between providers of similar services, but add providers that are not similarly situated, including cable providers who have franchise agreements with localities and publicly regulated electric facilities.
- They prohibit a zoning approval for maintenance or the replacement of wireless facilities and structures that are (i) substantially similar or (ii) of the same size or smaller.
- They require that non-administrative review fees (for special exceptions, for example) do not exceed actual direct costs.

This page intentionally
left blank.

WMATA/Transit Funding Bills
February 23, 2018

	<u>HB 1539 (Hugo)</u>	<u>SB 856 (Saslaw)</u>
<i>WMATA and Regional Provisions</i>		
8 New Funding for WMATA	<ul style="list-style-type: none"> • Creates a WMATA Capital Fund: \$110 million/year <ul style="list-style-type: none"> ○ Restricted Fund for non-debt service capital purposes: <ul style="list-style-type: none"> ▪ Approximately \$30 million in existing state revenues: \$20 million from state recordation tax (Northern Virginia Transportation District Fund) and \$10 million from 1/3 of motor vehicle rental tax revenues. ○ Non-Restricted Fund for capital and debt service: <ul style="list-style-type: none"> ▪ \$45 million from existing NVTA 30% funds; and, ▪ Approximately \$30 million from the existing NVTA 2% Transient Occupancy Tax (TOT). 	<ul style="list-style-type: none"> • Creates a WMATA Capital Fund: \$135.4 million/year (excluding gas tax floor, which is discussed below) <ul style="list-style-type: none"> ○ Restricted Fund for non-debt service capital purposes: <ul style="list-style-type: none"> ▪ Approximately \$30 million in existing state revenues: \$20 million from state recordation tax (Northern Virginia Transportation District Fund) and \$10 million from 1/3 of motor vehicle rental tax revenues. ○ Non-Restricted Fund for capital and debt service: <ul style="list-style-type: none"> ▪ \$31 million from existing NVTA 30% funds based on WMATA formula. ▪ \$30 million from increasing the grantor's tax in NVTC jurisdictions (currently assessed at \$0.15/\$100 in NVTA jurisdictions and increased under the bill to \$0.25/\$100 in NVTC jurisdictions). ▪ \$45 million from 3% TOT for NVTC jurisdictions – repeals existing 2% TOT from NVTA jurisdictions, imposes 3% TOT on NVTC jurisdictions (also maintains 2% TOT on Prince William, Manassas and Manassas Park to be used for public transportation purposes).
	<ul style="list-style-type: none"> • TOT and NVTA 30% funding changes become effective 30 days after the District of Columbia and state of Maryland each enact legislation or take actions to provide their share of the \$500 million. • States that any NVTA funds used in Virginia for WMATA are essentially determined to be for the benefit of the NVTA jurisdictions. • Deposits/expenditures from this fund will not be used to calculate or reduce the share of federal, state, or local revenues otherwise available to participating jurisdictions, and will not be used in any computation of or formula for public education funding. 	

WMATA/Transit Funding Bills
February 23, 2018

	<u>HB 1539 (Hugo)</u>	<u>SB 856 (Saslaw)</u>
WMATA Board Composition	<ul style="list-style-type: none"> • Near Term Reform Board (4-5 members): <ul style="list-style-type: none"> ○ Until July 1, 2021, limits NVTC to appoint one non-elected official to the WMATA Board. ○ Additional language permits a larger board size if Maryland and D.C. do not comply. • Longer-Term Board: <ul style="list-style-type: none"> ○ Changes permanent NVTC appointment to a single appointee, plus Secretary of Transportation or their designee. ○ Maintains the Governor's appointee as a Principal Director of WMATA. 	<ul style="list-style-type: none"> • Principals-Only Board (8 members): <ul style="list-style-type: none"> ○ Restricts participation of alternates. ○ 20% of funding from Commonwealth to be withheld if any alternates participate or take action as WMATA Board members when both appointed members by that same WMATA compact member are present.
WMATA Operating Expense Limitation	<ul style="list-style-type: none"> • Stipulates that total operating assistance for WMATA cannot increase by more than 2% annually or CTB will withhold 50% of state funds: <ul style="list-style-type: none"> ○ Does not include: (i) any service, equipment, or facility that is required by any applicable law, rule, or regulation; (ii) any capital project approved by the WMATA Board; and (iii) any payments or obligations of any kind arising from or related to legal disputes or proceedings between or among WMATA and any other person or entity. 	<ul style="list-style-type: none"> • Stipulates that total operating assistance for WMATA cannot increase by more than 3% annually or CTB may withhold up to 20% of state funds: <ul style="list-style-type: none"> ○ Does not include: (i) any service, equipment, or facility that is required by any applicable law, rule, or regulation; (ii) any capital project approved by the WMATA Board; and (iii) any payments or obligations of any kind arising from or related to legal disputes or proceedings between or among WMATA and any other person or entity.

182

WMATA/Transit Funding Bills
February 23, 2018

183

	<u>HB 1539 (Hugo)</u>	<u>SB 856 (Saslaw)</u>
WMATA Strategic Plans/CIP/Reform Efforts	<ul style="list-style-type: none"> ● Establishes a Metro Reform Commission (appointed by General Assembly (GA)): <ul style="list-style-type: none"> ○ Advises and makes recommendations to WMATA Compact Signatories on Wolf (National Capital Area Interest Arbitration Standards) Act. ○ Makes recommendations on reforms to the WMATA Compact. ○ Receives semiannual reports from WMATA. <ul style="list-style-type: none"> ▪ All state funding from Mass Transit Fund withheld if semiannual reports not received. ● Requires Secretary of Transportation to conduct Compact Review and report quarterly to GA and Metro Reform Commission on status of revising the WMATA Compact and implementation of reforms, including: <ul style="list-style-type: none"> ○ review of the legal and organizational structure of WMATA; ○ the composition and qualification of Board Members; ○ labor costs; ○ elimination of binding–arbitration; ○ addressing pension liabilities; and, ○ addressing safety improvements, financial and operational improvements. 	<ul style="list-style-type: none"> ● Requires WMATA to adopt capital improvement program (CIP) and Strategic Plan: <ul style="list-style-type: none"> ○ Detailed CIP covering the current fiscal year and, at a minimum, the next five fiscal years, with NVTC public hearing. ○ First strategic plan must include a plan to align services with demand and to satisfy recommendations included in LaHood Study. ○ 20% of funding from Commonwealth to be withheld if not completed by July 1, 2019, and in subsequent years. ● Requires WMATA Performance Annual Report (NVTC) to the Governor and the GA on the performance and condition of WMATA, including: <ul style="list-style-type: none"> ○ safety and reliability of rapid heavy rail and bus systems; ○ financial performance of WMATA related to rail and bus operations, including: farebox recovery, service per rider, cost per service hour; ○ potential strategies to reduce the growth in such costs and to improve the efficiency of WMATA operations; ○ use of the funds provided from the Capital Fund to improve the safety and condition of the rapid heavy rail mass transportation system; and, ○ ridership of rail and bus system.

WMATA/Transit Funding Bills
February 23, 2018

	<u>HB 1539 (Hugo)</u>	<u>SB 856 (Saslaw)</u>
NVTC WMATA Oversight & Reporting	<ul style="list-style-type: none"> • Requires annual certification by NVTC of receipt of the following: <ul style="list-style-type: none"> ○ WMATA’s annual capital budget; ○ WMATA’s annual independent financial audit; ○ WMATA’s National Transit Database annual profile; and, ○ Single audit reports. • All funding from new WMATA Capital Fund will be withheld if certification is not received. 	
Gas Tax Floor	No provision. HB 768 (Jones), which is being considered separately, includes a “stepped up” gas tax floor.	<ul style="list-style-type: none"> • Makes the following changes to the regional gas tax: <ul style="list-style-type: none"> ○ Implements 2.1% tax at the distributor level for a gallon of unleaded gas; and, ○ Places a floor on the gas tax at the statewide average wholesale price of a gallon of fuel on February 20, 2013, plus a distributor charge calculated by the Commissioner for that date. <p>Additionally, SB 896 (Wagner), which is being considered separately, includes a gas tax floor.</p>
Allocation of Proceeds from Gas Tax Floor	No provision.	<ul style="list-style-type: none"> • Allocates additional revenues from imposition of the regional gas tax floor: <ul style="list-style-type: none"> ○ In NVTC jurisdictions: 68.4% (approximately \$18.6 million) to WMATA Capital Fund and 31.6% (approximately \$8.6 million) to VRE. ○ Outside NVTC: approximately \$18 million to VRE.
Expanded Use of C&I Tax	No provision.	<ul style="list-style-type: none"> • Allows use of C&I to pay a portion of local share of WMATA funding.

721

WMATA/Transit Funding Bills

February 23, 2018

	<u>HB 1539 (Hugo)</u>	<u>SB 856 (Saslaw)</u>
"Kill Switch" Provisions	<ul style="list-style-type: none"> • Ends Virginia's contributions enacted by HB 1539 on June 30 of any year in which Maryland and D.C. fail to provide their share of dedicated funding. 	<ul style="list-style-type: none"> • Provisions of SB 856 generating additional revenues will expire on December 31 of any year in which the GA appropriates any such revenues for non-transportation purposes or transfers any additional revenues that are to be deposited into the WMATA Capital Fund or Commuter Rail Operating and Capital Fund. • States that SB 856 will not activate the "kill switches" included in HB 3202 and HB 2313.
Labor Provisions	<ul style="list-style-type: none"> • After July 1, 2018, no employee of a WMATA contractor for a WMATA project solely within the Commonwealth of Virginia shall be required to be a member of a labor union. 	No provision.
Maintenance of Effort	<ul style="list-style-type: none"> • Includes a new Maintenance of Effort provision. 	No provision.
<u>Statewide Provisions</u>		
State Prioritization	<ul style="list-style-type: none"> • Establishes statewide prioritization process to allocate transit funds. <ul style="list-style-type: none"> ○ Process for state of good repair capital projects to be based on federal asset management requirements. ○ Process for major expansion projects to be based on SMART SCALE factors. 	<ul style="list-style-type: none"> • Directs DRPT and TSDAC to develop and implement a process (no later than January 1, 2019), to be used in the development of the FY 2020-25 SYIP.
	<ul style="list-style-type: none"> • Directs the Department of Rail and Public Transportation (DRPT) and the Transit Service Delivery Advisory Committee (TSDAC) to develop and implement a process (no later than July 1, 2019), to be used in the development of the FY 2020-25 Six-Year Improvement Program (SYIP). 	

185

WMATA/Transit Funding Bills
February 23, 2018

	<u>HB 1539 (Hugo)</u>	<u>SB 856 (Saslaw)</u>
DPRT Transit Funding Allocation	<ul style="list-style-type: none"> • Restructures the allocation of transit operating and capital funding based upon previous years' average as follows: <ul style="list-style-type: none"> ○ At least 31% to be used for operating costs for properties excluding WMATA; ○ 12.5% to be used for statewide capital improvements for properties excluding WMATA; ○ 53.5% to NVTC for WMATA operating and capital assistance; ○ 3% for special projects (<i>current amount</i>). 	<ul style="list-style-type: none"> • Restructures the allocation of transit operating and capital funding based upon previous years' average as follows: <ul style="list-style-type: none"> ○ At least 28.9% to be used for operating costs for properties excluding WMATA; ○ 18.4% to be used for statewide capital improvements for properties excluding WMATA; ○ 49.9% to NVTC for WMATA operating and capital assistance; ○ 2.8% for special projects.
State Fiscal Cliff	No provision.	<ul style="list-style-type: none"> • Reauthorizes transportation bonds for single year of \$50 million match for federal Passenger Rail Investment and Improvement Act (PRIIA) funds.

NS

Fairfax County Principles for WMATA Funding

- The Washington Metropolitan Area Transit Authority (WMATA) is vital to the transportation network and economic growth of Northern Virginia and the Commonwealth, and sufficient state support is needed to address state of good repair and help accommodate additional growth in Fairfax County and Northern Virginia.
- Fairfax County strongly supports the identification and enactment of long-term, dedicated, bondable, reliable, and sustainable funding to support WMATA's capital funding requirements.
- In addition to addressing WMATA capital needs, the County supports NVTC's Principles for WMATA Reform, pertaining to WMATA's governance and operations, adopted in September 2017.
- The enactment of additional Virginia funding must be contingent on the provision of additional funding from the District of Columbia and Maryland.
- It is essential that a WMATA funding plan not jeopardize the Northern Virginia Transportation Authority's (NVTA) existing authorities, creditworthiness, credibility or bond validation.
- It is also essential that a funding plan not trigger the "kill switch" that would dissolve the Northern Virginia regional revenue sources enacted by the 2013 General Assembly.
- The Commonwealth's funding for WMATA must include a substantial statewide component, in order to avoid dramatically increasing the funding burden on Northern Virginia taxpayers, who already provide extensive funding for transportation projects and services, including WMATA.
- Any local transportation sources redirected to WMATA funding needs should be accompanied by legislative authority to replace such revenues, as Northern Virginia's transportation funding needs continue to grow.
- Any funding solution should leave each NVTA member with reasonable access to both regional and local funds.

- A transit funding plan should address the needs of both WMATA and the Virginia Railway Express (VRE), which also provides essential transit services in Northern Virginia.
- Additionally, the federal government should renew its PRIIA commitment to WMATA, as well as provide new matching funds at a level commensurate with increases in state and local funding required for WMATA's long-term safety, reliability and state of good repair and needs to take responsibility for WMATA's capital expenditures and increase their contributions beyond PRIIA funding.



RESOLUTION #2342

SUBJECT: NVTC Principles for WMATA Reform

WHEREAS: The Washington Metropolitan Area Transit Authority (WMATA) is critical to Northern Virginia and the Commonwealth's transportation network and economic growth;

WHEREAS: The Northern Virginia Transportation Commission (NVTC) was founded in part to represent the interests of the Commonwealth during the establishment of WMATA;

WHEREAS: The General Assembly, through Enactment Clause 4 of HB2136/SB1251 (2017), directed the Secretary of Transportation, in coordination with the Northern Virginia Transportation Commission, to engage his counterparts in Maryland and Washington, D.C., and the appropriate officials in the federal government for the purpose of revising the Washington Metropolitan Area Transit Authority Compact of 1966 and implementing other reforms necessary to ensure the near-term and long-term viability of the Washington Area Metropolitan Transit Authority (WMATA);

WHEREAS: In doing so, the Secretary shall develop, propose, and seek agreement on reforms related to the following:

- (i) the legal and organizational structure of WMATA;
- (ii) the composition and qualifications of the WMATA Board of Directors and the length of terms of its members;
- (iii) labor costs and labor relations;
- (iv) measures necessary to resolve WMATA's unfunded pension liability and other postemployment benefits;
- (v) measures necessary to better ensure the safety of riders and employees, including safety in the event of a homeland security emergency in the national capital area; and
- (vi) financial and operational improvements necessary to ensure that WMATA's performance is at least as efficient as its closest comparable transit systems in the United States.

WHEREAS: NVTC seeks to provide its recommendations to the Secretary of Transportation on these matters through this and subsequent resolutions;

WHEREAS: NVTC supports a legal and organizational WMATA Board structure that recognizes that Virginia is unique in the WMATA Compact region in that its local governments – the cities of Alexandria, Falls Church, and Fairfax and the counties of Arlington and Fairfax – are the Compact funding partners, with Loudoun County becoming a funding partner as the Silver Line Phase 2 becomes operational;

- WHEREAS:** NVTC supports the role of the federal government in providing dedicated funding for WMATA through the Passenger Rail Investment and Improvement Act (PRIIA), which provides \$150 million per year in dedicated funding to support capital improvements to WMATA, with the requirement that Maryland, the District of Columbia and Virginia provide matching funds;
- WHEREAS:** NVTC endorses the continued investment by the Commonwealth to provide funds that partially support NVTC jurisdictions' contributions to WMATA as well as matching funds under PRIIA;
- WHEREAS:** Under current law, the Virginia Secretary of Transportation or his/her designee and any NVTC Commissioner appointed by the Northern Virginia Transportation Commission are authorized to serve as members of the WMATA Board;
- WHEREAS:** Peer transit agency, foundation, and corporate boards in the United States average between 11.5 and 13.5 members and do not include alternate members. The current WMATA Board includes 16 members, eight of which are alternates with no full Board voting rights;
- WHEREAS:** No other peer transit agency uses alternates on their boards, and current WMATA alternates perform all the work of voting board members, including voting in committees, but cannot vote during full Board meetings;
- WHEREAS:** The WMATA Board has nine committees with four to 16 members each, tied for the most board committees among transit agencies peers. Between 2016 and 2017 each WMATA Board member attended an average of 41 meetings;
- WHEREAS:** Effective membership on the WMATA Board requires a large commitment of its members' time and energy. Compensation for that time should not be provided by entities that may represent real or perceived conflicts of interest for WMATA Board members;
- WHEREAS:** In November 2016, as a response to recommendations from a strategic advisor, the WMATA Board adopted an updated Code of Ethics that requires annual training on identifying and resolving actual and apparent conflicts, making disclosures and acknowledgments, and rules regarding acceptance of gifts;
- WHEREAS:** Board members, either corporate representatives with business connections or elected officials who must both represent the interests of their constituents while also representing WMATA's interest, must engage in rigorous and ongoing analysis of the ethics and balance of these multiple interests and responsibilities;
- WHEREAS:** The veto by a single jurisdiction inhibits jurisdictional collaboration and impedes regional policy decisions on the WMATA Board;
- WHEREAS:** A Department of Rail and Public Transportation review of WMATA operational cost drivers found that while WMATA's operational cost metrics are similar to peer transit agencies, it does have greater costs associated with rail maintenance activities;

WHEREAS: The WMATA General Manager, in his April 2017 Action Plan, expressed a desire to address operational cost drivers noting that, without changes, operating cost increases will outpace revenue growth by approximately 50 percent and the current public subsidy requirement for day-to-day operations would grow from \$980 million to \$1.6 billion annually in 10 years;

WHEREAS: On June 1, 2017, NVTC endorsed the spirit and direction of the WMATA General Manager's April 2017 Action Plan to significantly reform operations at WMATA that would yield reductions in operating and capital costs absent changes to the WMATA Compact;

WHEREAS: NVTC maintains interest in identifying near and long-term changes to reduce WMATA's operating costs to control the overall growth in jurisdictional contributions to no more than three percent per year; and

WHEREAS: In November 2016, WMATA's unfunded pension liability was estimated at \$1 billion with total plan assets at \$3.6 billion, and while comparable to peer transit and governmental agencies, poses a financial risk to its funding jurisdictions.

NOW, THEREFORE, BE IT RESOLVED that the Northern Virginia Transportation Commission, pursuant to items (i) and (ii) of Enactment Clause 4 of HB2136/SB1251, recommends the following:

1. WMATA Governance Structure:

- The WMATA Board should be comprised of 12 members, with three members representing each jurisdiction and the federal government.
- Federal government representation should be contingent upon the continued dedicated federal funding of at least \$150 million per year.
- The WMATA Board members from Virginia should include one member appointed by the Commonwealth and two members appointed by NVTC.
- All Virginia members of the WMATA Board should serve on NVTC.
- The term of each WMATA Board member should continue to be four years, limited to two terms.
- WMATA should reduce the number of committees and committee meetings.
- All WMATA Board members should have full voting authority (no alternates).

2. Compensation:

- WMATA Board members should receive equal financial compensation, to be paid by WMATA.

3. Board Composition and Experience:

- The WMATA Board should include a mix of elected and nonelected members, each of whom has experience in transit planning, transportation planning, or land use planning; transit or transportation management or other public-sector management; engineering; finance; public safety; homeland security; human resources; or the law; or knowledge of the region's transportation issues derived from working on the resolution of regional transportation issues. Some members of the Board should have significant senior executive experience with rail systems, transit agencies, airlines, airports, ports, or other transportation providers.
- All members of the WMATA Board should be familiar with the WMATA transit system.

4. Board Fiduciary and Other Conflicts of Interest:

- The WMATA Board should engage in a robust review of its policies on conflicts of interests and fiduciary interests so that it will maintain its strong commitment to ethics pertaining to fiduciary duties and conflicts of interest.

5. Jurisdictional Veto:

- The use of the jurisdictional veto should be eliminated.

BE IT FURTHER RESOLVED that NVTC, pursuant to items (iii) of Enactment Clause 4 of HB2136/SB1251, recommends the following:

- In labor negotiations, the WMATA General Manager and Board should have greater authority to make operational decisions that improve the system's cost effectiveness without jeopardizing safety, including the use of tools such as competitive contracting of targeted functions.
- WMATA's annual operational cost increases should be comparable to those of its funding jurisdictions, and the jurisdictional subsidies it sets should hold within the three percent annual cap recommended by the General Manager in his April 2017 Action Plan, and that to maintain such funding discipline should be a mandatory factor used in consideration of establishing labor costs through collective bargaining or subsequent arbitration.

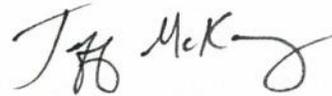
- NVTC endorses an amendment to the Wolf Act (National Capital Area Interest Arbitration Standards Act of 1995, Pub L. 104-50) that would require arbitrators in WMATA contract arbitrations to consider these fiscal restrictions in all cases.

BE IT FURTHER RESOLVED that NVTC, pursuant to item (iv) of Enactment Clause 4 of HB2136/SB1251, calls upon the WMATA General Manager and Board to identify a specific plan to address its unfunded pension liability and other post-employment benefits.

BE IT FURTHER RESOLVED that NVTC, pursuant to item (v) of Enactment Clause 4 of HB2136/SB1251, calls upon the WMATA's General Manager and Board, to take measures to ensure the safety of riders and employees, including safety in the event of a homeland security emergency in the national capital area.

BE IT FURTHER RESOLVED that NVTC recommends that the WMATA Board direct the General Manager to set forth, by January 1, 2018, a detailed business plan for implementing the operational reforms outlined in his April 2017 Action Plan and any other actions necessary to meet the requirements of item (vi) of Enactment Clause 4 of HB2136/SB1251 (2017) so the legislatures of the respective jurisdictions will have the opportunity to review such plan prior to the commencement of their legislative sessions.

Approved on this 7th day of September 2017.



Jeffrey C. McKay
Chairman



Matthew F. Letourneau
Secretary-Treasurer