



County of Fairfax, Virginia

MEMORANDUM

DATE: February 19, 2019

TO: Board of Supervisors

FROM: Bryan J. Hill, County Executive *J Hill*

SUBJECT: 2019 Legislative Report No. 3 – Board Legislative Committee Meetings of February 8, 2019, and February 15, 2019

With less than a week remaining in the 2019 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 February 23 scheduled adjournment. The House Appropriations and Senate Finance committees reported their respective budgets on February 3, and the full House and Senate approved these proposals on February 7. 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 8 and February 15 to consider several issues of importance to the County. The Committee offers the following report and recommendations for action to the Board.

Legislative Committee Actions of February 8, 2019:

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

Specific Issues

Update on State Budget: The Committee received an update on the state budget, including an overview of the House and Senate budget amendments (see handout on “Supplementary Documents” pages 79-100).

Pending Utility Undergrounding Legislation: The Committee received an update on pending legislation relating to undergrounding utility lines and discussed the version under consideration as of February 7, 2019 (see handout on “Supplementary Documents” pages 101-103).

Priority Principles for Reviewing Legislation

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

Specific Legislation

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

Historical Positions of the Board

SUPPORT

SB 1013 (Stanley) (Passed Senate; HCT) repeals the requirement that the driver's license of a person convicted of any violation of the law who fails or refuses to provide for immediate payment of fines or costs be suspended. The bill also removes a provision allowing the court to require a defendant to present a summary prepared by the Department of Motor Vehicles of the other courts in which the defendant also owes fines and costs. The bill requires the Commissioner of the Department of Motor Vehicles to return or reinstate any person's driver's license that was suspended prior to July 1, 2019, solely for nonpayment of fines or costs, provided that such person has paid the applicable reinstatement fee. The provisions of the bill are contingent upon funding in a general appropriation act. This bill incorporates SB 1310 and SB 1612. Support; Board has historically supported concept of alternatives to driver’s license suspension to address non-payment of court fines and costs. (19104813D-ES1)

SB 1301 (Edwards) (Passed Senate; HFIN) allows a local treasurer to employ private collections agents to assist with the collection of delinquent amounts due other than delinquent local taxes.

Current law allows only for the collection of delinquent taxes by private collections agents.
Support; Board has historically supported concept. (19102375D)

New Bills – 2019 GA

SB 1425 (Dunnavant) (Passed Senate; HFIN) provides that when the owner of a mobile food unit, defined as a restaurant mounted on wheels and readily moveable at any time during its operation, pays any license tax in the county or city in which the mobile food unit is registered and in which property taxes are paid, no other license shall be required in any other county, city, or town in the Commonwealth. Monitor. (19105609D-S1)

Elections

HB 2790 (Rush) (Passed House; SPE) allows for any registered voter to vote by absentee ballot in person beginning on the second Saturday immediately preceding 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 second Saturday immediately preceding the election, including the application requirement and the list of statutory reasons for absentee voting. Support with amendment to allow time for the Department of Elections and stakeholders to prepare to implement the bill for the November 3, 2020, general election. (19102828D-E)

HJ 615 (Cole) (Agreed to by House; SPE) requires the establishment of independent redistricting commissions by the General Assembly and the governing bodies of each county, city, or town in which members of the governing body are elected from districts. The Virginia Independent Redistricting Commission is required to be convened for the purpose of proposing districts for the United States House of Representatives and for the Senate and House of Delegates. The Commission shall consist of twelve commissioners, four to be appointed by the Governor, four to be appointed by the Speaker of the House of Delegates, and four to be appointed by the Senate Committee on Rules. Equal representation shall be given to the two major political parties. Congressional district plans must receive an affirmative vote of eight of the twelve commissioners in order to be submitted to the General Assembly for a vote. Senate district plans must receive an affirmative vote of three of the four commissioners appointed by the Senate Committee on Rules in order to be submitted to the Senate for a vote. House of Delegates district plans must receive an affirmative vote of three of the four commissioners appointed by the Speaker of the House of Delegates in order to be submitted to the House of Delegates for a vote. Plans may not be amended by the General Assembly or the respective body and are not subject to amendment, approval, or veto by the Governor. If a plan is rejected by the General Assembly or the respective body, the Commission is required to submit a new plan for consideration and if that plan is rejected, the districts shall be established by the Supreme Court of Virginia. Congressional and legislative districts are to be established in accordance with certain criteria set out in the amendment. The independent redistricting commissions established by the governing body of each county, city, and town in which members of the governing body are elected from districts will consist of four

members, with equal representation given to the political parties, and will be responsible for submitting to its governing body proposed plans for local electoral districts. A proposed plan submitted to a governing body shall, if enacted, be done so in accordance with law. Amend to remove provisions pertaining to the local Independent Redistricting Commission, due to concerns that the bill would override the more robust process the County has used in the past. (19105844D-H1)

Transportation

HB 2784 (Hodges) (Passed House; STRAN)/**SB 1749** (McDougle) (Passed Senate; Reported from HTRAN) establishes the Robert O. Norris Bridge and Statewide Special Structure Fund to be used for the purpose of funding maintenance and replacement of large and unique structures. The bill also requires the Commonwealth Transportation Board to (i) undertake a comprehensive review of the current and future condition of pavements and bridges in the Commonwealth; (ii) dedicate a portion of certain funds to the Robert O. Norris Bridge and Statewide Special Structure Fund; and (iii) evaluate the feasibility of using the Public-Private Transportation Act of 1995 to design, build, operate, and maintain two bridges to replace the Robert O. Norris Bridge on State Route 3 and the Downing Bridge on U.S. Route 360. Monitor. (19105915D-H1, 19106283D-S1)

HB 2805 (LaRock) (Passed House; STRAN) prohibits parking any vehicle in any striped access aisle adjacent to a parking space reserved for persons with disabilities. Support. (19103221D)

Human Services

HB 2560 (Pillion) (Passed House; SRSS) authorizes local departments of social services to foster, when practicable, the creation, maintenance, and coordination of hospital and community-based multidisciplinary teams focused on the abuse and exploitation of adults 60 years of age or older or 18 years of age or older who are physically or mentally incapacitated. The bill provides that such teams may: (i) assist the local department of social services in identifying abused, neglected, and exploited adults; (ii) coordinate medical, social, and legal services for abused, neglected, and exploited adults and their families; (iii) develop innovative programs for detection and prevention of the abuse, neglect, and exploitation of adults; (iv) promote community awareness and action to address adult abuse, neglect, and exploitation; and (v) disseminate information to the general public regarding the problem of adult abuse, neglect, and exploitation, strategies and methods for preventing such abuse, and treatment options for abused, neglected, and exploited adults. The bill also allows the attorney for the Commonwealth in each jurisdiction to establish a multidisciplinary adult abuse, neglect, and exploitation response team to review cases of abuse, neglect, and exploitation of adults. Such multidisciplinary team may be established separately or in conjunction with any already existing multidisciplinary team. Support. (19105283D-H1)

SB 1104 (Peake) (Passed Senate; HAPP) provides that the state pool of funds for community policy and management teams may be used for wrap-around services, as defined in the Policy Manual of the Children's Services Act and subject to specific appropriation, that are provided in a public school setting. The bill requires the Office of Children's Services to report annually to the

Chairmen of the House Committee on Appropriations and the Senate Committee on Finance regarding the use of wrap-around services in public school settings. Support. (19106004D-S1)

Legislation Provided for Discussion

Utility Undergrounding

SB 1759 (Surovell) (Passed Senate; HLC) establishes a pilot program under which the governing body of any locality operating under the urban county executive form of government (Fairfax County) may request an electric utility to place underground electric utility distribution lines in areas of transit-oriented development in such locality in conjunction with a transportation infrastructure improvement project that the Commonwealth Transportation Board identifies that reduces congestion, improves mobility, incorporates transit systems and improves safety. The measure provides that the locality and the utility shall enter into an agreement that provides that (i) the locality shall pay to the utility its full additional costs of relocating and converting that portion of the line located in the locality underground rather than overhead that are not recoverable under applicable rates, net of relocation credits, which costs shall include associated feasibility costs, or any smaller portion of such costs as the utility and the locality may agree; (ii) the locality shall impose an assessment on electric utility customers in the locality in an amount sufficient to cover the utility's additional costs, which assessment shall be shown as a separate item on such customers' electric bills and shall be collected by the utility on behalf of the locality; (iii) the utility shall convert, operate, and maintain the agreed portion of the line underground; and (iv) such other terms and conditions on which the parties may agree. The measure provides that upon presentation of the agreement to the Commonwealth Transportation Board, the Commissioner of Highways shall be responsible for securing the necessary easements and permits for the pilot program. The measure provides that the pilot program terminates on July 1, 2026. Monitor. Seek amendments to provide safeguards and improve potential implementation. (February 7 draft)

Animals

SB 1025 (Spruill) (Passed Senate; HRUL) provides that outdoor tethering of a companion animal does not meet the requirement that an animal be given adequate shelter, unless the animal is actively engaged in an agricultural or hunting activity, when tethering is conducted (i) during a heat advisory, or (ii) during a severe weather warning. The bill provides that a tether meets the requirement that an animal be given adequate space if the tether is four times the length of the animal or 15 feet in length, whichever is greater, and does not cause injury or pain, weigh more than one-tenth of the animal's body weight, or have weights or heavy objects attached to it. Current law provides that the tether be three times the length of the animal. The bill exempts agricultural animals from existing provisions related to tethering. The bill also authorizes any locality to adopt ordinances that parallel and make more stringent the state law regarding the care of companion animals. Support. Support additional local authority pertaining to adequate shelter for companion animals. (19100082D-E)

Legislation Requiring Further Review

Courts

HB 2289 (Leftwich) (Passed House; SCT) provides that, where a matter is pending in either the general district court or the circuit court, upon motion of the plaintiff seeking to amend the amount of the claim, the court shall order transfer of the matter to the court having jurisdiction over the claim without requiring a dismissal of the claim or a nonsuit. The bill further provides that, where such an amended claim provides the general district court and the circuit court with concurrent jurisdiction over such a claim, the court shall transfer the matter to either the general district court or the circuit court, as directed by the plaintiff, provided that such court otherwise has jurisdiction over the matter. (19101784D)

HB 2317 (Aird) (Passed House; SCT) provides that in custody and visitation cases in which a history of family abuse has been considered, at the request of either party, the court may order a law-enforcement officer to be present at the exchange of a child pursuant to a custody or visitation order. (19103599D-E)

SB 1613 (Ebbin) (Passed Senate; HCT) removes the existing provisions that allow a person's driver's license to be suspended (i) when he is convicted of or placed on deferred disposition for a drug offense and (ii) for violations not pertaining to the operator or operation of a motor vehicle. The provisions of the bill are contingent upon funding in a general appropriation act. (19103734D-E)

Elections

HB 2178 (Sickles) (Passed House; SPE) directs the State Board of Elections to promulgate regulations and standards necessary to ensure the security and integrity of the Virginia voter registration system and the supporting technologies utilized by the counties and cities to maintain and record registrant information. The local electoral boards are also required to develop and update annually written plans and procedures to ensure the security and integrity of the supporting technologies. The local electoral boards are further required to report annually to the Department of Elections on its security plans and procedures. The bill authorizes the Department of Elections to limit a locality's access to the Virginia voter registration system if it is determined that the county or city has failed to develop security plans and procedures or to comply with the security standards established by the State Board; such access would be limited as necessary to address and resolve any security risks or to enforce compliance. Records describing protocols for maintaining the security of the Virginia voter registration system and the supporting technologies utilized to maintain and record registrant information are exempted from the Freedom of Information Act and meetings to discuss those protocols are permitted to be closed pursuant to the provisions of the Freedom of Information Act. The bill requires the State Board of Elections to convene a work group prior to adopting security standards and to establish a standing advisory group of local government IT professionals and general registrars to assist and consult on updates to security standards. (19101864D-E)

HJ 591 (Cole) (Agreed to by House; SPE) gives the General Assembly the authority to make technical adjustments to legislative electoral district boundaries following the enactment of any decennial reapportionment law. Such adjustments may be made solely for the purpose of causing legislative electoral district boundaries to coincide with the boundaries of voting precincts established in the counties and cities and shall be permitted only to the extent necessary to accomplish this purpose. Any change made shall be consistent with any criteria for legislative electoral districts adopted for the preceding decennial redistricting. (19101055D)

Health and Human Services

HB 1663 (Edmunds) (Passed House; SGL) provides that no regulation issued by the Board of Health (Board) shall require any restaurant that is operated by (i) a nonprofit civic service organization, (ii) a volunteer fire department, or (iii) a volunteer emergency medical services agency to employ a certified food protection manager. The bill defines a "certified food protection manager" as a person who has demonstrated proficiency in food safety issues, regulations, and techniques in maintaining a safe-food environment by passing a test and receiving a certification as part of a program that is accredited by the Board. (19105081D-H1)

Taxation

Internet Sales Tax

HB 1722 (Bloxom) (Passed House; SFIN) directs the Department of Taxation (the Department) to require a remote seller to collect sales and use tax if the seller has more than \$100,000 in annual gross revenue from sales in Virginia or at least 200 sales transactions in Virginia and requires a marketplace facilitator, which enables marketplace sellers to sell in Virginia through its marketplace, to collect sales and use tax if its annual gross revenue from facilitated sales in Virginia exceeds \$100,000 or it facilitates at least 200 sales transactions in Virginia. The bill provides that the obligation of remote sellers and marketplace facilitators to collect sales and use tax shall not apply to transactions occurring before July 1, 2019. The bill provides that in administering remote sales and use tax collection, the Department shall provide information to remote sellers to allow them to identify state and local tax rates and exemptions. For auditing purposes, the Department is directed to allow a remote seller to complete a single audit covering all localities. The bill requires the Department to give remote sellers at least 30 days' notice of any change in tax rate. The bill provides that if a remote seller or marketplace facilitator collects an incorrect amount of tax, it shall be relieved of liability for failure to collect the correct amount if the error is the result of its reliance on information provided by Virginia. The bill also relieves a marketplace facilitator of liability if it collects an incorrect amount of tax based on certain incorrect information provided by a seller or purchaser. The bill repeals several contingent provisions of previous related bills that would take effect if the United States Congress enacted legislation related to remote sales and use tax collection. The bill contains technical corrections. (19105919D-H1)

SB 1083 (Ruff) (Passed Senate; HFIN) directs the Department of Taxation (the Department) to require a remote seller to collect sales and use tax if the seller has more than \$100,000 in annual

gross revenue from sales in Virginia or at least 200 sales transactions in Virginia and requires a marketplace facilitator, which enables marketplace sellers to sell in Virginia through its marketplace, to collect sales and use tax if its annual gross revenue from facilitated sales in Virginia exceeds \$100,000 or it facilitates at least 200 sales transactions in Virginia. The bill provides that the obligation of remote sellers and marketplace facilitators to collect sales and use tax shall not apply to transactions occurring before July 1, 2019. The bill provides that in administering remote sales and use tax collection, the Department shall provide information to remote sellers to allow them to identify state and local tax rates and exemptions. For auditing purposes, the Department is directed to allow a remote seller to complete a single audit covering all localities. The bill requires the Department to give remote sellers at least 30 days' notice of any change in tax rate. The bill provides that if a remote seller or marketplace facilitator collects an incorrect amount of tax, it shall be relieved of liability for failure to collect the correct amount if the error is the result of its reliance on information provided by Virginia. The bill also relieves a marketplace facilitator of liability if it collects an incorrect amount of tax based on certain incorrect information provided by a seller or purchaser. The bill repeals several contingent provisions of previous related bills that would take effect if the United States Congress enacted legislation related to remote sales and use tax collection. The bill contains technical corrections. The bill incorporates SB 1120, SB 1267, SB 1294, SB 1337, SB 1390, SB 1500, SB 1601, and SB 1767. (19105615D-ES1)

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

Miscellaneous

HB 1752 (Krizek) (Passed House; SEH) prohibits local school boards from requiring students to attend school on the Tuesday after the first Monday in November. (19100995D)

HB 2305 (Leftwich) (Passed House; SLG) sets out sections in Title 15.2 that are currently carried by reference only. Locality descriptions are replaced with locality names, and various technical amendments are made. This bill is a recommendation of the Virginia Code Commission. (19105628D-H1)

SB 1255 (Ruff) (Passed Both Houses; Communicated to Governor) creates the Major Headquarters Workforce Grant Fund. A qualified e-commerce company that makes a capital investment of at least \$2 billion in a major headquarters facility in Arlington County and that creates at least 25,000 new full-time jobs with an average annual wage of \$150,000 will be eligible for up to \$550 million in grants from the Fund. A qualified company may also be eligible for an additional \$200 million in grants for creating an additional 12,850 new full-time jobs. (SB1255ER)

SB 1638 (Boysko) (Passed Senate; HCT) alters the requirements for newspapers that may be used for legal notices and publications by (i) changing the publication and circulation requirement from 24 consecutive weeks to at least 50 of the preceding 52 weeks and requiring such publication be in printed form; (ii) requiring that such a newspaper provide general news coverage of the area in which the notice is to be published; and (iii) requiring that such a

newspaper have a periodicals mailing permit issued by the United States Postal Service. The bill further provides that a newspaper that lacks a periodicals permit issued by the United States Postal Service may petition the circuit court for the jurisdiction in which such notices or publications are to be published, as opposed to where such newspaper is located as current law requires, for the authority to be certified as a newspaper of general circulation. The bill further allows a locality that determines that no newspaper published in such locality otherwise meets the requirements that enable it to be a newspaper for the use of such notices and publications to petition the circuit court in the jurisdiction in which such notices and publications are to be published for the authority to be published in another medium. The bill specifies that such petition shall not be filed without majority approval of the locality's local governing body. The bill requires that any newspaper authorized to publish such notices and publications shall also (a) print such notices and publications in a prominent location in such newspaper with an identifying heading printed in boldface letters no smaller than 24-point type and (b) maintain at least three years' worth of print archives of such newspaper and make such archives available for public inspection. The bill further requires that a newspaper shall post a notice on the newspaper's website, if such a website is published by such newspaper, and on a searchable, statewide repository website established and maintained as a joint venture of the majority of Virginia newspapers as a repository for such notices. The bill provides that any notice published on a website shall be accessible to the public at no charge. (19105912D-S1)

Courts

HB 1944 (Campbell, J.) (Passed House; SCT) provides that, in the case of a no-fault divorce proceeding, a person who is a current recipient of a state or federally funded public assistance program for the indigent shall not be subject to fees and costs. The bill further provides that, in such no-fault divorce proceeding, such person shall certify to the receipt of such benefits under oath. (19105765D-H1)

SB 1542 (Surovell) (Passed Senate; HCT) provides that, in the case of a no-fault divorce proceeding, there is a presumption that a party to the case who is the recipient of a state or federally funded public assistance program for the indigent is unable to pay the fees or costs. (19105303D-S1)

HB 1767 (Jones, J.C.) (Passed Both Houses) adds parents who received support or services from the deceased for necessities within 12 months prior to the decedent's death to the primary list of beneficiaries who may receive a distribution of wrongful death damages. (19104764D-H1)

SB 1543 (Surovell) (Passed Senate; HCT) adds parents who received support or services from the deceased for necessities within 12 months prior to the decedent's death to the primary list of beneficiaries who may receive a distribution of wrongful death damages. The bill applies only to causes of action arising on or after July 1, 2019. (19104847D-S1)

HB 2300 (Collins) (Passed House; SCT) prohibits any person who is required to register on the Sex Offender and Crimes Against Minors Registry or the federal National Sex Offender Public

Website from operating a motor vehicle for the transportation of passengers for hire. (19100775D-E)

HJ 687 (Keam) (Agreed to by House; SRUL) requests that the Office of the Executive Secretary of the Virginia Supreme Court study options and models for a tax court system in the Commonwealth, including the tax court systems of other states, as well as options and models provided by research organizations. The Office of the Executive Secretary shall report its findings to the members of the General Assembly by the first day of the 2020 Regular Session. (19103680D)

SB 1263 (Saslaw) (Passed Senate; HCT) increases the minimum age that a juvenile can be tried as an adult in circuit court for a felony larceny offense from 14 years of age to 16 years of age. (19105673D-S1)

SB 1659 (Marsden) (Passed Senate; HCT) in order to be tried as an adult in circuit court for charges that require notice of intent to proceed with trial as an adult by the attorney for the Commonwealth, the bill requires, unless waived by the juvenile and his attorney, that (i) a report of the juvenile be prepared by probation services or other qualified agency and (ii) the attorney for the Commonwealth review such report prior to filing his notice of intent to proceed with a preliminary hearing for trial of such juvenile as an adult. (19105564D-ES1)

Protective Orders

HB 2417 (Herring) (Passed House; SCT) requires any emergency protective order to prohibit (i) the respondent from committing acts of family abuse or criminal offenses that result in injury to person or property and (ii) such contacts by the respondent with the allegedly abused person or family or household members of the allegedly abused person, including prohibiting the respondent from being in the physical presence of the allegedly abused person or family or household members of the allegedly abused person, as the judge or magistrate deems necessary to protect the safety of such persons. Under current law, a judge or magistrate must only impose one or more of such prohibitions when issuing an emergency protective order. Other conditions that may be imposed under current law remain under the discretion of the judge or magistrate. The bill also allows the petitioner of an emergency protective order to file a motion with the court requesting a hearing to dissolve or modify the order. (19102967D)

Education/Schools

HB 2053 (McQuinn) (Passed House; SEH) changes the name of guidance counselors to school counselors and requires school boards to employ school counselors in accordance with the following ratios: in elementary schools, one hour per day per 75 students, one full-time at 375 students, one hour per day additional time per 75 students or major fraction thereof; in middle schools, one period per 65 students, one full-time at 325 students, one additional period per 65 students or major fraction thereof; and in high schools, one period per 60 students, one full-time at 300 students, one additional period per 60 students or major fraction thereof. Such ratios would be effective with the 2019-2020 school year. (19105937D-H1)

School Resource Officers

SB 1130 (Locke) (Passed Senate; HAPP) directs the Department of Criminal Justice Services (Department) to establish compulsory minimum training standards for law-enforcement officers serving as school resource officers that may include (i) relevant state and federal laws; (ii) school and personal liability issues; (iii) security awareness in the school environment; (iv) mediation and conflict resolution, including de-escalation techniques; (v) disaster and emergency response; (vi) awareness of cultural diversity and implicit bias; (vii) working with students with disabilities, behavioral health or substance abuse disorders, or trauma experiences; and (viii) student behavioral dynamics, including child and adolescent development. The bill also directs the Department, in consultation with the Department of Education and the Virginia State Crime Commission, to include such similar minimum training standards for school security officers. The bill requires each school board to ensure that every public school employs at least one school administrator who has attended school safety training conducted by the Virginia Center for School and Campus Safety in school safety, anti-bullying tactics, and effective identification of students who may be at risk for violent behavior and are in need of special services or assistance. The provisions of the bill are contingent on funding in a general appropriation act. (19104359D-ES1)

Elections

HB 2034 (McGuire) (Passed House; SPE) provides for the removal of a general registrar by the circuit court upon a petition signed by a majority of members of the local electoral board. Currently, a local electoral board may remove a general registrar with a majority vote. The bill requires the Virginia Division of Risk Management to assign counsel to the defense of any member of a local electoral board or general registrar subject to a petition for removal, upon that member's or registrar's application. (19105130D-H1)

SB 1087 (Obenshain) (Passed Senate; HPE) requires counties, cities, and towns to adjust local election district lines to coincide with congressional or state legislative district lines established by the General Assembly. Precincts are required to be wholly contained within a single congressional district, Senate district, House of Delegates district, or local election district, and local governing bodies are directed to establish precinct boundaries immediately after the completion of the General Assembly's decennial redistricting so that each precinct is so wholly contained. The bill provides that if a locality is unable to comply with this requirement it shall apply to the State Board of Elections for a waiver to administer a split precinct and the State Board may grant that waiver or direct the locality to create a precinct with fewer than the required number of registered voters, as it deems appropriate. (19104968D-S1)

SB 1102 (Peake) (Passed Senate; HPE) provides that, for purposes of congressional, senate, and House of Delegates districts, if a boundary of such a district virtually coincides with the boundary between two or more localities, the boundary of the congressional district shall conform to the boundary between the localities that has been (i) agreed upon by those localities, (ii) adopted in ordinances by those localities, and (iii) reported by those localities to the United States Bureau of the Census. The bill requires the State Board of Elections to review any change of boundary

to determine whether there is evidence that the change was made with fraudulent intent, and if it appears there was fraudulent intent, the Board refers the matter to a circuit court to approve or deny the change. If two or more localities sharing a boundary cannot agree on the true boundary line between them, the boundary shall be that which was in existence on April 1, 2011, and was reported by the United States Bureau of the Census in the 2010 Census reports provided pursuant to United States Public Law 94-171. The bill provides a process by which a voter who believes he has been incorrectly assigned to an election district or precinct may request and have his assignment reviewed by the general registrar and, if necessary, the governing body of the county or city. (19105257D-S1)

SJ 306 (Barker) (Passed Senate; HPE) establishes the Virginia Redistricting Commission, a 16-member Commission tasked with establishing districts for the United States House of Representatives and for the Senate and the House of Delegates of the General Assembly. The Commission consists of eight legislative members and eight citizen members. The legislative members consist of four members of the Senate of Virginia and four members of the House of Delegates, with equal representation given to the political parties having the highest and next highest number of members in their respective houses. The citizen members are selected by a selection committee consisting of five retired judges of the circuit courts of Virginia. The selection committee is tasked with adopting a process by which registered Virginia voters may apply to serve on the Commission and selecting from the applicants a list of 16 candidates. The amendment requires four of the candidates to be voters who affiliate with the political party receiving the highest number of votes for governor at the immediately preceding gubernatorial election, four candidates to be voters who affiliate with the political party receiving the next highest number of votes for governor at the immediately preceding gubernatorial election, and eight candidates to be voters who do not affiliate with any political party. The Speaker of the House of Delegates, the minority leader in the House of Delegates, and the majority and minority leaders in the Senate then strike names from the list until there is the final list of eight citizen members, two of whom affiliate with the political party receiving the highest number of votes for governor at the immediately preceding gubernatorial election, two of whom affiliate with the political party receiving the next highest number of votes for governor at the immediately preceding gubernatorial election, and four of whom do not affiliate with any political party. The Commission is required to submit to the General Assembly plans of districts for the Senate and the House of Delegates of the General Assembly no later than 45 days following the receipt of census data and plans of districts for the United States House of Representatives no later than 60 days following the receipt of census data. In order to be submitted to the General Assembly for a vote, a plan must receive an affirmative vote of at least six of the eight legislative members and six of the eight citizen members. No amendments may be made to a plan by the General Assembly or the Governor. In the event that the Commission fails to submit a plan by its deadline, or the General Assembly fails to adopt a plan by its deadline, or the Governor fails to act on or vetoes a plan by his deadline, districts shall be decided by judicial decision. (19105499D-ES1)

Employment Issues and Grievances

HB 2263 (Krizek) (Passed House; SGL) provides that any evidence gathered solely through an interrogation that breached any procedures required by the Firefighters and Emergency Medical Technicians Procedural Guarantee Act shall be excluded from being presented in any case against a firefighter or emergency medical services personnel. (19105723D-H1)

SB 1494 (Edwards) (Passed Senate; HCT) prohibits evidence gathered through the conduct of an interrogation that violates the provisions of the Firefighters and Emergency Medical Technicians Procedural Guarantee Act from being admissible in any case against a firefighter or emergency medical services personnel. (19106090D-S1)

Environment

HB 2621 (Ingram) (Passed House; SLG) authorizes a locality, as a condition of approval of a site plan, to require an owner or developer of real property to enter into a written agreement to decommission certified solar energy equipment, facilities, or devices upon certain terms and conditions, including right of entry by the locality and financial assurance. The bill exempts a public utility from such requirements. (19106249D-H1)

HB 2755 (Fariss) (Passed House; SACNR) requires that the use of real property for open-space land shall conform to the official comprehensive plan for the area in which the property is located. Current law provides that no conservation easement shall be valid and enforceable unless the limitations it creates conform in all respects to the comprehensive plan at the time the easement is granted. (19104628D-E)

Solar

SB 1091 (Reeves) (Passed Senate; HCCT) requires a locality, as part of the local legislative approval process or as a condition of approval of a site plan, to require an owner, lessee, or developer of real property to enter into a written agreement to decommission solar energy equipment, facilities, or devices upon certain terms and conditions, including right of entry by the locality and financial assurance. This bill incorporates SB 1398. (19105928D-S2)

Stormwater

SB 1248 (Reeves) (Passed Senate; HCCT) authorizes a locality by ordinance to create a local Stormwater Management Fund consisting of appropriated local moneys for the purpose of granting funds to an owner of private property or a common interest community for stormwater management and erosion prevention on previously developed lands. (19102694D-E)

SB 1328 (Hanger) (Passed Senate; HAG) authorizes the Department of Environmental Quality (the Department), with the approval of the Secretary of Natural Resources, to designate a portion of the moneys in the Stormwater Local Assistance Fund to provide matching grants to local governments that are not regulated under municipal separate storm sewer (MS4) permits for the

planning, design, and implementation of stormwater best management practices. The bill directs the Department to prioritize grants for projects that are regional in scope. The bill directs the Department to seek stakeholder input and public comment in developing eligibility criteria and to submit such criteria by January 1, 2020, for consideration by the State Water Control Board. (19103935D-E)

Health and Human Services

HB 1986 (Bell, Richard P.) (Passed House; SEH) requires any person of school age who is admitted to the Commonwealth Center for Children and Adolescents to be permitted to participate in any education program offered in the facility that is administered by the Department of Education, regardless of his enrollment status, unless such child has been excused from attendance at school due to a bona fide religious training or belief. The bill permits information required to enroll such person in any such education program to be disclosed in accordance with state and federal law. (19105308D-H1)

HB 2280 (Head) (Passed House; SRSS) adds to the list of programs that are not considered child day programs and are not subject to licensure (i) programs of recreational activities offered by a local government, staffed by local government employees, and attended by school-age children and (ii) programs offered by a local school division, operated for no more than four hours per day, staffed by local school division employees, and attended by children who are at least four years of age and are enrolled in public school or a preschool program within such school division. Under law that takes effect July 1, 2019, such programs are considered child day programs that are exempt from licensure and subject to certain health and safety requirements administered by the Department of Social Services. Under the provisions of the bill, however, such child day programs shall remain subject to safety and supervisory standards established by the local government or school division offering the program. (19103931D)

HB 2282 (Filler-Corn) (Passed House; SEH) directs the Board of Counseling to promulgate emergency regulations for the issuance of temporary licenses to individuals engaged in a counseling residency so that they may acquire the supervised, postgraduate experience required for licensure. (19105443D-H1)

HB 2296 (Leftwich) (Passed House; SRSS) provides that when a complaint is filed alleging that the website of a bank, trust company, savings institution, or credit union does not comply with applicable law regarding its accessibility by the vision impaired or hearing impaired, the responsive pleading deadline shall be extended to 120 days after service of the summons and complaint upon the defendant to give such an entity an opportunity to cure any defect regarding its website accessibility. The bill further provides that, if the defendant files a responsive pleading stating that it has cured the defect, the court shall hold an evidentiary issue on the issue. The bill provides that the court shall dismiss an action or prayer for injunctive relief where it has found that the defendant has cured such a defect. The bill further provides that, in such a circumstance, the court may award reasonable attorney fees to the plaintiff. (19106246D-H1)

HB 2569 (LaRock) (Passed House; SLG) provides that if a zoning administrator in a locality that has, by ordinance, allowed a zoning administrator to use an administrative process to issue zoning permits for family day homes receives a written objection to an application for a permit to operate a family day home within 30 days of notification of such application, the zoning administrator may issue the permit if the family day home meets all the other criteria for issuance of the permit or may deny the permit, or, if required to do so by local ordinance, refer the permit to the local governing body for consideration. (19105974D-H1)

HB 2577 (Thomas) (Passed House; SCL) requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage for the diagnosis and treatment of autism spectrum disorder in individuals of any age. Currently, such coverage is required to be provided for individuals from age two through age 10. The provision applies with respect to insurance policies, subscription contracts, and health care plans delivered, issued for delivery, reissued, or extended on or after January 1, 2020. (19102840D)

HB 2652 (Hope) (Passed House; SRSS) directs the Board of Behavioral Health and Developmental Services to amend regulations governing licensed providers to require every licensed provider to provide a statement regarding the character, ability, and fitness for employment of a current or past employee or other individual currently or previously associated with the provider in a capacity that requires a criminal history background check to any other licensed provider with which the current or past employee has applied for employment or to fill a role that requires a criminal history background check upon receipt of a request for such information from the other licensed provider and written consent to the disclosure of such information executed by the current or past employee or other individual currently or previously associated with the provider in a capacity that requires a criminal history background check. (19102852D-E)

HB 2749 (Poindexter) (Passed House; SRSS) directs the Department of Social Services to report annually by December 1 to the General Assembly information regarding the number of reported violations of restrictions on the use of TANF cash assistance, including the number of reported cases involving multiple violations of such restrictions. (19106096D-H1)

HB 2798 (Garrett) (Passed House; SEH) requires the Commissioner of Health, in cooperation with the Bureau of Insurance, to collect health claims data from certain insurers, corporations, managed care organizations, third-party administrators, and any self-funded employee welfare benefit plans (ERISA plans) whose employer has opted-in to the All-Payer Claims Database, the Department of Medical Assistance Services, state government health insurance plans, local government health insurance plans, and federal health insurance plans. The bill provides that employers that maintain an ERISA plan may opt-in to participate in the All-Payer Claims Database and provides a process for such agreement. The bill adds members to the advisory committee to the nonprofit organization that administers the All-Payer Claims Database. The bill requires the Commissioner of Health to establish a data release committee to review and approve requests for access to data and prohibits the release of data without the approval of such committee. The bill requires the nonprofit organization to ensure that data is timely submitted to

the All-Payer Claims Database and authorizes the Board of Health to assess a civil penalty on entities not in compliance. (19105677D-H1)

SB 1000 (Stanley) (Passed Senate; HAPP) directs the Virginia Community College System (VCCS) to establish and administer a two-year Temporary Assistance for Needy Families (TANF) Scholarship Pilot Program (the Program), beginning in 2019, for the purpose of providing access to postsecondary educational opportunities to students living in poverty. The Program would provide scholarships to select comprehensive community colleges in the maximum amount of \$4,000 per year to 200 selected students who meet TANF eligibility requirements. The Program would be funded by the unexpended balance in federal TANF block grant funds. The bill directs VCCS to report to the Governor and the General Assembly no later than December 1 of each year of the Program regarding the effectiveness of and other information about the Program. The provisions of the bill are contingent on funding in a general appropriation act. (19100088D-E)

SB 1314 (Hanger) (Passed Senate; HED) requires that any child who is admitted to a state hospital or state mental health facility for inpatient treatment shall, if appropriate, participate in any education and training program in such state hospital or state mental health facility unless such child has been excused from attendance at school attendance due to a bona fide religious training or belief. (19101466D)

Land Use

HB 2139 (Thomas) (Passed House; SLG) authorizes a locality to designate receiving areas or receiving properties that shall receive development rights only from certain sending areas or sending properties specified by the locality. The bill also authorizes a locality to provide for areas defined similarly to urban development areas in the ordinance relating to the transfer of development rights. Current law only authorizes inclusion of urban development areas. (19101605D)

HB 2141 (Thomas) (Passed House; SLG) authorizes a local governing body, with respect to a service district, to construct, maintain, and operate such facilities and equipment as may be necessary or desirable to provide broadband and telecommunications services. (19105598D-H1)

HB 2310 (Hayes) (Passed House; SLG) authorizes any locality to regulate the activity on, or use or development of, a flood plain in a manner consistent with any state and federal flood plain management programs and requirements. (19102214D-E)

HB 2375 (Roem) (Passed House; SLG) provides that if a local governing body reduces the time period by which a planning commission shall review a proposed zoning ordinance amendment to less than 100 days, the governing body shall hold at least one public hearing on the proposed reduction of the commission's review period and publish notice of such public hearing at least two weeks prior to the public hearing date. (19102117D-E)

HB 2420 (Bell, Richard P.) (Passed House; SLG) provides that a wall built on residential property shall be grandfathered as a valid nonconforming use, and the wall shall not be subject to removal solely due to such nonconformity, in any instance where (i) a residential property owner sought local government approval prior to 2008 for construction of a wall on the owner's property, (ii) the property owner was informed by a local official that such wall required no permit and that the structure would comply with the zoning ordinance, (iii) the wall was thereafter constructed, (iv) the locality subsequently informed the property owner that the wall was illegal, and (v) such a wall, had it been constructed as described in clauses (ii) and (iii) after 2017, would be considered a valid nonconforming use not subject to removal. (19100765D)

HB 2779 (Edmunds) (Passed House; SLG) increases the maximum number of enterprise zones from 30 to 50. The measure also authorizes the Governor to renew an enterprise zone designation for an additional five years if (i) the initial 10-year designation period and the two five-year renewal periods have expired and (ii) the locality in which the zone is located scores below the statewide average on any two of the three distress factors used when determining locality-wide need and impact of a zone designation. (19106065D-H1)

SB 1403 (Petersen) (Passed Senate; HCT) eliminates specific provisions for the assessment of costs in eminent domain proceedings where the condemnor is a public service company, public service corporation, railroad, or government utility corporation and provides that all costs shall be assessed in the same manner, regardless of the identity of the condemnor. (19102869D)

SB 1699 (Peake) (Passed Senate; HCCT) authorizes a locality, through provisions in a subdivision ordinance or zoning ordinance, subject to certain terms and conditions included in the ordinance, to grant a developer of land the option of either (i) dedicating land for and constructing a sidewalk, the need for which is substantially generated by the proposed development and reasonably required by the locality or (ii) contributing funds equivalent to the cost of the dedication of land for and construction of a sidewalk on the property to a sidewalk fund, maintained and administered by the locality. Such sidewalk fund may be used by the governing body for sidewalk improvements in the locality. (19104033D-E)

Opioids

SB 1349 (McDougle) (Passed Senate; HCT) eliminates the requirement to substantially cooperate with law enforcement in any investigation of any criminal offense reasonably related to an overdose in order to qualify for an affirmative defense from prosecution for the unlawful purchase, possession, or consumption of alcohol, possession of a controlled substance, possession of marijuana, intoxication in public, or possession of controlled paraphernalia. (19103528D)

Public Safety/Criminal Justice

HB 1771 (Mullin) (Passed House; Reported from SCT) provides that juveniles who have been screened for needing community-based services using an evidence-based assessment protocol are eligible to receive community-based services as provided by the Virginia Juvenile

Community Crime Control Act (§ 16.1-309.2 et seq.) (the Act). The bill also requires the total number of children who have been screened for needing community diversion or community-based services using an evidence-based assessment protocol to be factored into the funding determination for community diversion services as provided for by the Act. (19100033D)

HB 1933 (Hope) (Passed House; SRSS) establishes a process for the sheriff or administrator in charge of a local or regional correctional facility to petition a court to authorize medical or mental health treatment for a prisoner in such facility who is incapable of giving informed consent for such treatment. The process parallels the existing process for the Director of the Department of Corrections to seek authorization to provide involuntary treatment to prisoners in state correctional facilities. The bill requires the court to authorize such treatment in a facility designated by the sheriff or administrator upon finding that the prisoner is incapable, either mentally or physically, of giving informed consent; that the prisoner does not have a relevant advanced directive, guardian, or other substitute decision maker; that the proposed treatment is in the best interests of the prisoner; and that the jail has sufficient medical and nursing resources available to safely administer the treatment and respond to any adverse side effects that might arise from the treatment. The bill provides that the treatment ordered may be provided within a local or regional correctional facility if such facility is licensed to provide such treatment. If statutory procedures are followed, the service provider does not have liability based on lack of consent or lack of capacity to consent unless there is injury or death resulting from gross negligence or willful and wanton misconduct. (19104834D-H1)

SB 1207 (Stuart) (Passed Senate; HMP) defines a school protection officer as a retired law-enforcement officer hired on a part-time basis by the local law-enforcement agency to provide limited law-enforcement and security services to Virginia public elementary and secondary schools. The bill also provides that the Department of Criminal Justice Services shall establish compulsory minimum training standards for all persons employed as school protection officers and that such training may be provided by the employing law-enforcement agency and shall be graduated and based on the type of duties to be performed. (19105551D-S1)

SB 1645 (Boysko) (Passed Senate; HAPP) requires the Secretary of Public Safety and Homeland Security to convene a work group that shall include representatives from the Departments of Corrections and State Police and the Board of Corrections, as well as representatives from local police departments, sheriffs' offices, local correctional facilities, and other interested stakeholder groups, to develop a strategy for producing and publishing a comprehensive report on the use of force by Virginia law-enforcement officers, correctional officers, and jail officers. The bill requires the work group to report its progress and the outcomes of its activities to the Governor and the General Assembly by December 1, 2019. The provisions of the bill are contingent upon funding in a general appropriation act. (19105906D-ES1)

Unmanned Aircraft Systems

HB 2552 (Brewer) (Passed House; SCT) provides that within 10 days after an unmanned aircraft system is used during the execution of a search warrant, a copy of the executed search warrant shall be served on the person who was the subject of the search warrant and the person whose

property was the subject of the search warrant. The bill provides that upon request, and for good cause shown, the circuit court may grant one or more extensions for such service for a period not to exceed 30 days each. (19105089D-H1)

SB 1507 (Carrico) (Passed Senate; HCT) provides that a law-enforcement officer may deploy an unmanned aircraft system (i) to aerially survey a primary residence of the subject of the arrest warrant to formulate a plan to execute an existing arrest warrant or capias for a felony offense or (ii) to locate a person sought for arrest when such person has fled from a law-enforcement officer and a law-enforcement officer remains in hot pursuit of such person. (19105749D-S1)

School Safety

HB 1753 (Sickles) (Passed House; SEH) prohibits school employees from opening or closing an electronic room partition in any school building except under certain limited circumstances. The bill requires any annual safety review or exercise for school employees in a local school division to include information and demonstrations, as appropriate, regarding the operation of such partitions. The bill also requires the Board of Education to make available to each school board model safety guidance regarding the operation of such partitions. (19106060D-H1)

HB 1787 (Ransone) (Passed House; SCT) adds (i) threats of death or bodily injury to another person communicated in writing to such person or member of such person's family and (ii) threats to commit serious bodily harm to persons on school property to the listing of offenses that a juvenile intake officer is required to report to the school division superintendent, when a petition is filed alleging that a juvenile student committed such an offense. (19101060D-E)

SB 1381 (McDougle) (Passed Senate; HCT) adds (i) threats of death or bodily injury to another person communicated in writing to such person or member of such person's family and (ii) threats to commit serious bodily harm to persons on school property to the listing of offenses that a juvenile intake officer is required to report to the school division superintendent, when a petition is filed alleging that a juvenile student committed such an offense. (19101051D)

Disorderly Conduct in Public Schools

SB 1107 (McClellan) (Passed Senate; HCT) eliminates the Class 1 misdemeanor for disrupting willfully or while intoxicated, whether willfully or not, the operation of any school or any school activity conducted or sponsored by any school, if the disruption (i) prevents or interferes with the orderly conduct of the operation or activity or (ii) has a direct tendency to cause acts of violence by the person or persons at whom, individually, the disruption is directed. (19101854D)

Medical Marijuana and School Policy

HB 1720 (Hurst) (Passed House; SCT) provides that no school nurse employed by a local school board, person employed by a local health department who is assigned to the public school pursuant to an agreement between the local health department and the school board, or other person employed by or contracted with a local school board to deliver health-related services

shall be prosecuted for possession or distribution of cannabidiol oil or THC-A oil for storing, dispensing, or administering cannabidiol oil or THC-A oil, in accordance with a policy adopted by the local school board, to a student who has been issued a valid written certification for the use of cannabidiol oil or THC-A oil. The bill also provides that the Department of Health Professions, in coordination with the Department of Education, shall develop and make available to school boards a standardized form that is to be completed by the practitioner who issues a written certification and a pharmaceutical processor that dispenses the cannabidiol oil or THC-A oil to a student. (19105452D-H1)

Taxation

HJ 676 (Filler-Corn) (Agreed to by House; SPE) permits the General Assembly to authorize the governing body of any county, city, or town to exempt from taxation one motor vehicle of a veteran who has a 100 percent service-connected, permanent, and total disability. The amendment provides that only automobiles and pickup trucks qualify for the exemption. Additionally, the exemption would only be applicable on the date the motor vehicle is acquired or the effective date of the amendment, whichever is later, but would not be applicable for any period of time prior to the effective date of the amendment. (19105924D-H1)

SJ 278 (Reeves) (Agreed to by Senate; HPE) provides that one motor vehicle of a veteran who has a 100 percent service-connected, permanent, and total disability shall be exempt from state and local taxes. The amendment provides that only automobiles and pickup trucks qualify for the exemption. Additionally, the exemption is only applicable on the date the motor vehicle is acquired or the effective date of the amendment, whichever is later, and is not applicable for any period of time prior to the effective date of the amendment. (19105271D-S1)

Transportation

HB 2269 (Poindexter) (Passed House; Reported from SACNR) prohibits the Governor or any state agency from adopting any regulation establishing or bringing about the participation by the Commonwealth in the Transportation and Climate Initiative or any other regional transportation sector emissions program. The bill provides that the Commonwealth shall be allowed to participate in such a regional transportation sector emission program if the House of Delegates and the Senate of Virginia each adopt a resolution by two-thirds vote that specifically references and approves the regulatory text proposed for adoption by a state agency. (19102723D)

HB 2465 (Collins) (Passed House; SLG) the bill requires that engineering safety analyses and monthly evaluations conducted by a locality related to traffic light signal photo-monitoring systems, commonly known as red-light cameras, be posted on such locality's website, if available. The bill requires the reporting of certain traffic incident and financial data. The bill requires localities to establish a 15-day probationary period during which only advisory letters are issued for recorded traffic light signal violations when such a system is implemented or expanded. The bill has a delayed effective date for localities with existing traffic light signal photo-monitoring systems. (19104071D)

SB 1296 (Barker) (Passed Senate; HPE) adds the Harry W. Nice Bridge, Sandy Hook Bridge, Brunswick Bridge, and Point of Rocks Bridge to the Potomac River bridges subject to the Potomac River Bridge Towing Compact to facilitate the prompt and orderly removal of disabled and abandoned vehicles from the bridges by giving the District of Columbia, Maryland, and Virginia appropriate authority anywhere on the bridges. This amendment to the Compact shall not become effective until a substantially similar amendment is enacted by the State of Maryland and the District of Columbia, as provided for in the Compact. (19102225D-E)

SB 1470 (Edwards) (Passed Senate; HAPP) directs the Secretary of Transportation to evaluate the impact of increased fuel efficiency and increased use of hybrid and electric vehicles on transportation revenues, and to report to the General Assembly no later than December 10, 2019. The bill incorporates SB 1322. (19106414D-S2)

Distracted Driving

HB 1811 (Collins) (Passed House; SCT) expands the prohibition on using a handheld personal communications device while operating a motor vehicle to all uses unless the device is specifically designed to allow hands-free and voice operation and the device is being used in that manner. Current law prohibits only the reading of any 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 an amateur radio or a citizens band radio; (iii) to activate, deactivate, or initiate a factory-installed feature or function on the vehicle; or (iv) for official Department of Transportation or traffic incident management services. (19106270D-H1)

SB 1154 (Black) (Passed Senate; HTRAN) requires the driver of a motor vehicle to (i) give full time and attention to the safe operation of the motor vehicle and (ii) exercise due care and decrease speed as necessary to avoid a collision with any person, vehicle, or other conveyance on or entering the highway. These violations, which are not encompassed by the current reckless driving statute, shall constitute traffic infractions. (19101562D)

SB 1341 (Stuart) (Passed Senate; HCT) prohibits any person from holding a handheld personal communications device while driving a motor vehicle. Current law prohibits only the reading of any email or text message and manually entering letters or text in such a device as a means of communicating. The bill expands the exemptions to include handheld personal communications devices that are being held and used (i) as an amateur radio or a citizens band radio; or (ii) for official Department of Transportation or traffic incident management services. (19106056D-S1)

SB 1768 (Mason) (Passed Senate; HCT) prohibits any person from holding a handheld personal communications device while driving a motor vehicle in a highway work zone, with certain exceptions. The bill provides that a violation is a Class 1 misdemeanor. 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 communicating, with the same exceptions. (19106291D-S1)

Dulles Greenway

SJ 254 (Black) (Agreed to by Senate; HRUL) requests the Department of Transportation to study the feasibility of purchasing all or part of the Dulles Greenway. (19100620D-E)

Parking Ordinances

HB 1818 (Delaney) (Passed House; Reported from STRAN) authorizes any county or town with a population of at least 40,000 to provide by ordinance that law-enforcement officers, other uniformed employees of the locality, and uniformed personnel under contract with the locality may issue a summons or parking ticket for a violation of the locality's ordinances or regulations regarding the parking, stopping, or standing of vehicles. Current law creates such authority for any city with a population of at least 40,000. (19106541D-S1)

SB 1044 (Black) (Passed Senate; Reported from HTRAN) authorizes any county or town with a population of at least 40,000 to provide by ordinance that law-enforcement officers, other uniformed employees of the locality, and uniformed personnel under contract with the locality may issue a summons or parking ticket for a violation of the locality's ordinances or regulations regarding the parking, stopping, or standing of vehicles. Current law creates such authority for any city with a population of at least 40,000. The bill imposes a maximum fine of \$75 for the violation of such local ordinance. (19106576D-H1)

Legislation Provided for Information

HB 1979 (Sullivan) (Passed House; SCT) amends the assisted conception statute to provide gender-neutral terminology. The bill allows an unmarried individual to be an intended parent, paralleling the ability of an unmarried individual to adopt under the adoption statutes. The bill further allows for the use of an embryo owned by an intended parent in a surrogacy arrangement. The bill contains technical amendments. (19101108D)

HB 2238 (McQuinn) (Passed House; SGL) adds the category of previously unidentified cemetery to the laws allowing for the removal of remains from graveyards or family cemeteries that have been abandoned or are unused and neglected by their owners. The bill includes technical amendments. (19102311D)

SB 1080 (Edwards) (Passed Senate; HCT) creates proposed Title 55.1 (Property and Conveyances) as a revision of existing Title 55 (Property and Conveyances). Proposed Title 55.1 consists of 29 chapters divided into five subtitles: Subtitle I (Property Conveyances), Subtitle II (Real Estate Settlements and Recordation), Subtitle III (Rental Conveyances), Subtitle IV (Common Interest Communities), and Subtitle V (Miscellaneous). The bill organizes the laws in a more logical manner, removes obsolete and duplicative provisions, and improves the structure and clarity of statutes pertaining to real and personal property conveyances, recordation of deeds, rental property, common interest communities, escheats, and unclaimed property. The bill has a delayed effective date of October 1, 2019, and is a recommendation of the Virginia Code Commission. (19100845D)

SB 1523 (Ruff) (Passed Senate; HGL) creates in the Governor's cabinet the position of Secretary of Workforce Development (the Secretary). The bill assigns responsibility to the Secretary for the Department of Labor and Industry and the Virginia Employment Commission. The bill also removes the position of Chief Workforce Development Advisor and reassigns that position's responsibilities to the Secretary. The provisions of the bill are contingent on funding in a general appropriation act. (19105369D-ES1)

SJ 275 (Chase) (Passed Senate; HCT) reaffirms that all persons residing in Virginia are afforded equal protection under the law. The resolution cites numerous guarantees of equality that currently exist in both federal and state law while refuting the necessity, utility, and viability of the Equal Rights Amendment. (19104904D-S1)

Courts

HB 1814 (Hope) (Passed House; SCT) provides that a court may defer or limit jury service of persons who have legal custody of and are responsible for a child or children 16 years of age or younger requiring continuous care by such person during normal court hours to the term of court next after such period of responsibility ends. Under current law, persons with such responsibility are exempt upon request, but no provision is given for the court to defer such person's jury service until after such period of responsibility ends. (19100437D)

HB 2042 (Murphy) (Passed House; SCT) provides that upon a conviction for assault and battery against a family or household member, where it is alleged in the warrant, petition, information, or indictment on which a person is convicted, that such person has been previously convicted of an offense that occurred within a period of 20 years of the instant offense against a family or household member of (i) assault and battery against a family or household member, (ii) malicious wounding or unlawful wounding, (iii) aggravated malicious wounding, (iv) malicious bodily injury by means of a substance, (v) strangulation, or (vi) an offense under the law of any other jurisdiction which has the same elements of any of the above offenses is guilty of a Class 1 misdemeanor and the sentence of such person shall include a mandatory minimum term of confinement of 60 days. (19105044D-H1)

HB 2127 (Davis) (Passed House; SCT) provides that, while considering the best interests of a child for the purposes of determining custody or visitation arrangements, the court shall, when appropriate, assure frequent and continuing contact with each parent. (19105450D-H1)

HB 2678 (Simon) (Passed House; SCT) provides, for the purposes of the prohibition against the unlawful dissemination or sale of certain images of another person, that "another person" includes a person whose image was used in creating, adapting, or modifying a videographic or still image with the intent to depict an actual person and who is recognizable as an actual person by the person's face, likeness, or other distinguishing characteristic. (19106214D-H1)

Education/Schools

HB 1729 (Landes) (Passed House; SEH) changes the name of guidance counselors to school counselors and requires each school counselor employed by a school board in a public elementary or secondary school to spend at least 80 percent of his staff time during normal school hours in the direct counseling of individual students or groups of students. (19104768D-H1)

HB 1985 (Bell, Richard P.) (Passed House; SEH) requires the Department of Education to annually collect from each school board and publish on its website various enrollment and achievement data on alternative education programs for students who have been suspended, expelled, or otherwise precluded from attendance at school. The bill requires such data to be published in a manner that protects the identities of individual students and disaggregated by local school division and by student race, ethnicity, gender, and disability. (19101690D-E)

SB 1298 (Barker) (Passed Senate; HED) requires the Department of Education to annually collect from each school board and publish on its website various enrollment and achievement data on alternative education programs for students who have been suspended, expelled, or otherwise precluded from attendance at school. The bill requires such data to be published in a manner that protects the identities of individual students and disaggregated by local school division and by student race, ethnicity, gender, and disability. (19102732D)

Elections

HB 1617 (Cole) (Passed House; SRUL) adds a definition of "personal use of campaign funds" and prohibits the use of contributions, or conversion 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 (the 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 State Board shall assess a civil penalty, in an amount not to exceed \$250, against a complaining party who is found to have filed a frivolous complaint. The bill amends the Freedom of Information Act to allow closed meetings for the State Board to review complaints related to the personal use of campaign funds. 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 funds 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 (the 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, 2020. (19100359D-E)

HB 2760 (Sickles) (Passed House; SPE) requires the clerk of the county, city, or town to send a Geographic Information System (GIS) map, along with the ordinance containing a description of the boundaries, to the local electoral board, the Secretary of the Commonwealth, the Department of Elections, and the Division of Legislative Services when redistricting local election districts or making any changes to the local election districts or precincts. If a county, city, or town does not have GIS capabilities, the locality may request the Department of Elections to create a GIS map on its behalf and the Department of Elections shall create such a map. The bill requires the Department to review any ordinance and GIS map received and compare the boundaries contained within with the information in the voter registration system to ensure voters have been assigned to the correct districts and to notify localities of any corrections that may be necessary. The Department is further required to maintain and make available on its official website maps showing the current election district and precinct boundaries of each county and city. (19104650D-E)

SB 1042 (Marsden) (Passed Senate; HPE) requires the general registrars to notify a person whose registration has been denied within 14 days of the denial and provides that a person denied registration may appeal such denial by filing a petition within 10 days of being notified of the denial. Currently, the law simply requires that such notice be made promptly and that the appeal be filed within 10 days after the denial. (19101184D)

HB 2682 (Sickles) (Passed House; SPE) provides that any absentee ballot that is returned to the general registrar after the closing of the polls on election day but before noon on the third day after the election and postmarked on or before the date of the election shall be counted if the voter is found entitled to vote. The bill contains technical amendments. (19104578D)

HB 2204 (Filler-Corn) (Passed House; SPE) removes the requirement that the officer of election audibly repeat the address of a voter offering to vote. The bill does not change the requirement for the officer of election to audibly repeat the voter's full name. (19101879D-E)

HB 2764 (Wilt) (Passed House; SPE) requires person who assists an applicant with the completion of a paper voter registration application or collects a completed paper voter registration application directly from an applicant to provide his name and telephone number and indicate the group or organization with which he is affiliated, if any, on the registration

application. The bill prohibits any registration application from being denied on the basis of such information not being provided. The measure exempts from such requirement any state or local government employee who assists with the completion of registration applications or who collects completed registration applications as part of his official duties. The identifying information of the person assisting with the completion of or collecting a completed paper application shall not be entered into the registration record of the applicant. (19101405D-E)

SB 1564 (Lewis) (Passed Senate; HPE) directs the State Board of Elections to revise its regulations for reviewing and processing candidate petitions. The regulations are required to include standards and methods for checking signatures on candidate petitions and comparing information contained in candidate petitions. The bill requires the State Board to promulgate these regulations on or before January 1, 2020. (19106098D-S1)

SB 1250 (Reeves) (Passed Senate; HPE) prohibits changes to the registration record of a registered voter who has been sent or provided an absentee ballot from being processed until after the election for which he was sent or provided an absentee ballot. The prohibition applies to registration transactions by electronic means. The bill requires the Department of Elections to provide instructions to the general registrars for enrolling the name and address of voters to whom an absentee ballot is sent or provided into the Virginia voter registration system and for checking the registration record to determine whether a registered voter has been sent or provided an absentee ballot when receiving a request for a change to the registration record. (19103145D-E)

HB 1620 (Ransone) (Passed House; SPE) increases the membership of the State Board of Elections (Board) from three members to six members and increases the terms of Board members from four years to six years. Equal 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. Appointments shall be made with due consideration of geographical representation, and no two Board members may reside in the same congressional district. Terms are initially staggered. The bill also grants to the Board the authority to appoint, subject to confirmation by the General Assembly, the Commissioner of Elections to head the Department of Elections and to act as the principal administrative officer. Additionally, the Board has the authority to remove the Commissioner. The appointment or removal of the Commissioner shall require an affirmative vote of five of the six Board members. The bill also directs the Department of Elections to employ a Director of Operations, who is to be responsible for managing the day-to-day operations at the Department. The bill requires the Board to submit an annual report to the Governor and the General Assembly. (19100589D)

SB 1455 (Vogel) (Passed Senate; HPE) increases the membership of the State Board of Elections 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 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. The appointment or removal of the

Commissioner shall require an affirmative vote of four of the five Board members. The bill has a delayed effective date of January 1, 2020. (19105523D-S1)

Environment – Stormwater

HB 2361 (Jones, S.C.) (Passed House; SACNR) provides that the statewide technical criteria for stormwater management that were adopted by the State Water Control Board during 2011 and became effective July 1, 2014, shall be applicable to those land-disturbing activities that are subject to a stormwater management permit that was initially issued prior to July 1, 2014, where notice of transfer of such permit to another party is provided to the Department of Environmental Quality after December 31, 2020, but no land-disturbing activities have commenced before such provision of notice. The bill creates exceptions for projects involving certain governmental bonding or public debt financing and for land-disturbing activities that are served by existing stormwater management facilities. (19106039D-H1)

Firearms

HB 1656 (Cole) (Passed House; Reported from SCT) allows private or religious schools to employ a school security officer and to authorize a school security officer to carry a firearm in the performance of his duties, subject to the same criteria for carrying a firearm in the performance of his duties imposed on a school security officer employed by the local school board. The bill also updates the definition of school security officer in the assault and battery statute. (19100833D)

HB 1874 (Ransone) (Passed House; SACNR) provides that any person who cruelly or unnecessarily shoots any dog or cat that is a companion animal and, as a direct result, causes the death or euthanasia of such dog or cat is guilty of a Class 6 felony. (19106243D-H1)

HB 2253 (Pogge) (Passed House; Reported from SCT) requires the Department of State Police (Department) to issue a concealed handgun permit to a nonresident within 90 days of receipt of the nonresident's completed application unless it determines that he is disqualified. The bill provides that the Department shall certify the nonresident's application as a de facto concealed handgun permit, which is effective for a period of 90 days after issuance, if the Department has not issued the permit or determined that the nonresident is disqualified within that 90-day period. The bill has a delayed effective date of October 1, 2019. (19101846D-E)

HB 2548 (Rush) (Passed House; Reported from SCT) creates a method whereby circuit courts shall report to the Department of State Police the issuance of a restoration order that unconditionally authorizes the possession, transportation, or carrying of a firearm to a person (i) who has been convicted of a felony; (ii) adjudicated delinquent as a juvenile 14 years of age or older at the time of the offense of murder, kidnapping, robbery by the threat or presentation of firearms, or rape; or (iii) under the age of 29 who was adjudicated delinquent as a juvenile 14 years of age or older at the time of the offense of a delinquent act that would be a felony if committed by an adult. 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 accompanied by a complete set of the petitioner's fingerprints 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 January 1, 2021. (19101934D-E)

HB 2721 (Freitas) (Passed House; SEH) allows a school security officer to carry a firearm in the performance of his duties if, within 10 years immediately prior to being hired by the local school board, he was employed by a law-enforcement agency of the United States or any state or political subdivision thereof and his duties were substantially similar to those of a law-enforcement officer in the Commonwealth. Under current law, only a school security officer who was an active law-enforcement officer in the Commonwealth within 10 years immediately prior to being hired by the local school board may qualify to carry a firearm in the performance of his duties. (19100996D)

SB 1012 (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. (19105018D-S1)

SB 1024 (Black) (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. (19100172D)

SB 1048 (Cosgrove) (Passed Senate; HMP) eliminates the requirement that a sheriff or local police department seek written authorization or approval from the local governing body before allowing an auxiliary law-enforcement officer with more than 10 years of service to purchase the service handgun issued to him by the agency at a price that is equivalent to or less than fair market value. (19100661D)

SB 1179 (Stuart) (Passed Senate; HMP) provides that for purposes of determining domicile to obtain a resident concealed handgun permit a member of the United States Armed Forces is domiciled in the county or city where such member claims his home of record with the United States Armed Forces. The bill clarifies that a member of the United States Armed Forces who is stationed outside of the Commonwealth but domiciled in the Commonwealth may apply for a resident concealed handgun permit. (19100047D)

SB 1251 (Reeves) (Passed Senate; HCT) exempts from the prohibition on selling or possessing switchblade knives any manufacturer, distributor, or retailer of switchblade knives that imports,

manufacturers, distributes, or otherwise possesses any switchblade knives, or parts thereof, for export from or sale outside of the Commonwealth. (19102677D)

SB 1321 (Hanger) (Passed Senate; HMP) requires that firearms and ammunition in a licensed family day home be stored in a locked closet, cabinet, or container during the family day home's hours of operation. The bill requires that the key or combination to such locked storage places be maintained out of the reach of all children in the family day home. (19105893D-S1)

Health and Human Services

HB 1735 (Robinson) (Passed House; SRUL) establishes the Commission on Student Behavioral Health as a legislative branch commission. The purpose of the Commission shall be to (i) assess the efficacy of developing and implementing a statewide behavioral health and suicide prevention hotline that students may use to report threats of violence or receive real-time counseling services; (ii) review the current school counselor-to-student ratio, and whether the realignment of counseling responsibilities proposed by the House Select Committee on School Safety is improving schools' ability to provide counseling services to students; (iii) review the current roles and responsibilities of school nurses, psychologists, and social workers in schools and determine whether a realignment of responsibilities could improve or streamline behavioral health services offered to students; (iv) evaluate the efficacy and costs of providing enhanced behavioral health services in schools delivered through partnerships established between school divisions and local departments of social services and community services boards; (v) assess the effectiveness of de-escalation and other alternative disciplinary policies when interacting with students suffering from behavioral health challenges; (vi) examine the value of additional teacher training requirements on student behavioral health, such as mental health first aid; and (vii) examine other topics related to student behavioral health identified by the Commission. The Commission shall consist of 12 members as follows: seven members of the House of Delegates, of whom two shall be members of the House Committee on Health, Welfare and Institutions, two shall be members of the House Committee on Education, two shall be members of the House Committee on Appropriations, and one shall be a member at-large, to be appointed by the Speaker of the House of Delegates; and five members of the Senate, of whom two shall be members of the Senate Committee on Education and Health, two shall be members of the Senate Committee on Finance, and one shall be a member at-large, to be appointed by the Senate Committee on Rules. The Commission may appoint, employ, and remove an executive director and such other persons as it deems necessary and determine their duties and fix their salaries or compensation within the amounts appropriated therefor. The Commission may also employ experts who have special knowledge of the issues before it. All agencies of the Commonwealth shall provide assistance to the Commission, upon request. The bill has an expiration date of July 1, 2021. (19101085D-E)

HB 2223 (O'Quinn) (Passed House; SEH) requires health carriers to administer its health benefit plans in a manner consistent with, or include in contracts for pharmacy benefits management, criteria and provisions that (i) permit a covered individual to fill any mail order-covered prescription, at the covered individual's option, at any mail order pharmacy or network participating retail community pharmacy if the network participating retail community pharmacy

agrees to accept a price that is comparable to that of the mail order pharmacy, calculated to reflect all drug manufacturer's rebates, direct and indirect administrative fees, costs and any remuneration; (ii) prohibit a pharmacy benefits manager (PBM) or carrier from imposing a differential copayment, additional fee, or other condition on any covered individual who elects to fill his prescription at an in-network retail community pharmacy that is not similarly imposed on covered individuals electing to fill a prescription from a mail order pharmacy; and (iii) require the PBM to use the same benchmark index to reimburse all pharmacies participating in the health benefit plan regardless of whether a pharmacy is a mail order pharmacy or a retail community pharmacy. The measure applies with respect to contracts entered into, amended, extended, or renewed on or after January 1, 2020. (19106247D-H1)

HB 2258 (Pogge) (Passed House; SRSS) exempts parents and other persons who participate in a cooperative preschool center on behalf of a child attending such cooperative preschool center, including such parents and persons who are counted for the purpose of determining staff-to-child ratios, from orientation and training requirements applicable to staff of child day programs. The bill provides that such exempt parents may be required to complete up to four hours of training per year. (19103912D)

HB 2322 (Hodges) (Passed House; SEH) directs the Department of Health to develop a plan for the oversight and enforcement by the Department of requirements related to the inspection and pump-out of onsite sewage treatment systems that do not require a Virginia Pollutant Discharge Elimination System permit established pursuant to the Chesapeake Bay Preservation Act and are located in counties eligible for participation in the Rural Coastal Virginia Community Enhancement Authority. The bill requires the Department to present such plan to the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health prior to implementing the plan. (19102316D-E)

HB 2457 (Landes) (Passed House; SEH) provides that the Board of Medicine may issue a retiree license to any doctor of medicine, osteopathy, podiatry, or chiropractic who holds a valid unrestricted license to practice in the Commonwealth upon receipt of a request and submission of the required fee. The bill provides that a person to whom a retiree license has been issued shall not be required to meet continuing competency requirements for the first biennial renewal of such license. The bill also provides that a person to whom a retiree license has been issued may only engage in the practice of medicine, osteopathy, podiatry or chiropractic for the purpose of providing charity care or in-home health care services to patients for whom travel is a barrier to receiving health care. (19105633D-H1)

HB 2521 (Rasoul) (Passed House; SRSS) directs the Board of Social services to amend regulations governing staffing of assisted living facility units with residents who (i) have serious cognitive impairment due to a primary psychiatric diagnosis of dementia and (ii) are unable to recognize danger or protect their own safety and welfare to create an exception to certain staffing requirements for night hours. (19104765D-H1)

HB 2546 (Robinson) (Passed House; SCT) establishes the Maternal Death Review Team (Team) to develop and implement procedures to ensure that maternal deaths occurring in the

Commonwealth are analyzed in a systematic way. The bill requires the Team to provides that information and records obtained or created by the Maternal Death Review Team to (i) develop and revise as necessary operating procedures for maternal death reviews, including identification of cases to be reviewed and procedures for coordinating among the agencies and professionals involved; (ii) improve the identification of and data collection and record keeping related to causes of maternal deaths; (iii) recommend components of programs to increase awareness and prevention of and education about maternal deaths; and (iv) recommend training to improve the review of maternal deaths. The bill also requires the Team to compile triennial statistical data regarding maternal deaths and to make such data available to the Governor and the General Assembly. The bill provides that information and records obtained or created by the Team and portions of meetings of the Team at which individual maternal deaths are discussed shall be confidential. (19105204D-H1)

HB 2559 (Pillion) (Passed House; SEH) provides certain exceptions, effective July 1, 2020, to the requirement that any prescription for a controlled substance that contains an opioid be issued as an electronic prescription. The bill requires the licensing health regulatory boards of a prescriber to grant such prescriber a waiver of the electronic prescription requirement for a period not to exceed one year due to demonstrated economic hardship, technological limitations that are not reasonably within the control of the prescriber, or other exceptional circumstances demonstrated by the prescriber. The bill provides that a dispenser is not required to determine whether one of the exceptions applies when he receives a non-electronic prescription for a controlled substances containing opioids. The bill requires the Boards of Medicine, Nursing, Dentistry, and Optometry to promulgate regulations to implement the prescriber waivers. Finally, the bill requires the Secretary of Health and Human Resources to convene a work group to identify successes and challenges of the electronic prescription requirement and offer possible recommendations for increasing the electronic prescribing of controlled substances and to report to the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by November 1, 2022. (19101805D-E)

HB 2722 (Watts) (Passed House; SEH) provides that a nursing facility in a continuing care retirement community in Planning District 8 and registered with the State Corporation Commission may be certified for participation in the Virginia Medical Assistance Program without regard to any condition on a certificate of public need, so long as not more than 25 percent of the nursing home beds located in the facility, or 15 of the facility's nursing home beds, whichever is fewer, are occupied by individuals receiving benefits at any given time. Currently, such nursing homes may be certified for participation in the Virginia Medical Assistance Program without regard to any condition on a certificate of public need, so long as not more than 10 percent of the nursing home beds located in the facility are occupied by individuals receiving benefits. (19104022D)

HB 2731 (Edmunds) (Passed House; SEH) requires every laboratory reporting the results of a test for Lyme disease ordered by a health care provider in an office-based setting to include, together with the results of such test provided to the health care provider, a notice stating that the results of Lyme disease tests may vary and may produce results that are inaccurate and that a patient may not be able to rely on a positive or negative result from such test. Such notice shall

also include a statement that health care providers are encouraged to discuss Lyme disease test results with the patient for whom the test was ordered. The bill also provides that a laboratory that complies with the provisions of the act shall be immune from civil liability absent gross negligence or willful misconduct. (19105570D-H1)

SB 1004 (Chase) (Passed Senate; HHWI) requires hospitals to provide written information about the patient's ability to request an estimate of the payment for an elective procedure, test, or service. The bill requires such written information to be posted conspicuously in public areas of the hospital, including admissions or registration areas, and on any website maintained by the hospital. The bill also requires any physician, physician assistant, or nurse practitioner who practices in an office-based setting to provide, upon request of a patient, a good faith estimate of the charges for health care services for the patient. (19104197D-S1)

SB 1221 (Chafin) (Passed Senate; HHWI) requires insurers, corporations, or health maintenance organizations to cover medically necessary remote patient monitoring services as part of their coverage of telemedicine services to the full extent that these services are available. The bill defines remote patient monitoring services as the delivery of home health services using telecommunications technology to enhance the delivery of home health care, including monitoring of clinical patient data such as weight, blood pressure, pulse, pulse oximetry, blood glucose, and other condition-specific data; medication adherence monitoring; and interactive video conferencing with or without digital image upload. The bill requires the Board of Medical Assistance Services to include in the state plan for medical assistance services a provision for the payment of medical assistance for medically necessary health care services provided through telemedicine services. (19105327D-S1)

SB 1253 (Reeves) (Passed Senate; HAPP) requires local departments of social services to request the placement of a security freeze on the credit report or record of any child who has been in foster care for at least six months in order to prevent cases of identity theft and misuse of personal identifying information. The bill directs local departments to request the removal of such security freezes upon (i) the child's removal from foster care; (ii) the child's request if the child continues to receive foster care or independent living services beyond his eighteenth birthday; or (iii) a determination by the local department that removal of the security freeze is in the best interest of the child. The provisions of the bill are contingent on funding in a general appropriation act. (19104900D-ES1)

SB 1280 (Barker) (Passed Senate; HHWI) prohibits a person from using or assuming the title of certified community health worker unless he is certified by an entity approved by the Department of Health. The bill requires an individual seeking certification to submit to the Department completed application and evidence satisfactory to the Department that the individual is certified by a Department-approved credentialing entity. (19105601D-S1)

SB 1283 (Barker) (Passed Senate; HAPP) requires the State Medical Facilities Plan task force to review the State Medical Facilities Plan and update or validate existing criteria in the State Medical Facilities Plan at least once every two years. Currently, the task force is required to review and update or validate the State Medical Facilities Plan at least once every four years.

The bill also exempts amendments to the State Medical Facilities Plan from the Administrative Procedure Act if the Board of Health (i) provides a Notice of Intended Regulatory Action in accordance with the requirements of § 2.2-4007.01, (ii) provides notice and receives comment as provided in § 2.2-4007.03, and (iii) conducts at least one public hearing on the proposed amendments. The provisions of the bill are contingent on funding in a general appropriation act. (19101807D-E)

SB 1289 (Edwards) (Passed Senate; HHWI) establishes a process by which the Board of Pharmacy, an authorized agent of the Board, or law enforcement can seize and place under seal controlled substances and prescription devices that are owned or possessed by a person or entity when the registration, license, permit, or certificate authorizing such ownership or possession is suspended or revoked. The bill also provides procedures and requirements for the transfer and disposal of sealed controlled substances and prescription devices if subject to forfeiture. The bill provides that the period in which the Director of the Department of Health Professions, his authorized agent, or a law-enforcement officer may properly dispose of the seized drugs and devices in the event the owner has not claimed and provided for the proper disposition of the property is 60 days from notice of seizure. Under current law, such period is six months from notice of seizure. (19101806D)

SB 1352 (McDougle) (Passed Senate; HAPP) creates as an independent state agency the Office of Medicaid Fiscal Oversight and Accountability and charges the agency with the preparation of the Official Medicaid Forecast for the state, monthly oversight of Medicaid expenditures, review of the fiscal impact of policy changes, and other oversight and accountability responsibilities. The Director of the Office of Medicaid Fiscal Oversight and Accountability will be appointed by the Governor, subject to confirmation by the General Assembly. (19104199D)

SB 1436 (McClellan) (Passed Senate; HHWI) requires any licensed hospital, whenever a health care provider in such hospital reports suspected child abuse or neglect resulting from prenatal substance exposure, to require the development of a written discharge plan that includes, among other things, appropriate treatment referrals and notice to the community services board of the jurisdiction in which the mother resides for the appointment of a discharge plan manager. The bill provides that such reports shall not constitute a per se finding of child abuse or neglect. (19105309D-S1)

SB 1488 (Hanger) (Passed Senate; HRUL) directs the Secretary of Health and Human Resources to convene a stakeholder work group to examine the causes of the high census at the Commonwealth's state hospitals for individuals with mental illness, including (i) the impact of the practice of conducting evaluations of individuals who are the subject of an emergency custody order in hospital emergency departments, the treatment needs of individuals with complex medical conditions, the treatment needs of individuals who are under the influence of alcohol or other controlled substances, and the need to ensure that individuals receive treatment in the most appropriate setting to meet their physical and behavioral health care needs on the census at the Commonwealth's state hospitals for individuals with mental illness, and (ii) the potential impact of extending the time frame during which an emergency custody order remains valid, revising security requirements to allow custody of a person who is the subject of an

emergency custody order to be transferred from law enforcement to a hospital emergency department, diverting individuals who are the subject of an emergency custody order from hospital emergency departments to other more appropriate locations for medical and psychological evaluations, and preventing unnecessary use of hospital emergency department resources by improving the efficiency of the evaluation process on the census at the Commonwealth's state hospitals for individuals with mental illness. The work group shall analyze how such issues affect both adults and children. The work group shall develop recommendations for both long-term and short-term solutions to the high census at the Commonwealth's state hospitals for individuals with mental illness and shall report such recommendations to the Chairman of the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the Twenty-First Century, the House Committee on Appropriations, the House Committee on Courts of Justice, the Senate Committee on Finance, and the Senate Committee for Courts of Justice by November 1, 2019. (19104970D-S1)

SJ 301 (Deeds) (Agreed to by Senate; HRUL) continues the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the Twenty-First Century for two additional years, through December 1, 2021. (19103005D)

Child Protective Services

SB 1339 (Reeves) (Passed Senate; HAPP) makes numerous changes to the laws governing the provision of foster care services in the Commonwealth. Among other things, the bill (i) allows the Commissioner of Social Services to develop and implement a corrective action plan for or assume temporary control over the foster care services of a local board of social services upon determining that the local board (a) has failed to provide foster care services or make placement and removal decisions in accordance with applicable laws or regulations or (b) has taken any action that poses a substantial risk to the health, safety, or well-being of any child under its supervision and control; (ii) requires the Commissioner to create within the State Department of Social Services (the Department) a foster care health and safety director position; (iii) directs the Commissioner to establish and maintain a confidential hotline to receive reports and complaints from foster parents and other persons regarding violations of laws or regulations applicable to foster care and any other matters related to the health, safety, or well-being of children in foster care; (iv) directs the Department to develop and implement a more reliable, structured, and comprehensive case review and quality improvement process to monitor and improve foster care services provided by local boards and departments of social services; and (v) requires the Department to establish and update annually a caseload standard that limits the number of foster care cases that may be assigned to each foster care caseworker. The provisions of the bill are contingent on funding in a general appropriation act. (19102687D-E)

HB 1953 (Campbell, J.) (Passed Both Houses)/**SB 1416** (Mason) (Passed Senate; HCT) provides that whenever an appeal of a finding by a local department of social services is made and a criminal investigation is also commenced against the appellant for the same conduct involving the same victim as investigated by the local department, the appeal process shall automatically be stayed until the criminal investigation is closed or, in the case of a criminal investigation that

is not completed within 180 days of the appellant's request for an appeal, for 180 days. (19103324D, 19102940D)

SB 1435 (McClellan) (Passed Senate; HHWI) allows the Commissioner of Social Services to issue an order of summary suspension of the license of any child welfare agency when conditions or practices exist that pose an immediate and substantial threat to the health, safety, and welfare of the children receiving care. The bill allows the Commissioner, in issuing an order of summary suspension, to suspend the license of the child welfare agency or to suspend only certain authority of the child welfare agency to operate, including the authority to provide certain services or perform certain functions that the Commissioner determines should be restricted or modified in order to protect the health, safety, or welfare of the children receiving care. The bill establishes notice, hearing, appeal, and posting requirements for such summary suspensions. The bill also amends the summary suspension procedures for licensed assisted living facilities to align such procedures with the summary suspension procedures established in the bill for child welfare agencies. (19105294D-S1)

Financial Exploitation

SB 1490 (Obenshain) (Passed Senate; HLC) authorizes financial institution staff to refuse to execute a transaction, to delay a transaction, or to refuse to disburse funds if the financial institution staff (i) believes in good faith that the transaction or disbursement may involve, facilitate, result in, or contribute to the financial exploitation of an aged or incapacitated adult or (ii) makes, or has actual knowledge that another person has made, a report to the local department of social services or adult protective services hotline stating a good faith belief that the transaction or disbursement may involve, facilitate, result in, or contribute to the financial exploitation of an aged or incapacitated adult. This bill incorporates SB 1175. (19105408D-S1)

Tobacco Products

HB 2748 (Stolle) (Passed House; SCT) increases the minimum age for persons prohibited from purchasing or possessing tobacco products, nicotine vapor products, and alternative nicotine products, and the minimum age for persons such products can be sold to, from 18 years of age to 21 years of age. The bill also allows tobacco products, nicotine vapor products, and alternative nicotine products to be sold from a vending machine if there is posted notice of the minimum age requirements and the machine is located in a place that is not open to the general public and not generally accessible to persons under 21 years of age. Under current law, tobacco products may be sold from a vending machine if there is posted notice of the minimum age requirements and the machine is located in a place that is not open to the general public and not generally accessible to minors. (19104561D-E)

SB 1727 (Norment) (Passed Senate; HCT) increases the minimum age for persons prohibited from purchasing or possessing tobacco products, nicotine vapor products, and alternative nicotine products, and the minimum age for persons such products can be sold to, from 18 years of age to 21 years of age unless such person is an active duty military personnel. The bill also allows tobacco products, nicotine vapor products, and alternative nicotine products to be sold

from a vending machine if there is posted notice of the minimum age requirements and the machine is located in a place that is not open to the general public and not generally accessible to persons under 21 years of age. Under current law, tobacco products may be sold from a vending machine if there is posted notice of the minimum age requirements and the machine is located in a place that is not open to the general public and not generally accessible to minors. (19105440D-S1)

Public Safety/Criminal Justice

HB 2576 (Krizek) (Passed House; SCT) creates, within the Department of Criminal Justice Services, a Sex Trafficking Response Coordinator (the Coordinator) who shall (i) create a statewide plan for local and state agencies to identify and respond to victims of sex trafficking; (ii) coordinate the development of standards and guidelines for treatment programs for victims of sex trafficking; (iii) maintain a list of programs that provide treatment or specialized services to victims of sex trafficking and make such list available to law-enforcement agencies, attorneys for the Commonwealth, crime victim and witness assistance programs, the Department of Juvenile Justice, the Department of Social Services, the Department of Education, and school divisions; (iv) oversee the development of a curriculum to be completed by persons convicted of solicitation of prostitution; and (v) promote strategies for the awareness of sex trafficking, for education and training related to sex trafficking, and for the reduction of demand for commercial sex. The bill requires the Coordinator to report annually to the Governor and the General Assembly and include a summary of activities for the year and any recommendations to address sex trafficking within the Commonwealth. This bill is a recommendation of the Virginia State Crime Commission. (19104149D)

HB 2642 (Levine) (Passed House; SACNR) makes any violation relating to cruelty to an animal a Class 6 felony when such violation is carried out with the intent to coerce, intimidate, or harass a family or household member. (19106255D-H1)

Stormwater – CPACE Loans

SB 1400 (Petersen) (Passed Senate; HCCT) authorizes any locality, by ordinance, to authorize contracts to provide loans for the initial acquisition and installation of stormwater management improvements with free and willing property owners of both existing properties and new construction. Current law authorizes such contracts only for clean energy improvements. The bill removes an exclusion for residential dwellings with fewer than five dwelling units and condominium projects from certain requirements related to a voluntary special assessment lien that secures such a loan. (19101646D)

SB 1559 (Lewis) (Passed Senate; HCCT) authorizes any locality, by ordinance, to authorize contracts to provide loans for the initial acquisition and installation of shoreline resiliency improvements, including improvements for the mitigation of flooding or the impacts of flooding or stormwater management improvements with a preference for natural or nature-based features and living shorelines with free and willing property owners of both existing properties and new construction. Current law authorizes such contracts only for clean energy improvements. Such

ordinance shall include (i) a minimum and maximum aggregate dollar amount that may be financed with respect to a property and (ii) if a locality or other public body is originating the loan, a maximum aggregate dollar amount that may be financed with respect to loans originated by the locality or other public body. (19106110D-S1)

Studies/Commissions

HB 2028 (Campbell, R.) (Passed House) provides that when any legislative bill requiring the Department of Professional and Occupational Regulation to increase or begin regulation of an occupation is filed during any session of the General Assembly, the Board for Professional and Occupational Regulation shall prepare an evaluation of the legislation using criteria outlined in current law that the Board is required to use whenever the Board determines that a particular occupation should be regulated or that a different degree of regulation should be imposed on a currently regulated occupation. (19101677D)

HB 2168 (Yancey) (Passed House; SRUL) establishes the legislative Commission on School Innovation, Modernization, and Competitiveness (the Commission), consisting of 22 members, including 12 legislative members, eight nonlegislative citizen members, and two ex officio members, to develop and oversee the implementation of a goal and strategic plan for (i) promoting and increasing public high school student participation in dual enrollment courses, industry certifications, and state licensure examinations, (ii) modernizing public elementary and secondary school buildings throughout the Commonwealth, (iii) achieving the Commonwealth's teacher compensation goal and (iv) ensuring high quality at the student and school division levels. The Commission sunsets on July 1, 2022. (19103878D-E)

HB 2321 (Peace) (Passed House; SRUL) creates the Gaming Study Commission to analyze the Commonwealth's existing gaming industry and proposals to expand gaming in Virginia, which include the following: (i) commercial casino gaming, (ii) in-person and online sports wagering, (iii) online and internet gaming, (iv) tribal gaming, (v) historical horse racing, and (vi) electronic devices approved by the Virginia Alcoholic Beverage Control Authority to be placed in establishments licensed by the Authority. The Commission must submit final recommendations to the General Assembly by November 1, 2019. The bill has an expiration date of January 1, 2020. (19106103D-EH1)

HB 2541 (Byron) (Passed House; SGL) extends the expiration of the Office of Telework Promotion and Broadband Assistance and the Broadband Advisory Council from July 1, 2019, to July 1, 2023, and alters and expands from 14 to 16 the membership of the Council. (19100848D-E)

HB 2814 (Morefield) (Passed House; SRUL) extends the sunset date of the Commission on Economic Opportunity for Virginians in Aspiring and Diverse Communities from July 1, 2019, to July 1, 2021. (19106157D)

HJ 641 (Yancey) (Agreed to by House; SRUL) requests the Department of Health to evaluate and allow for stakeholder input on additional issues related to use of rainwater as part of the

rulemaking process pursuant to a 2018 Act of Assembly, including (i) the conditions under which rainwater may appropriately be used and for what purposes; (ii) standards for the use of rainwater for human consumption; (iii) standards for rainwater harvesting systems, including systems that collect rainwater for human consumption and systems that collect rainwater for use by commercial enterprises but not human consumption; (iv) a requirement that buildings that draw water from both rainwater harvesting systems and public water supplies maintain appropriate cross-connection safeguards; and (v) training and certification requirements for installers of rainwater harvesting systems, including installers of rainwater harvesting systems installed in buildings that draw water from both rainwater harvesting systems and public water supplies. The Department is also requested to provide an update on the status of the rulemaking process to the General Assembly by November 1, 2019. (19103885D)

HJ 662 (Stolle) (Agreed to by House; SRUL) directs the Joint Commission on Health Care to study the dispensing of drugs and devices pursuant to prescriptions, pharmacy collaborative practice agreements, standing orders, and statewide protocols in the Commonwealth, including a review of the roles and responsibilities of pharmacists and other health care providers prescribing, dispensing, and administering drugs and devices in accordance with laws and regulations. (19104412D-H1)

HJ 674 (Torian) (Agreed to by House; SRUL) requests the Department of Veterans Services and the Department of Taxation (the Agencies) to convene a joint working group to study the feasibility of exempting military retirement income from taxation. Under current law, military retirement income is tax-exempt only for recipients of the Congressional Medal of Honor. The Agencies are directed to consider potential revenue losses, the effects of phasing in the exemption over different time frames, the positive effects for Virginia's current population of veterans, and the impact on the Commonwealth's competitiveness as a desirable state of residence for veterans compared with other states. (19102046D)

HJ 677 (Rush) (Agreed to by House; SRUL) establishes a 21-member joint subcommittee to identify blockchain technology research and economic development opportunities with the goal of creating a statewide, comprehensive, and coordinated strategy relating to blockchain technology. In conducting its study, the joint subcommittee shall analyze and consider (i) economic development opportunities in the Commonwealth available through the utilization of blockchain technology; (ii) different types of blockchain technology and the feasibility of economic development for each type; (iii) the creation of a statewide, comprehensive, coordinated strategy to encourage commercial activity in the blockchain technology sector; (iv) opportunities for deployment of blockchain technology in state government; and (v) strategies to incentivize the development of blockchain companies in the Commonwealth. The joint subcommittee shall submit its report to the Governor and the 2020 and 2021 Regular Sessions of the General Assembly. (19103191D)

SB 1097 (Marsden) (Passed Senate; HRUL) extends the sunset of the Commission on Civic Education from July 1, 2019, to July 1, 2020. (19101827D-E)

SB 1152 (DeSteph) (Passed Senate; HRUL) increases from two to four the number of consecutive four-year terms a nonlegislative citizen member is allowed to serve on the Chesapeake Bay Restoration Fund Advisory Committee (the Committee), which oversees the distribution of funds raised by the sale of Friend of the Chesapeake license plates. The bill provides that the two citizen members of the Committee who are appointed by the Senate Committee on Rules, both of whose terms expire on July 1, 2019, shall have their terms extended until July 1, 2020, and July 1, 2021, respectively. One of the two members appointed by the Speaker of the House of Delegates shall have the expiration of his term extended from July 1, 2019, until July 1, 2022. Such extensions shall not constitute a term in determining each member's eligibility for reappointment under the limit of four consecutive terms provided by the bill. (19102314D)

SJ 309 (DeSteph) (Agreed to by Senate; HRUL) requests the Virginia Marine Resources Commission to study the feasibility of creating protection zones for submarine fiber optic cables located along Virginia's shores. (19103454D)

SJ 311 (Boysko) (Agreed to by Senate; HRUL) requests the Department of Housing and Community Development to study the permitting processes in the Commonwealth for broadband deployment and renewable energy construction projects. (19104542D)

Transportation

HB 2441 (Wilt) (Passed House; STRAN) requires the Department of Motor Vehicles to issue a special identification card without a photograph to a person with a sincerely held religious belief prohibiting the taking of a photograph who would otherwise meet the qualifications for a special identification card but also presents an approved and signed IRS Form 4029. The bill allows a special identification card without a photograph to be similar in size, shape, and design to a driver's license but requires (i) that it be clearly distinguishable from a driver's license, (ii) that it not include a photograph of its holder, and (iii) that it clearly state that (a) the card does not authorize the holder to operate a motor vehicle, (b) federal limits apply, and (c) the card is not valid identification to vote. The bill provides that giving false information, concealing a material fact, or otherwise committing a fraud in applying for a special identification card without a photograph is guilty of a Class 2 misdemeanor and that obtaining a special identification card without a photograph for the purpose of committing any offense punishable as a felony constitutes a Class 4 felony. The bill contains technical amendments. This bill is the result of a study conducted by the Department of Motor Vehicles. (19100181D-E)

HB 2489 (Jones, J.C.) (Passed House; STRAN) requires the Commissioner of Highways to temporarily suspend toll collection operations in affected evacuation zones on routes designated as mass evacuation routes during any mandatory evacuation during a state of emergency. Current law authorizes the Commissioner, in his discretion, to temporarily suspend toll collection operations in cases of emergency and concern for public safety. (19106042D-H1)

HB 2737 (Bagby) (Passed House; STRAN) directs the Department of Rail and Public Transportation to evaluate the placement and maintenance of highway signs to (i) indicate the

presence and direction of nearby Amtrak or intercity passenger rail stations and (ii) promote the use of such services. The bill further directs the Department to evaluate the cost and potential funding sources for such signs and to report its findings to the Secretary of Transportation and the Chairmen of the House and Senate Committees on Transportation by December 1, 2019. (19105620D-H1)

HB 2800 (Garrett) (Passed House; STRAN)/**SB 1775** (Carrico) (Passed Senate; HTRAN) requires the Commissioner of Highways to report annually by December 1 to the Governor, the General Assembly, and the Commonwealth Transportation Board regarding overweight trucks. The bill expires on January 1, 2021. (19105145D-E, 19104683D-E)

HJ 581 (Cole) (Agreed to by House; SRUL)/**SJ 276** (Reeves) (Agreed to by Senate; HRUL) requests the Commonwealth Transportation Board to study the portion of the Interstate 95 corridor between Exit 118 and the Springfield Interchange and financing options for improvements to the corridor. (19100237D, 19102700D-E)

SB 1510 (Carrico) (Passed Senate; HTRAN) provides that only towing requests made by local law-enforcement officers are subject to local ordinances regulating towing services for unattended, abandoned, or immobile vehicles. (19101888D-E)

SB 1535 (Surovell) (Passed Senate; HGL) requires the owner of a sign located along an Interstate System highway that has a height that is greater than the distance from such sign to the shoulder edge of the pavement to have such sign periodically inspected for building code compliance. The bill authorizes the Commissioner of Highways to remove any such sign without notice and at the cost of the owner if the sign poses a risk to highway safety or public safety. (19102227D-E)

SB 1126 (Lucas) (Passed Senate; HRUL) authorizes casino gaming in the Commonwealth to be regulated by the Virginia Lottery Board (the Board). The bill specifies the licensing requirements for casino gaming and imposes criminal and civil penalties for violations of the casino gaming law. Casino gaming shall be limited to certain cities that meet the criteria that is outlined in the bill, and a referendum must be passed in the city on the question of allowing casino gaming in the city. The referendum must be adopted prior to January 1, 2021. The bill imposes a tax ranging from 13 to 15 percent of the adjusted gross receipts of licensees, based upon a licensee's annual adjusted gross receipts, and provides for how the tax proceeds are disbursed. The bill requires the Board to establish and implement a voluntary exclusion program allowing individuals to voluntarily list themselves as being barred from entering a casino gaming establishment or other facility under the jurisdiction of the Board. The bill also establishes the Problem Gambling Treatment and Support Fund administered by the Commissioner of Behavioral Health and Developmental Services to provide counseling and other support services for compulsive and problem gamblers, develop problem gambling treatment and prevention programs, and provide grants to support organizations that provide assistance to compulsive gamblers. The bill requires the Joint Legislative Audit and Review Commission to report no later than November 1, 2019, regarding recommendations for casino gaming in the Commonwealth. The bill includes a reenactment clause for the referenda provisions of the bill. (19105946D-ES2)

SB 1574 (Norment) (Passed Senate; HAPP) creates a revenue sharing program, if gaming is authorized in the Commonwealth, that would require the owner or operator of any gaming establishment to share a percentage of its adjusted gross receipts with the Commonwealth, ranging from 13 to 15 percent based on its annual adjusted gross receipts. The revenues would be distributed as follows: 30 percent to transportation initiatives, with one-third allocated to projects in the Interstate 81 corridor, one-third allocated to the Northern Virginia Transportation Authority Fund, and one-third allocated to the Hampton Roads Transportation Fund; 30 percent to school construction and modernization; 10 percent to support increases in teacher pay; 10 percent to support initiatives related to higher education affordability; 10 to the locality in which the revenues were collected; nine percent to support the marketing and promotion of tourism destinations, and one percent to used to prevent and treat gambling addictions. (19105363D-S1)

Transportation Funding/Allocation

HB 2527 (Hugo) (Passed House; STRAN) prohibits the imposition and collection of tolls on any primary highway that is wholly located in Planning District 8 and that was previously classified as a secondary highway and is between 30 and 35 miles in length without prior approval by the General Assembly. (19102826D-E)

HB 2718 (Landes) (Passed House; STRAN)/**SB 1716** (Obenshain) (Passed Senate; HTRAN) creates the Interstate 81 Corridor Improvement Fund. Any revenues deposited in the Fund would be allocated for improvements to the Interstate 81 Corridor. The bill also directs the Commonwealth Transportation Board (Board) would develop and update, in consultation with an Interstate 81 Committee (Committee) established by the bill, to develop an Interstate 81 Corridor Improvement Program. The Committee is also directed to review the Interstate 81 Corridor Improvement Plan adopted by the Board in December, 2018, as it relates to funding options and make recommendations to the Governor and the General Assembly regarding funding recommendations and prioritization of projects. (19106055D-H1, 19106289D-S1)

Legislative Committee Actions of February 15, 2019:

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

Specific Issues

Virginia Tax Reform: The Committee received an update on the recent tax reform legislation passed by the General Assembly. (see handout on “Supplementary Documents” pages 104-106).

Priority Principles for Reviewing Legislation

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

Specific Legislation

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

New Bills – 2019 GA

HB 2034 (McGuire) (Passed House; Reported from SPE) provides for the removal of a general registrar by the circuit court upon a petition signed by a majority of members of the local electoral board. Currently, a local electoral board may remove a general registrar with a majority vote. The bill requires the Virginia Division of Risk Management to assign counsel to the defense of any member of a local electoral board or general registrar subject to a petition for removal, upon that member's or registrar's application. The bill also requires that the county or city attorney provide counsel for the local electoral board in proceedings to remove a general registrar from office. Amend to remove the requirement that the county or city attorney provide counsel for

the local electoral board when the local electoral board initiates proceedings to remove a general registrar. (19105130D-H1)

Legislation Provided for Discussion

Stormwater – CPACE Loans

SB 1400 (Petersen) (Passed Senate; HCCT) authorizes any locality, by ordinance, to authorize contracts to provide loans for the initial acquisition and installation of stormwater management improvements with free and willing property owners of both existing properties and new construction. Current law authorizes such contracts only for clean energy improvements. The bill removes an exclusion for residential dwellings with fewer than five dwelling units and condominium projects from certain requirements related to a voluntary special assessment lien that secures such a loan. Support. (19101646D)

SB 1559 (Lewis) (Passed Senate; HCCT) authorizes any locality, by ordinance, to authorize contracts to provide loans for the initial acquisition and installation of shoreline resiliency improvements, including improvements for the mitigation of flooding or the impacts of flooding or stormwater management improvements with a preference for natural or nature-based features and living shorelines with free and willing property owners of both existing properties and new construction. Current law authorizes such contracts only for clean energy improvements. Such ordinance shall include (i) a minimum and maximum aggregate dollar amount that may be financed with respect to a property and (ii) if a locality or other public body is originating the loan, a maximum aggregate dollar amount that may be financed with respect to loans originated by the locality or other public body. Support. (19106110D-S1)

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

Miscellaneous

HB 2305 (Leftwich) (Passed House; Reported from SLG) sets out sections in Title 15.2 that are currently carried by reference only. Locality descriptions are replaced with locality names, and various technical amendments are made. This bill is a recommendation of the Virginia Code Commission. (19105628D-H1)

SB 1255 (Ruff) (Approved by Governor) creates the Major Headquarters Workforce Grant Fund. A qualified e-commerce company that makes a capital investment of at least \$2 billion in a major headquarters facility in Arlington County and that creates at least 25,000 new full-time jobs with an average annual wage of \$150,000 will be eligible for up to \$550 million in grants from the Fund. A qualified company may also be eligible for an additional \$200 million in grants for creating an additional 12,850 new full-time jobs. (CHAP0001)

SB 1638 (Boysko) (Passed Senate; HCT) alters the requirements for newspapers that may be used for legal notices and publications by (i) changing the publication and circulation

requirement from 24 consecutive weeks to at least 50 of the preceding 52 weeks and requiring such publication be in printed form; (ii) requiring that such a newspaper provide general news coverage of the area in which the notice is to be published; and (iii) requiring that such a newspaper have a periodicals mailing permit issued by the United States Postal Service. The bill further provides that a newspaper that lacks a periodicals permit issued by the United States Postal Service may petition the circuit court for the jurisdiction in which such notices or publications are to be published, as opposed to where such newspaper is located as current law requires, for the authority to be certified as a newspaper of general circulation. The bill further allows a locality that determines that no newspaper published in such locality otherwise meets the requirements that enable it to be a newspaper for the use of such notices and publications to petition the circuit court in the jurisdiction in which such notices and publications are to be published for the authority to be published in another medium. The bill specifies that such petition shall not be filed without majority approval of the locality's local governing body. The bill requires that any newspaper authorized to publish such notices and publications shall also (a) print such notices and publications in a prominent location in such newspaper with an identifying heading printed in boldface letters no smaller than 24-point type and (b) maintain at least three years' worth of print archives of such newspaper and make such archives available for public inspection. The bill further requires that a newspaper shall post a notice on the newspaper's website, if such a website is published by such newspaper, and on a searchable, statewide repository website established and maintained as a joint venture of the majority of Virginia newspapers as a repository for such notices. The bill provides that any notice published on a website shall be accessible to the public at no charge. (19105912D-S1)

Courts

HB 2289 (Leftwich) (Passed House; Senate Floor) provides that, where a matter is pending in either the general district court or the circuit court, upon motion of the plaintiff seeking to amend the amount of the claim, the court shall order transfer of the matter to the court having jurisdiction over the claim without requiring a dismissal of the claim or a nonsuit. The bill further provides that, where such an amended claim provides the general district court and the circuit court with concurrent jurisdiction over such a claim, the court shall transfer the matter to either the general district court or the circuit court, as directed by the plaintiff, provided that such court otherwise has jurisdiction over the matter. (19101784D)

HB 2300 (Collins) (Passed House; Senate Floor) prohibits any person who is required to register on the Sex Offender and Crimes Against Minors Registry or the federal National Sex Offender Public Website from operating a taxicab for the transportation of passengers for hire. (19106790D-S1)

HB 2317 (Aird) (Passed House; SCT) provides that in custody and visitation cases in which a history of family abuse has been considered, at the request of either party, the court may order a law-enforcement officer to be present at the exchange of a child pursuant to a custody or visitation order. (19103599D-E)

SB 1263 (Saslaw) (Passed Senate; HCT) increases the minimum age that a juvenile can be tried as an adult in circuit court for a felony larceny offense from 14 years of age to 16 years of age. (19105673D-S1)

SB 1659 (Marsden) (Passed Senate; HCT) in order to be tried as an adult in circuit court for charges that require notice of intent to proceed with trial as an adult by the attorney for the Commonwealth, the bill requires, unless waived by the juvenile and his attorney, that (i) a report of the juvenile be prepared by probation services or other qualified agency and (ii) the attorney for the Commonwealth review such report prior to filing his notice of intent to proceed with a preliminary hearing for trial of such juvenile as an adult. (19105564D-ES1)

Education/Schools

HB 1729 (Landes) (Passed Both Houses) changes the name of guidance counselors to school counselors and requires each school counselor employed by a school board in a public elementary or secondary school to spend at least 80 percent of his staff time during normal school hours in the direct counseling of individual students or groups of students. (HB1729ER)

HB 2053 (McQuinn) (Passed House; SEH) changes the name of guidance counselors to school counselors and requires school boards to employ school counselors in accordance with the following ratios: in elementary schools, one hour per day per 75 students, one full-time at 375 students, one hour per day additional time per 75 students or major fraction thereof; in middle schools, one period per 65 students, one full-time at 325 students, one additional period per 65 students or major fraction thereof; and in high schools, one period per 60 students, one full-time at 300 students, one additional period per 60 students or major fraction thereof. Such ratios would be effective with the 2019-2020 school year. (19105937D-H1)

SB 1406 (Dance) (Passed Senate; Passed House with Substitute) changes the name of guidance counselors to school counselors and requires school boards to employ school counselors in accordance with the following ratios: (i) effective with the 2019-2020 school year, in elementary schools, one hour per day per 75 students, one full-time at 375 students, one hour per day additional time per 75 students or major fraction thereof; in middle schools, one period per 65 students, one full-time at 325 students, one additional period per 65 students or major fraction thereof; in high schools, one period per 60 students, one full-time at 300 students, one additional period per 60 students or major fraction thereof; (ii) effective with the 2020-2021 school year, in elementary schools, one hour per day per 60 students, one full-time at 300 students, one hour per day additional time per 60 students or major fraction thereof; in middle and high schools, one period per 55 students, one full-time at 275 students, one additional period per 55 students or major fraction thereof; and (iii) effective with the 2021-2022 school year, in elementary, middle, and high schools, one hour per day per 50 students, one full-time at 250 students, one additional hour per day per 50 students or major fraction thereof. The provisions of the bill are contingent on funding in a general appropriation act. (19106756D-H1)

SB 1130 (Locke) (Passed Senate; HAPP) directs the Department of Criminal Justice Services (Department) to establish compulsory minimum training standards for law-enforcement officers

servicing as school resource officers that may include (i) relevant state and federal laws; (ii) school and personal liability issues; (iii) security awareness in the school environment; (iv) mediation and conflict resolution, including de-escalation techniques; (v) disaster and emergency response; (vi) awareness of cultural diversity and implicit bias; (vii) working with students with disabilities, behavioral health or substance abuse disorders, or trauma experiences; and (viii) student behavioral dynamics, including child and adolescent development. The bill also directs the Department, in consultation with the Department of Education and the Virginia State Crime Commission, to include such similar minimum training standards for school security officers. The bill requires each school board to ensure that every public school employs at least one school administrator who has attended school safety training conducted by the Virginia Center for School and Campus Safety in school safety, anti-bullying tactics, and effective identification of students who may be at risk for violent behavior and are in need of special services or assistance. The provisions of the bill are contingent on funding in a general appropriation act. (19104359D-ES1)

Elections

SB 1087 (Obenshain) (Passed Senate; HPE) requires counties, cities, and towns to adjust local election district lines to coincide with congressional or state legislative district lines established by the General Assembly. Precincts are required to be wholly contained within a single congressional district, Senate district, House of Delegates district, or local election district, and local governing bodies are directed to establish precinct boundaries immediately after the completion of the General Assembly's decennial redistricting so that each precinct is so wholly contained. The bill provides that if a locality is unable to comply with this requirement it shall apply to the State Board of Elections for a waiver to administer a split precinct and the State Board may grant that waiver or direct the locality to create a precinct with fewer than the required number of registered voters, as it deems appropriate. (19104968D-S1)

Employment Issues and Grievances

HB 2263 (Krizek) (Passed House; SGL) provides that any evidence gathered solely through an interrogation that breached any procedures required by the Firefighters and Emergency Medical Technicians Procedural Guarantee Act shall be excluded from being presented in any case against a firefighter or emergency medical services personnel. (19105723D-H1)

SB 1494 (Edwards) (Passed Senate; HCT) prohibits evidence gathered through the conduct of an interrogation that violates the provisions of the Firefighters and Emergency Medical Technicians Procedural Guarantee Act from being admissible in any case against a firefighter or emergency medical services personnel. (19106090D-S1)

Environment

HB 2621 (Ingram) (Passed House; Reported from SLG) requires a locality, as part of the local legislative approval process or as a condition of approval of a site plan, to require an owner, lessee, or developer of real property to enter into a written agreement to decommission solar

energy equipment, facilities, or devices upon certain terms and conditions, including right of entry by the locality and financial assurance. (19106249D-H1)

HB 2755 (Fariss) (Passed House; SACNR) requires that the use of real property for open-space land shall conform to the official comprehensive plan for the area in which the property is located. Current law provides that no conservation easement shall be valid and enforceable unless the limitations it creates conform in all respects to the comprehensive plan at the time the easement is granted. (19104628D-E)

Solar

SB 1091 (Reeves) (Passed Both Houses) requires a locality, as part of the local legislative approval process or as a condition of approval of a site plan, to require an owner, lessee, or developer of real property to enter into a written agreement to decommission solar energy equipment, facilities, or devices upon certain terms and conditions, including right of entry by the locality and financial assurance. This bill incorporates SB 1398. (19105928D-S2)

Stormwater

SB 1328 (Hanger) (Passed Senate; HAPP) authorizes the Department of Environmental Quality (the Department), with the approval of the Secretary of Natural Resources, to designate a portion of the moneys appropriated to the Stormwater Local Assistance Fund for fiscal year 2020 and any subsequent fiscal year, in an amount no greater than 20 percent of the appropriated amount, to provide matching grants to local governments that are not regulated under municipal separate storm sewer system (MS4) permits for the planning, design, and implementation of stormwater best management practices. The bill directs the Department to prioritize grants for projects that are regional in scope. The bill requires any designated moneys remaining after the Department has completed its annual solicitation of grant applications and made related authorization decisions for projects proposed by non-MS4 localities to be available for authorization by the Department to additional projects of MS4 localities. The bill directs the Department to seek stakeholder input and public comment in developing eligibility criteria and to submit such criteria by January 1, 2020, for consideration by the State Water Control Board. (19103935D-E)

Health and Human Services

HB 1663 (Edmunds) (Passed House; Senate Floor) provides that no regulation issued by the Board of Health (Board) shall require any restaurant that is operated by (i) a nonprofit civic service organization, (ii) a volunteer fire department, or (iii) a volunteer emergency medical services agency to employ a certified food protection manager. The bill defines a "certified food protection manager" as a person who has demonstrated proficiency in food safety issues, regulations, and techniques in maintaining a safe-food environment by passing a test and receiving a certification as part of a program that is accredited by the Board. (19105081D-H1)

HB 2296 (Leftwich) (Passed House; Reported from SCT) provides that when a complaint is filed alleging that the website of a bank, trust company, savings institution, or credit union does not comply with applicable law regarding its accessibility by the vision impaired or hearing impaired, the responsive pleading deadline shall be extended to 120 days after service of the summons and complaint upon the defendant to give such an entity an opportunity to cure any defect regarding its website accessibility. The bill further provides that, if the defendant files a responsive pleading stating that it has cured the defect, the court shall hold an evidentiary issue on the issue. The bill provides that the court shall dismiss an action or prayer for injunctive relief where it has found that the defendant has cured such a defect. The bill further provides that, in such a circumstance, the court may award reasonable attorney fees to the plaintiff. (19106926D-S1)

HB 2569 (LaRock) (Passed House; Reported from SLG) provides that if a zoning administrator in a locality that has, by ordinance, allowed a zoning administrator to use an administrative process to issue zoning permits for family day homes receives a written objection to an application for a permit to operate a family day home within 30 days of notification of such application, the zoning administrator may issue the permit if the family day home meets all the other criteria for issuance of the permit or may deny the permit, or, if required to do so by local ordinance, refer the permit to the local governing body for consideration. (19105974D-H1)

HB 2577 (Thomas) (Passed House; Reported from SFIN) requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage for the diagnosis and treatment of autism spectrum disorder in individuals of any age. Currently, such coverage is required to be provided for individuals from age two through age 10. The provision applies with respect to insurance policies, subscription contracts, and health care plans delivered, issued for delivery, reissued, or extended on or after January 1, 2020. (19102840D)

Land Use

HB 2141 (Thomas) (Passed House; Reported from SLG) authorizes a local governing body, with respect to a service district, to contract with a broadband service provider who will construct, maintain, and own communications facilities and equipment required to facilitate delivery of last-mile broadband services to unserved areas of the service district, provided that the locality documents that less than 10 percent of residential and commercial units within the project area are capable of receiving broadband service at the time the construction project is approved by the locality. (19105598D-H1)

HB 2310 (Hayes) (Passed House; Reported from SLG) authorizes any locality to regulate the activity on, or use or development of, a flood plain in a manner consistent with any state and federal flood plain management programs and requirements. The bill provides that its provisions shall be given retroactive and prospective effect. (19102214D-E)

HB 2375 (Roem) (Passed House; Reported from SLG) provides that if a local governing body reduces the time period by which a planning commission shall review a proposed zoning ordinance amendment to less than 100 days, the governing body shall hold at least one public

hearing on the proposed reduction of the commission's review period and publish notice of such public hearing at least two weeks prior to the public hearing date and shall also publish the notice on the locality's website, if one exists. (19102117D-E)

SB 1403 (Petersen) (Passed Senate; HCT) eliminates specific provisions for the assessment of costs in eminent domain proceedings where the condemnor is a public service company, public service corporation, railroad, or government utility corporation and provides that all costs shall be assessed in the same manner, regardless of the identity of the condemnor. (19102869D)

SB 1699 (Peake) (Passed Senate; HCCT) authorizes a locality, through provisions in a subdivision ordinance or zoning ordinance, subject to certain terms and conditions included in the ordinance, to grant a developer of land the option of either (i) dedicating land for and constructing a sidewalk, the need for which is substantially generated by the proposed development and reasonably required by the locality or (ii) contributing funds equivalent to the cost of the dedication of land for and construction of a sidewalk on the property to a sidewalk fund, maintained and administered by the locality. Such sidewalk fund may be used by the governing body for sidewalk improvements in the locality. (19104033D-E)

Opioids

SB 1349 (McDougle) (Passed Senate; HCT) eliminates the requirement to substantially cooperate with law enforcement in any investigation of any criminal offense reasonably related to an overdose in order to qualify for an affirmative defense from prosecution for the unlawful purchase, possession, or consumption of alcohol, possession of a controlled substance, possession of marijuana, intoxication in public, or possession of controlled paraphernalia. (19103528D)

Public Safety/Criminal Justice

HB 1771 (Mullin) (Passed Both Houses) provides that juveniles who have been screened for needing community-based services using an evidence-based assessment protocol are eligible to receive community-based services as provided by the Virginia Juvenile Community Crime Control Act (§ 16.1-309.2 et seq.) (the Act). The bill also requires the total number of children who have been screened for needing community diversion or community-based services using an evidence-based assessment protocol to be factored into the funding determination for community diversion services as provided for by the Act. (HB1771ER)

HB 1933 (Hope) (Passed Both Houses) establishes a process for the sheriff or administrator in charge of a local or regional correctional facility to petition a court to authorize medical or mental health treatment for a prisoner in such facility who is incapable of giving informed consent for such treatment. The process parallels the existing process for the Director of the Department of Corrections to seek authorization to provide involuntary treatment to prisoners in state correctional facilities. The bill requires the court to authorize such treatment in a facility designated by the sheriff or administrator upon finding that the prisoner is incapable, either mentally or physically, of giving informed consent; that the prisoner does not have a relevant

advanced directive, guardian, or other substitute decision maker; that the proposed treatment is in the best interests of the prisoner; and that the jail has sufficient medical and nursing resources available to safely administer the treatment and respond to any adverse side effects that might arise from the treatment. The bill provides that the treatment ordered may be provided within a local or regional correctional facility if such facility is licensed to provide such treatment. If statutory procedures are followed, the service provider does not have liability based on lack of consent or lack of capacity to consent unless there is injury or death resulting from gross negligence or willful and wanton misconduct. (19104834D-H1)

SB 1207 (Stuart) (Passed Senate; HMP) defines a school protection officer as a retired law-enforcement officer hired on a part-time basis by the local law-enforcement agency to provide limited law-enforcement and security services to Virginia public elementary and secondary schools. The bill also provides that the Department of Criminal Justice Services shall establish compulsory minimum training standards for all persons employed as school protection officers and that such training may be provided by the employing law-enforcement agency and shall be graduated and based on the type of duties to be performed. (19105551D-S1)

Unmanned Aircraft Systems

SB 1507 (Carrico) (Passed Senate; HCT) provides that a law-enforcement officer may deploy an unmanned aircraft system (i) to aerially survey a primary residence of the subject of the arrest warrant to formulate a plan to execute an existing arrest warrant or capias for a felony offense or (ii) to locate a person sought for arrest when such person has fled from a law-enforcement officer and a law-enforcement officer remains in hot pursuit of such person. (19105749D-S1)

School Safety

HB 1753 (Sickles) (Passed House; SEH) prohibits school employees from opening or closing an electronic room partition in any school building except under certain limited circumstances. The bill requires any annual safety review or exercise for school employees in a local school division to include information and demonstrations, as appropriate, regarding the operation of such partitions. The bill also requires the Board of Education to make available to each school board model safety guidance regarding the operation of such partitions. (19106060D-H1)

HB 1787 (Ransone) (Passed Both Houses) adds (i) threats of death or bodily injury to another person communicated in writing to such person or member of such person's family and (ii) threats to commit serious bodily harm to persons on school property to the listing of offenses that a juvenile intake officer is required to report to the school division superintendent, when a petition is filed alleging that a juvenile student committed such an offense. (HB1787ER)

SB 1381 (McDougle) (Passed Both Houses) adds (i) threats of death or bodily injury to another person communicated in writing to such person or member of such person's family and (ii) threats to commit serious bodily harm to persons on school property to the listing of offenses that a juvenile intake officer is required to report to the school division superintendent, when a petition is filed alleging that a juvenile student committed such an offense. (19101051D)

Disorderly Conduct in Public Schools

SB 1107 (McClellan) (Passed Senate; HCT) eliminates the Class 1 misdemeanor for disrupting willfully or while intoxicated, whether willfully or not, the operation of any school or any school activity conducted or sponsored by any school, if the disruption (i) prevents or interferes with the orderly conduct of the operation or activity or (ii) has a direct tendency to cause acts of violence by the person or persons at whom, individually, the disruption is directed. (19101854D)

Medical Marijuana and School Policy

HB 1720 (Hurst) (Passed House; Passed Senate with Substitute; House Floor) provides that no school nurse employed by a local school board, person employed by a local health department who is assigned to the public school pursuant to an agreement between the local health department and the school board, or other person employed by or contracted with a local school board to deliver health-related services shall be prosecuted for possession or distribution of cannabidiol oil or THC-A oil for storing, dispensing, or administering cannabidiol oil or THC-A oil, in accordance with a policy adopted by the local school board, to a student who has been issued a valid written certification for the use of cannabidiol oil or THC-A oil. The bill also provides that the Department of Health Professions, in coordination with the Department of Education, shall develop and make available to school boards a standardized form that is to be completed by the practitioner who issues a written certification and a pharmaceutical processor that dispenses the cannabidiol oil or THC-A oil to a student. (19106546D-S1)

Taxation

HB 2529 (Hugo) (Communicated to Governor)/**SB 1372** (Norment) (Communicated to Governor) advances conformity of the Commonwealth's tax code with the federal tax code to December 31, 2018, effective starting in taxable year 2018. Starting in taxable year 2019, the bill deconforms from the provisions of the federal Tax Cuts and Jobs Act (TCJA) that limit the deduction for state and local taxes and that suspend the overall limit on itemized deductions. The bill establishes income tax subtractions starting in taxable year 2018 for Global Intangible Low-Taxed Income (GILTI) and for one-fifth of the amount of business interest that is disallowed as a deduction from federal income tax. The bill increases the standard deduction to \$4,500 for single individuals and \$9,000 for married persons filing jointly for taxable years 2019 through 2025. Under current law, the standard deduction is \$3,000 for single individuals and \$6,000 for married couples filing jointly. The bill provides for a refund, not to exceed a taxpayer's tax liability of up to \$110 for individuals and \$220 for married persons filing a joint return. The refund will be issued in October 2019 and will be available only for a taxpayer filing a final return by July 2019. The refunds will be reduced and prorated if the additional revenues generated by the TCJA are insufficient to fully fund the refunds. The bill establishes the Taxpayer Relief Fund (the Fund). For fiscal years 2019 through 2025, any additional revenues attributable to the TCJA, beyond those necessary to fund the provisions of the bill, would accrue to the Fund. The bill directs the General Assembly to appropriate money from the Fund to enact permanent or temporary tax reform measures. The bill contains an emergency clause. (HB2529ER, SB1372ER)

HJ 676 (Filler-Corn) (Agreed to by House; Senate Floor) permits the General Assembly to authorize the governing body of any county, city, or town to exempt from taxation one motor vehicle of a veteran who has a 100 percent service-connected, permanent, and total disability. The amendment provides that only automobiles and pickup trucks qualify for the exemption. Additionally, the exemption would only be applicable on the date the motor vehicle is acquired or the effective date of the amendment, whichever is later, but would not be applicable for any period of time prior to the effective date of the amendment. (19106757D-S1)

SJ 278 (Reeves) (Agreed to by Senate; HPE) provides that one motor vehicle of a veteran who has a 100 percent service-connected, permanent, and total disability shall be exempt from state and local taxes. The amendment provides that only automobiles and pickup trucks qualify for the exemption. Additionally, the exemption is only applicable on the date the motor vehicle is acquired or the effective date of the amendment, whichever is later, and is not applicable for any period of time prior to the effective date of the amendment. (19105271D-S1)

Internet Sales Tax

HB 1722 (Bloxom) (Passed Both Houses) directs the Department of Taxation (the Department) to require a remote seller to collect sales and use tax if the seller has more than \$100,000 in annual gross revenue from sales in Virginia or at least 200 sales transactions in Virginia and requires a marketplace facilitator, which enables marketplace sellers to sell in Virginia through its marketplace, to collect sales and use tax if its annual gross revenue from facilitated sales in Virginia exceeds \$100,000 or it facilitates at least 200 sales transactions in Virginia. The bill provides that the obligation of remote sellers and marketplace facilitators to collect sales and use tax shall not apply to transactions occurring before July 1, 2019. The bill provides that in administering remote sales and use tax collection, the Department shall provide information to remote sellers to allow them to identify state and local tax rates and exemptions. For auditing purposes, the Department is directed to allow a remote seller to complete a single audit covering all localities. The bill requires the Department to give remote sellers at least 30 days' notice of any change in tax rate. The bill provides that if a remote seller or marketplace facilitator collects an incorrect amount of tax, it shall be relieved of liability for failure to collect the correct amount if the error is the result of its reliance on information provided by Virginia. The bill also relieves a marketplace facilitator of liability if it collects an incorrect amount of tax based on certain incorrect information provided by a seller or purchaser. The bill repeals several contingent provisions of previous related bills that would take effect if the United States Congress enacted legislation related to remote sales and use tax collection. The bill contains technical corrections. (19105919D-H1)

SB 1083 (Ruff) (Passed Both Houses) directs the Department of Taxation (the Department) to require a remote seller to collect sales and use tax if the seller has more than \$100,000 in annual gross revenue from sales in Virginia or at least 200 sales transactions in Virginia and requires a marketplace facilitator, which enables marketplace sellers to sell in Virginia through its marketplace, to collect sales and use tax if its annual gross revenue from facilitated sales in Virginia exceeds \$100,000 or it facilitates at least 200 sales transactions in Virginia. The bill provides that the obligation of remote sellers and marketplace facilitators to collect sales and use

tax shall not apply to transactions occurring before July 1, 2019. The bill provides that in administering remote sales and use tax collection, the Department shall provide information to remote sellers to allow them to identify state and local tax rates and exemptions. For auditing purposes, the Department is directed to allow a remote seller to complete a single audit covering all localities. The bill requires the Department to give remote sellers at least 30 days' notice of any change in tax rate. The bill provides that if a remote seller or marketplace facilitator collects an incorrect amount of tax, it shall be relieved of liability for failure to collect the correct amount if the error is the result of its reliance on information provided by Virginia. The bill also relieves a marketplace facilitator of liability if it collects an incorrect amount of tax based on certain incorrect information provided by a seller or purchaser. The bill repeals several contingent provisions of previous related bills that would take effect if the United States Congress enacted legislation related to remote sales and use tax collection. The bill contains technical corrections. The bill incorporates SB 1120, SB 1267, SB 1294, SB 1337, SB 1390, SB 1500, SB 1601, and SB 1767. (19106731D-H1)

Transportation

HB 2269 (Poindexter) (Passed Both Houses) prohibits the Governor or any state agency from adopting any regulation establishing or bringing about the participation by the Commonwealth in the Transportation and Climate Initiative or any other regional transportation sector emissions program. The bill provides that the Commonwealth shall be allowed to participate in such a regional transportation sector emission program if the House of Delegates and the Senate of Virginia each adopt a resolution by two-thirds vote that specifically references and approves the regulatory text proposed for adoption by a state agency. (HB2269ER)

HB 2465 (Collins) (Passed House; SLG) the bill requires that engineering safety analyses and monthly evaluations conducted by a locality related to traffic light signal photo-monitoring systems, commonly known as red-light cameras, be posted on such locality's website, if available. The bill requires the reporting of certain traffic incident and financial data. The bill requires localities to establish a 15-day probationary period during which only advisory letters are issued for recorded traffic light signal violations when such a system is implemented or expanded. The bill has a delayed effective date for localities with existing traffic light signal photo-monitoring systems. (19104071D)

SB 1296 (Barker) (Passed Senate; HTRAN) adds the Harry W. Nice Bridge, Sandy Hook Bridge, Brunswick Bridge, and Point of Rocks Bridge to the Potomac River bridges subject to the Potomac River Bridge Towing Compact to facilitate the prompt and orderly removal of disabled and abandoned vehicles from the bridges by giving the District of Columbia, Maryland, and Virginia appropriate authority anywhere on the bridges. This amendment to the Compact shall not become effective until a substantially similar amendment is enacted by the State of Maryland and the District of Columbia, as provided for in the Compact. (19102225D-E)

SB 1470 (Edwards) (Passed Senate; HAPP) directs the Secretary of Transportation to evaluate the impact of increased fuel efficiency and increased use of hybrid and electric vehicles on

transportation revenues, and to report to the General Assembly no later than December 10, 2019. The bill incorporates SB 1322. (19106414D-S2)

Distracted Driving

HB 1811 (Collins) (Passed House; Reported from SCT)/**SB 1341** (Stuart) (Passed Senate; HCT) prohibits any person from holding a handheld personal communications device while driving a motor vehicle. Current law prohibits only the reading of any email or text message and manually entering letters or text in such a device as a means of communicating. The bill expands the exemptions to include handheld personal communications devices that are being held and used (i) as an amateur radio or a citizens band radio; or (ii) for official Department of Transportation or traffic incident management services. (19106270D-H1, 19106056D-S1)

SB 1768 (Mason) (Passed Senate; HCT) prohibits any person from holding a handheld personal communications device while driving a motor vehicle in a highway work zone, with certain exceptions. The bill provides that a violation is a Class 1 misdemeanor. 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 communicating, with the same exceptions. (19106291D-S1)

Dulles Greenway

SJ 254 (Black) (Agreed to by Senate; HRUL) requests the Department of Transportation to study the feasibility of purchasing all or part of the Dulles Greenway. (19100620D-E)

Parking Ordinances

HB 1818 (Delaney) (Passed House; Passed Senate with Substitute; House Floor) authorizes any county or town with a population of at least 40,000 to provide by ordinance that law-enforcement officers, other uniformed employees of the locality, and uniformed personnel under contract with the locality may issue a summons or parking ticket for a violation of the locality's ordinances or regulations regarding the parking, stopping, or standing of vehicles. Current law creates such authority for any city with a population of at least 40,000. (19106541D-S1)

SB 1044 (Black) (Conference Committee Requested) authorizes any county or town with a population of at least 40,000 to provide by ordinance that law-enforcement officers, other uniformed employees of the locality, and uniformed personnel under contract with the locality may issue a summons or parking ticket for a violation of the locality's ordinances or regulations regarding the parking, stopping, or standing of vehicles. Current law creates such authority for any city with a population of at least 40,000. The bill imposes a maximum fine of \$75 for the violation of such local ordinance. (19106576D-H1)

Legislation Provided for Information

HB 1979 (Sullivan) (Passed House; Reported from SCT) amends the assisted conception statute to provide gender-neutral terminology. The bill allows an unmarried individual to be an intended

parent, paralleling the ability of an unmarried individual to adopt under the adoption statutes. The bill further allows for the use of an embryo owned by an intended parent in a surrogacy arrangement. The bill contains technical amendments. (19106595D-S1)

SB 1080 (Edwards) (Passed Senate; HCT) creates proposed Title 55.1 (Property and Conveyances) as a revision of existing Title 55 (Property and Conveyances). Proposed Title 55.1 consists of 29 chapters divided into five subtitles: Subtitle I (Property Conveyances), Subtitle II (Real Estate Settlements and Recordation), Subtitle III (Rental Conveyances), Subtitle IV (Common Interest Communities), and Subtitle V (Miscellaneous). The bill organizes the laws in a more logical manner, removes obsolete and duplicative provisions, and improves the structure and clarity of statutes pertaining to real and personal property conveyances, recordation of deeds, rental property, common interest communities, escheats, and unclaimed property. The bill has a delayed effective date of October 1, 2019, and is a recommendation of the Virginia Code Commission. (19100845D)

SJ 275 (Chase) (Passed Senate; HCT) reaffirms that all persons residing in Virginia are afforded equal protection under the law. The resolution cites numerous guarantees of equality that currently exist in both federal and state law. (19104904D-S1)

Conflict of Interests Act

HB 1889 (James) (Passed House; SRUL)/**SB 1067** (Howell) (Passed Senate; HRUL) requires the Virginia Conflict of Interest and Ethics Advisory Council to meet upon the call of the chairman or when a majority of Council members request a meeting. Current law requires the Council to meet quarterly or upon the call of the chairman. (19101448D, 19101449D)

Courts

HB 1814 (Hope) (Passed House; Reported from SCT) provides that a court may defer or limit jury service of persons who have legal custody of and are responsible for a child or children 16 years of age or younger requiring continuous care by such person during normal court hours to the term of court next after such period of responsibility ends. Under current law, persons with such responsibility are exempt upon request, but no provision is given for the court to defer such person's jury service until after such period of responsibility ends. (19107089D-S1)

HB 2042 (Murphy) (Passed House; Passed Senate with Amendment; House Floor) provides that upon a conviction for assault and battery against a family or household member, where it is alleged in the warrant, petition, information, or indictment on which a person is convicted, that such person has been previously convicted of an offense that occurred within a period of 20 years of the instant offense against a family or household member of (i) assault and battery against a family or household member, (ii) malicious wounding or unlawful wounding, (iii) aggravated malicious wounding, (iv) malicious bodily injury by means of a substance, (v) strangulation, or (vi) an offense under the law of any other jurisdiction which has the same elements of any of the above offenses is guilty of a Class 1 misdemeanor and the sentence of such person shall include a mandatory minimum term of confinement of 60 days. (19105044D-H1)

HB 2127 (Davis) (Passed House; SCT) provides that, while considering the best interests of a child for the purposes of determining custody or visitation arrangements, the court shall, when appropriate, assure frequent and continuing contact with each parent. (19105450D-H1)

HB 2678 (Simon) (Passed House; Passed Senate with Substitute) provides, for the purposes of the prohibition against the unlawful dissemination or sale of certain images of another person, that "another person" includes a person whose image was used in creating, adapting, or modifying a videographic or still image with the intent to depict an actual person and who is recognizable as an actual person by the person's face, likeness, or other distinguishing characteristic. (19106817D-S1)

Education/Schools

HB 1652 (Robinson) (Passed Both Houses) makes local school boards responsible for setting the school calendar and determining the opening day of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement. The bill requires local school boards that set the school calendar with a pre-Labor Day opening date, except those schools that were granted a "good cause" waiver for the 2018-2019 school year, to close all schools in the division from (i) the Thursday immediately preceding Labor Day through Labor Day or (ii) the Friday immediately preceding Labor Day through the Tuesday immediately succeeding Labor Day. (19106555D-S1)

SB 1005 (Chase) (Passed Both Houses) requires each local school board to set the school calendar so that the first day students are required to attend school is no earlier than 14 days before Labor Day unless the Board of Education waives such requirement for good cause. Under current law, each local school board is required to set the school calendar so that the first day students are required to attend school is after Labor Day unless the Board of Education waives such requirement for good cause. The bill provides that in each school division in which the school board sets the school calendar so that the first day students are required to attend school is before Labor Day, such school board shall close each school in the school division from the Friday immediately preceding Labor Day through Labor Day. The bill exempts from certain requirements set forth above certain school boards that were previously granted good cause waivers by the Board of Education. (19106259D-S1)

Elections

HB 1790 (Krizek) (Passed House; Reported from SPE) provides that an applicant who is in line to cast his ballot when the office of the general registrar or location being used for in-person absentee voting closes shall be permitted to cast his absentee ballot that day. (19100644D)

HB 2046 (McNamara) (Passed House; Reported from SPE)/**SB 1577** (Suetterlein) (Communicated to Governor) requires that on any ballot all offices to be elected shall appear before any questions presented to the voters. (19102880D, SB1577ER)

HB 2148 (Ingram) (Passed House; Reported from SPE) requires the names of all candidates on the ballots to be in the same font, size, and style. (19100390D)

HB 2204 (Filler-Corn) (Passed House; Reported from SPE) removes the requirement that the officer of election audibly repeat the address of a voter offering to vote. The bill does not change the requirement for the officer of election to audibly repeat the voter's full name. (19101879D-E)

SB 1244 (Reeves) (Passed Senate; HPE) adds to the list of protected voters any person who has been approved to be a foster parent pursuant to law. Protected voters are permitted by law to provide on the application for voter registration, in addition to the voter's residence street address, a post office box address located within the Commonwealth, which would be the address included on (i) lists of registered voters and persons who voted, (ii) voter registration records made available for public inspection, and (iii) lists of absentee voter applicants. (19103143D)

SB 1564 (Lewis) (Passed Senate; HPE) directs the State Board of Elections to revise its regulations for reviewing and processing candidate petitions. The regulations are required to provide processes for checking petition signatures that includes a method for determining if a petition signature belongs to an individual whose prior registration was canceled, for tracking information associated with candidate petitions, and for escalating cases of suspected fraud to an appropriate entity. The bill requires the State Board to promulgate these regulations on or before January 1, 2020. (19106098D-S1)

HB 2625 (Lindsey) (Passed House; Reported from SPE) requires a recount court to issue a written order setting out the rules of procedures fixed by it for the conduct of a recount prior to the commencement of such recount. The bill also directs the State Board of Elections to promulgate standards and instructions for conducting simultaneous recounts of two or more elections in a single election district. (19103933D)

SB 1781 (Obenshain) (Passed Senate; HPE) clarifies that a proceeding to contest (i) a primary election for the United States House of Representatives, the Virginia Senate, the House of Delegates, or any county, city, town, or district office or (ii) an election to any county, city, town, or district office shall be in the circuit court of the county or city that the challenged candidate listed as his residency on his certificate of candidate qualification. Currently, the law provides that such proceeding be in the county or city in which the challenged candidate resides. (19104092D)

Campaign Finance

HB 1617 (Cole) (Passed House; SRUL) adds a definition of "personal use of campaign funds" and prohibits the use of contributions, or conversion 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 (the 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 State Board shall assess a civil penalty, in an amount not to exceed \$250, against a complaining party who is found to have filed a frivolous complaint. The bill amends the Freedom of Information Act to allow closed meetings for the State Board to review complaints related to the personal use of campaign funds. 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 funds 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 (the 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, 2020. (19100359D-E)

HB 1719 (Hurst) (Passed House; Reported from SPE) makes the provisions of the Campaign Finance Disclosure Act (the Act) applicable to any candidate for a town office in a town with a population of less than 25,000 if such candidate accepts contributions or makes expenditures in excess of \$25,000. Currently, the Act does not apply to town elections in a town with a population of less than 25,000 unless an ordinance in that town provides otherwise. (19101047D)

Redistricting

SB 1579 (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. (19101768D)

SJ 306 (Barker) (Passed Senate; HPE) establishes the Virginia Redistricting Commission, a 16-member Commission tasked with establishing districts for the United States House of

Representatives and for the Senate and the House of Delegates of the General Assembly. The Commission consists of eight legislative members and eight citizen members. The legislative members consist of four members of the Senate of Virginia and four members of the House of Delegates, with equal representation given to the political parties having the highest and next highest number of members in their respective houses. The citizen members are selected by a selection committee consisting of five retired judges of the circuit courts of Virginia. The selection committee is tasked with adopting a process by which registered Virginia voters may apply to serve on the Commission and selecting from the applicants a list of 16 candidates. The amendment requires four of the candidates to be voters who affiliate with the political party receiving the highest number of votes for governor at the immediately preceding gubernatorial election, four candidates to be voters who affiliate with the political party receiving the next highest number of votes for governor at the immediately preceding gubernatorial election, and eight candidates to be voters who do not affiliate with any political party. The Speaker of the House of Delegates, the minority leader in the House of Delegates, and the majority and minority leaders in the Senate then strike names from the list until there is the final list of eight citizen members, two of whom affiliate with the political party receiving the highest number of votes for governor at the immediately preceding gubernatorial election, two of whom affiliate with the political party receiving the next highest number of votes for governor at the immediately preceding gubernatorial election, and four of whom do not affiliate with any political party. The Commission is required to submit to the General Assembly plans of districts for the Senate and the House of Delegates of the General Assembly no later than 45 days following the receipt of census data and plans of districts for the United States House of Representatives no later than 60 days following the receipt of census data. In order to be submitted to the General Assembly for a vote, a plan must receive an affirmative vote of at least six of the eight legislative members and six of the eight citizen members. No amendments may be made to a plan by the General Assembly or the Governor. In the event that the Commission fails to submit a plan by its deadline, or the General Assembly fails to adopt a plan by its deadline, or the Governor fails to act on or vetoes a plan by his deadline, districts shall be decided by judicial decision. (19105499D-ES1)

Split Precincts

HB 2760 (Sickles) (Passed House; SFIN) requires the clerk of the county, city, or town to send a Geographic Information System (GIS) map, along with the ordinance containing a description of the boundaries, to the local electoral board, the Secretary of the Commonwealth, the Department of Elections, and the Division of Legislative Services when redistricting local election districts or making any changes to the local election districts or precincts. If a county, city, or town does not have GIS capabilities, the locality may request the Department of Elections to create a GIS map on its behalf and the Department of Elections shall create such a map. The bill requires the Department to review any ordinance and GIS map received and compare the boundaries contained within with the information in the voter registration system to ensure voters have been assigned to the correct districts and to notify localities of any corrections that may be necessary. The Department is further required to maintain and make available on its official website maps showing the current election district and precinct boundaries of each county and city. (19104650D-E)

SB 1018 (Chase) (Passed Senate; Passed House with Substitute) directs each county, city, and town to review the assignment of voters within its jurisdiction to ensure that voters are assigned to the correct districts. The electoral board and general registrar of each county, city, or town shall conduct this review by comparing the information in the voter registration system with the boundaries of the districts and precincts set out in a Geographic Information System (GIS) map of the locality and shall make corrections to incorrect assignments as necessary, assisted by the State Board of Elections upon request. The bill requires this review to be completed not later than the 2020 November general election. After the conclusion of its review and after making any necessary corrections, each locality is required to submit to the State Board a report of the results of its review and any corrections to voter assignments that were made. The bill requires the State Board of Elections to report the statewide results to the General Assembly on or before the first day of the 2021 Session. The provisions of the bill are contingent on funding in a general appropriations act. (19106690D-H1)

HJ 591 (Cole) (Agreed to by House; Reported from SPE) gives the General Assembly the authority to make technical adjustments to legislative electoral district boundaries following the enactment of any decennial reapportionment law. Such adjustments may be made solely for the purpose of causing legislative electoral district boundaries to coincide with the boundaries of voting precincts established in the counties and cities and shall be permitted only to the extent necessary to accomplish this purpose. Any change made shall be consistent with any criteria for legislative electoral districts adopted for the preceding decennial redistricting. (19101055D)

State Board of Elections

HB 1620 (Ransone) (Passed House; Reported from SPE) increases the membership of the State Board of Elections (Board) from three members to six members and increases the terms of Board members from four years to six years. Equal 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. Appointments shall be made with due consideration of geographical representation, and no two Board members may reside in the same congressional district. Terms are initially staggered. The bill also grants to the Board the authority to appoint, subject to confirmation by the General Assembly, the Commissioner of Elections to head the Department of Elections and to act as the principal administrative officer. Additionally, the Board has the authority to remove the Commissioner. The appointment or removal of the Commissioner shall require an affirmative vote of five of the six Board members. The bill also directs the Department of Elections to employ a Director of Operations, who is to be responsible for managing the day-to-day operations at the Department. The bill requires the Board to submit an annual report to the Governor and the General Assembly. (19106755D-S1)

SB 1455 (Vogel) (Passed Senate; HPE) increases the membership of the State Board of Elections 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 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. The appointment or removal of the Commissioner shall require an affirmative vote of four of the five Board members. The bill has a delayed effective date of January 1, 2020. (19105523D-S1)

Voter Registration

HB 2178 (Sickles) (Passed House; Reported from SPE) directs the State Board of Elections to promulgate regulations and standards necessary to ensure the security and integrity of the Virginia voter registration system and the supporting technologies utilized by the counties and cities to maintain and record registrant information. The local electoral boards are also required to develop and update annually written plans and procedures to ensure the security and integrity of the supporting technologies. The local electoral boards are further required to report annually to the Department of Elections on its security plans and procedures. The bill authorizes the Department of Elections to limit a locality's access to the Virginia voter registration system if it is determined that the county or city has failed to develop security plans and procedures or to comply with the security standards established by the State Board; such access would be limited as necessary to address and resolve any security risks or to enforce compliance. Records describing protocols for maintaining the security of the Virginia voter registration system and the supporting technologies utilized to maintain and record registrant information are exempted from the Freedom of Information Act and meetings to discuss those protocols are permitted to be closed pursuant to the provisions of the Freedom of Information Act. The bill requires the State Board of Elections to convene a work group prior to adopting security standards and to establish a standing advisory group of local government IT professionals and general registrars to assist and consult on updates to security standards. (19101864D-E)

HB 2764 (Wilt) (Passed House; Reported from SPE) requires person who assists an applicant with the completion of a paper voter registration application or collects a completed paper voter registration application directly from an applicant to provide his name and telephone number and indicate the group or organization with which he is affiliated, if any, on the registration application. The bill prohibits any registration application from being denied on the basis of such information not being provided. The measure exempts from such requirement any state or local government employee who assists with the completion of registration applications or who collects completed registration applications as part of his official duties. The identifying information of the person assisting with the completion of or collecting a completed paper application shall not be entered into the registration record of the applicant. (19101405D-E)

SB 1042 (Marsden) (Passed Senate; HPE) requires the general registrars to notify a person whose registration has been denied within 14 days of the denial and provides that a person denied registration may appeal such denial by filing a petition within 10 days of being notified of the denial. Currently, the law simply requires that such notice be made promptly and that the appeal be filed within 10 days after the denial. (19101184D)

Environment – Stormwater

HB 2361 (Jones, S.C.) (Passed House; SACNR) provides that the statewide technical criteria for stormwater management that were adopted by the State Water Control Board during 2011 and became effective July 1, 2014, shall be applicable to those land-disturbing activities that are subject to a stormwater management permit that was initially issued prior to July 1, 2014, where notice of transfer of such permit to another party is provided to the Department of Environmental Quality after December 31, 2020, but no land-disturbing activities have commenced before such provision of notice. The bill creates exceptions for projects involving certain governmental bonding or public debt financing and for land-disturbing activities that are served by existing stormwater management facilities. (19106039D-H1)

SB 1248 (Reeves) (Passed Senate; HCCT) authorizes a locality by ordinance to create a local Stormwater Management Fund consisting of appropriated local moneys for the purpose of granting funds to an owner of private property or a common interest community for stormwater management and erosion prevention on previously developed lands. (19102694D-E)

Firearms

HB 1656 (Cole) (Passed Both Houses) allows private or religious schools to employ a school security officer and to authorize a school security officer to carry a firearm in the performance of his duties, subject to the same criteria for carrying a firearm in the performance of his duties imposed on a school security officer employed by the local school board. The bill also updates the definition of school security officer in the assault and battery statute. (HB1656ER)

HB 1874 (Ransone) (Passed House; SACNR) provides that any person who cruelly or unnecessarily shoots any dog or cat that is a companion animal and, as a direct result, causes the death or euthanasia of such dog or cat is guilty of a Class 6 felony. (19106243D-H1)

HB 2252 (Head) (Passed House; SACNR) allows a landowner whose property, including multiple contiguous parcels, spans two or more localities to elect to have the firearms ordinances of the locality in which the largest portion of the contiguous parcel lies apply to anyone hunting on the property. The bill requires any landowner making such an election to notify the Department of Game and Inland Fisheries. (19105382D-EH1)

HB 2253 (Pogge) (Passed Both Houses) requires the Department of State Police (Department) to issue a concealed handgun permit to a nonresident within 90 days of receipt of the nonresident's completed application unless it determines that he is disqualified. The bill provides that the Department shall certify the nonresident's application as a de facto concealed handgun permit, which is effective for a period of 90 days after issuance, if the Department has not issued the permit or determined that the nonresident is disqualified within that 90-day period. The bill has a delayed effective date of October 1, 2019. (HB2253ER)

HB 2548 (Rush) (Passed Both Houses) creates a method whereby circuit courts shall report to the Department of State Police the issuance of a restoration order that unconditionally authorizes

the possession, transportation, or carrying of a firearm to a person (i) who has been convicted of a felony; (ii) adjudicated delinquent as a juvenile 14 years of age or older at the time of the offense of murder, kidnapping, robbery by the threat or presentation of firearms, or rape; or (iii) under the age of 29 who was adjudicated delinquent as a juvenile 14 years of age or older at the time of the offense of a delinquent act that would be a felony if committed by an adult. 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 accompanied by a complete set of the petitioner's fingerprints 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 January 1, 2021. (HB2548ER)

HB 2721 (Freitas) (Passed House; SEH) allows a school security officer to carry a firearm in the performance of his duties if, within 10 years immediately prior to being hired by the local school board, he was employed by a law-enforcement agency of the United States or any state or political subdivision thereof and his duties were substantially similar to those of a law-enforcement officer in the Commonwealth. Under current law, only a school security officer who was an active law-enforcement officer in the Commonwealth within 10 years immediately prior to being hired by the local school board may qualify to carry a firearm in the performance of his duties. (19100996D)

SB 1012 (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. (19105018D-S1)

SB 1024 (Black) (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. (19100172D)

SB 1048 (Cosgrove) (Passed Senate; HMP) eliminates the requirement that a sheriff or local police department seek written authorization or approval from the local governing body before allowing an auxiliary law-enforcement officer with more than 10 years of service to purchase the service handgun issued to him by the agency at a price that is equivalent to or less than fair market value. (19100661D)

SB 1179 (Stuart) (Passed Senate; HMP) provides that for purposes of determining domicile to obtain a resident concealed handgun permit a member of the United States Armed Forces is domiciled in the county or city where such member claims his home of record with the United

States Armed Forces. The bill clarifies that a member of the United States Armed Forces who is stationed outside of the Commonwealth but domiciled in the Commonwealth may apply for a resident concealed handgun permit. (19100047D)

SB 1251 (Reeves) (Passed Senate; HCT) exempts from the prohibition on selling or possessing switchblade knives any manufacturer, distributor, or retailer of switchblade knives that imports, manufacturers, distributes, or otherwise possesses any switchblade knives, or parts thereof, for export from or sale outside of the Commonwealth. (19102677D)

SB 1321 (Hanger) (Passed Senate; HMP) requires that firearms and ammunition in a licensed family day home be stored in a locked closet, cabinet, or container during the family day home's hours of operation. The bill requires that the key or combination to such locked storage places be maintained out of the reach of all children in the family day home. (19105893D-S1)

Health and Human Services

HB 1735 (Robinson) (Passed House; SRUL) establishes the Commission on Student Behavioral Health as a legislative branch commission. The purpose of the Commission shall be to (i) assess the efficacy of developing and implementing a statewide behavioral health and suicide prevention hotline that students may use to report threats of violence or receive real-time counseling services; (ii) review the current school counselor-to-student ratio, and whether the realignment of counseling responsibilities proposed by the House Select Committee on School Safety is improving schools' ability to provide counseling services to students; (iii) review the current roles and responsibilities of school nurses, psychologists, and social workers in schools and determine whether a realignment of responsibilities could improve or streamline behavioral health services offered to students; (iv) evaluate the efficacy and costs of providing enhanced behavioral health services in schools delivered through partnerships established between school divisions and local departments of social services and community services boards; (v) assess the effectiveness of de-escalation and other alternative disciplinary policies when interacting with students suffering from behavioral health challenges; (vi) examine the value of additional teacher training requirements on student behavioral health, such as mental health first aid; and (vii) examine other topics related to student behavioral health identified by the Commission. The Commission shall consist of 12 members as follows: seven members of the House of Delegates, of whom two shall be members of the House Committee on Health, Welfare and Institutions, two shall be members of the House Committee on Education, two shall be members of the House Committee on Appropriations, and one shall be a member at-large, to be appointed by the Speaker of the House of Delegates; and five members of the Senate, of whom two shall be members of the Senate Committee on Education and Health, two shall be members of the Senate Committee on Finance, and one shall be a member at-large, to be appointed by the Senate Committee on Rules. The Commission may appoint, employ, and remove an executive director and such other persons as it deems necessary and determine their duties and fix their salaries or compensation within the amounts appropriated therefor. The Commission may also employ experts who have special knowledge of the issues before it. All agencies of the Commonwealth shall provide assistance to the Commission, upon request. The bill has an expiration date of July 1, 2021. (19101085D-E)

HB 1986 (Bell, Richard P.) (Passed House; Reported from SFIN) requires any person of school age who is admitted to the Commonwealth Center for Children and Adolescents to be permitted to participate in any education program offered in the facility that is administered by the Department of Education, regardless of his enrollment status, unless such child has been excused from attendance at school due to a bona fide religious training or belief. The bill permits information required to enroll such person in any such education program to be disclosed in accordance with state and federal law. (19105308D-H1)

HB 2223 (O'Quinn) (Passed House; SEH) requires health carriers to administer its health benefit plans in a manner consistent with, or include in contracts for pharmacy benefits management, criteria and provisions that (i) permit a covered individual to fill any mail order-covered prescription, at the covered individual's option, at any mail order pharmacy or network participating retail community pharmacy if the network participating retail community pharmacy agrees to accept a price that is comparable to that of the mail order pharmacy, calculated to reflect all drug manufacturer's rebates, direct and indirect administrative fees, costs and any remuneration; (ii) prohibit a pharmacy benefits manager (PBM) or carrier from imposing a differential copayment, additional fee, or other condition on any covered individual who elects to fill his prescription at an in-network retail community pharmacy that is not similarly imposed on covered individuals electing to fill a prescription from a mail order pharmacy; and (iii) require the PBM to use the same benchmark index to reimburse all pharmacies participating in the health benefit plan regardless of whether a pharmacy is a mail order pharmacy or a retail community pharmacy. The measure applies with respect to contracts entered into, amended, extended, or renewed on or after January 1, 2020. (19106247D-H1)

HB 2258 (Pogge) (Passed House; SRSS) exempts parents and other persons who participate in a cooperative preschool center on behalf of a child attending such cooperative preschool center, including such parents and persons who are counted for the purpose of determining staff-to-child ratios, from orientation and training requirements applicable to staff of child day programs. The bill provides that such exempt parents may be required to complete up to four hours of training per year. (19103912D)

HB 2280 (Head) (Passed House; SRSS) adds to the list of programs that are not considered child day programs and are not subject to licensure (i) programs of recreational activities offered by a local government, staffed by local government employees, and attended by school-age children and (ii) programs offered by a local school division, operated for no more than four hours per day, staffed by local school division employees, and attended by children who are at least four years of age and are enrolled in public school or a preschool program within such school division. Under law that takes effect July 1, 2019, such programs are considered child day programs that are exempt from licensure and subject to certain health and safety requirements administered by the Department of Social Services. Under the provisions of the bill, however, such child day programs shall remain subject to safety and supervisory standards established by the local government or school division offering the program. (19103931D)

HB 2282 (Filler-Corn) (Passed House; SEH) directs the Board of Counseling to promulgate emergency regulations for the issuance of temporary licenses to individuals engaged in a

counseling residency so that they may acquire the supervised, postgraduate experience required for licensure. (19105443D-H1)

HB 2322 (Hodges) (Passed House; SEH) directs the Department of Health to develop a plan for the oversight and enforcement by the Department of requirements related to the inspection and pump-out of onsite sewage treatment systems that do not require a Virginia Pollutant Discharge Elimination System permit established pursuant to the Chesapeake Bay Preservation Act and are located in counties eligible for participation in the Rural Coastal Virginia Community Enhancement Authority. The bill requires the Department to present such plan to the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health prior to implementing the plan. (19102316D-E)

HB 2457 (Landes) (Passed House; SEH) provides that the Board of Medicine may issue a retiree license to any doctor of medicine, osteopathy, podiatry, or chiropractic who holds a valid unrestricted license to practice in the Commonwealth upon receipt of a request and submission of the required fee. The bill provides that a person to whom a retiree license has been issued shall not be required to meet continuing competency requirements for the first biennial renewal of such license. The bill also provides that a person to whom a retiree license has been issued may only engage in the practice of medicine, osteopathy, podiatry or chiropractic for the purpose of providing charity care or in-home health care services to patients for whom travel is a barrier to receiving health care. (19105633D-H1)

HB 2521 (Rasoul) (Passed Both Houses) directs the Board of Social services to amend regulations governing staffing of assisted living facility units with residents who (i) have serious cognitive impairment due to a primary psychiatric diagnosis of dementia and (ii) are unable to recognize danger or protect their own safety and welfare to create an exception to certain staffing requirements for night hours. (19104765D-H1)

HB 2546 (Robinson) (Passed House; Reported from SEH) establishes the Maternal Death Review Team (Team) to develop and implement procedures to ensure that maternal deaths occurring in the Commonwealth are analyzed in a systematic way. The bill requires the Team to provide that information and records obtained or created by the Maternal Death Review Team to (i) develop and revise as necessary operating procedures for maternal death reviews, including identification of cases to be reviewed and procedures for coordinating among the agencies and professionals involved; (ii) improve the identification of and data collection and record keeping related to causes of maternal deaths; (iii) recommend components of programs to increase awareness and prevention of and education about maternal deaths; and (iv) recommend training to improve the review of maternal deaths. The bill also requires the Team to compile triennial statistical data regarding maternal deaths and to make such data available to the Governor and the General Assembly. The bill provides that information and records obtained or created by the Team and portions of meetings of the Team at which individual maternal deaths are discussed shall be confidential. (19105204D-H1)

HB 2559 (Pillion) (Passed House; Reported from SEH) provides certain exceptions, effective July 1, 2020, to the requirement that any prescription for a controlled substance that contains an

opioid be issued as an electronic prescription. The bill requires the licensing health regulatory boards of a prescriber to grant such prescriber a waiver of the electronic prescription requirement for a period not to exceed one year due to demonstrated economic hardship, technological limitations that are not reasonably within the control of the prescriber, or other exceptional circumstances demonstrated by the prescriber. The bill provides that a dispenser is not required to determine whether one of the exceptions applies when he receives a non-electronic prescription for a controlled substances containing opioids. The bill requires the Boards of Medicine, Nursing, Dentistry, and Optometry to promulgate regulations to implement the prescriber waivers. Finally, the bill requires the Secretary of Health and Human Resources to convene a work group to identify successes and challenges of the electronic prescription requirement and offer possible recommendations for increasing the electronic prescribing of controlled substances and to report to the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by November 1, 2022. (19101805D-E)

HB 2652 (Hope) (Passed House; Reported from SEH) directs the Board of Behavioral Health and Developmental Services to amend regulations governing licensed providers to require every licensed provider to provide a statement regarding the character, ability, and fitness for employment of a current or past employee or other individual currently or previously associated with the provider in a capacity that requires a criminal history background check to any other licensed provider with which the current or past employee has applied for employment or to fill a role that requires a criminal history background check upon receipt of a request for such information from the other licensed provider and written consent to the disclosure of such information executed by the current or past employee or other individual currently or previously associated with the provider in a capacity that requires a criminal history background check. (19102852D-E)

HB 2722 (Watts) (Passed Both Houses) provides that a nursing facility in a continuing care retirement community in Planning District 8 and registered with the State Corporation Commission may be certified for participation in the Virginia Medical Assistance Program without regard to any condition on a certificate of public need, so long as not more than 25 percent of the nursing home beds located in the facility, or 15 of the facility's nursing home beds, whichever is fewer, are occupied by individuals receiving benefits at any given time. Currently, such nursing homes may be certified for participation in the Virginia Medical Assistance Program without regard to any condition on a certificate of public need, so long as not more than 10 percent of the nursing home beds located in the facility are occupied by individuals receiving benefits. (HB2722ER)

HB 2731 (Edmunds) (Passed House; Reported from SEH) requires every laboratory reporting the results of a test for Lyme disease ordered by a health care provider in an office-based setting to include, together with the results of such test provided to the health care provider, a notice stating that the results of Lyme disease tests may vary and may produce results that are inaccurate and that a patient may not be able to rely on a positive or negative result from such test. Such notice shall also include a statement that health care providers are encouraged to discuss Lyme disease test results with the patient for whom the test was ordered. The bill also provides that a

laboratory that complies with the provisions of the act shall be immune from civil liability absent gross negligence or willful misconduct. (19105570D-H1)

HB 2749 (Poindexter) (Passed House; SRSS) directs the Department of Social Services to report annually by December 1 to the General Assembly information regarding the number of reported violations of restrictions on the use of TANF cash assistance, including the number of reported cases involving multiple violations of such restrictions. (19106096D-H1)

HB 2798 (Garrett) (Conference Committee) requires the Commissioner of Health, in cooperation with the Bureau of Insurance, to collect health claims data from certain insurers, corporations, managed care organizations, third-party administrators, and any self-funded employee welfare benefit plans (ERISA plans) whose employer has opted-in to the All-Payer Claims Database, the Department of Medical Assistance Services, state government health insurance plans, local government health insurance plans, and federal health insurance plans. The bill provides that employers that maintain an ERISA plan may opt-in to participate in the All-Payer Claims Database and provides a process for such agreement. The bill adds members to the advisory committee to the nonprofit organization that administers the All-Payer Claims Database. The bill requires the Commissioner of Health to establish a data release committee to review and approve requests for access to data and prohibits the release of data without the approval of such committee. The bill requires the nonprofit organization to ensure that data is timely submitted to the All-Payer Claims Database and authorizes the Board of Health to assess a civil penalty on entities not in compliance. (19105677D-H1)

SB 1004 (Chase) (Passed Senate; House Floor) requires hospitals to provide written information about the patient's ability to request an estimate of the payment for an elective procedure, test, or service. The bill requires such written information to be posted conspicuously in public areas of the hospital, including admissions or registration areas, and on any website maintained by the hospital. The bill also requires any physician, physician assistant, or nurse practitioner who practices in an office-based setting to provide, upon request of a patient, a good faith estimate of the charges for health care services for the patient. (19104197D-S1)

SB 1221 (Chafin) (Passed Both Houses) requires insurers, corporations, or health maintenance organizations to cover medically necessary remote patient monitoring services as part of their coverage of telemedicine services to the full extent that these services are available. The bill defines remote patient monitoring services as the delivery of home health services using telecommunications technology to enhance the delivery of home health care, including monitoring of clinical patient data such as weight, blood pressure, pulse, pulse oximetry, blood glucose, and other condition-specific data; medication adherence monitoring; and interactive video conferencing with or without digital image upload. The bill requires the Board of Medical Assistance Services to include in the state plan for medical assistance services a provision for the payment of medical assistance for medically necessary health care services provided through telemedicine services. (19105327D-S1)

SB 1289 (Edwards) (Communicated to Governor) establishes a process by which the Board of Pharmacy, an authorized agent of the Board, or law enforcement can seize and place under seal

controlled substances and prescription devices that are owned or possessed by a person or entity when the registration, license, permit, or certificate authorizing such ownership or possession is suspended or revoked. The bill also provides procedures and requirements for the transfer and disposal of sealed controlled substances and prescription devices if subject to forfeiture. The bill provides that the period in which the Director of the Department of Health Professions, his authorized agent, or a law-enforcement officer may properly dispose of the seized drugs and devices in the event the owner has not claimed and provided for the proper disposition of the property is 60 days from notice of seizure. Under current law, such period is six months from notice of seizure. (SB1289ER)

SB 1314 (Hanger) (Passed Both Houses) requires that any child who is admitted to a state hospital or state mental health facility for inpatient treatment shall, if appropriate, participate in any education and training program in such state hospital or state mental health facility unless such child has been excused from attendance at school attendance due to a bona fide religious training or belief. (SB1314ER)

SB 1436 (McClellan) (Communicated to Governor) requires any licensed hospital, whenever a health care provider in such hospital reports suspected child abuse or neglect resulting from prenatal substance exposure, to require the development of a written discharge plan that includes, among other things, appropriate treatment referrals and notice to the community services board of the jurisdiction in which the mother resides for the appointment of a discharge plan manager. The bill provides that such reports shall not constitute a per se finding of child abuse or neglect. (19105309D-S1)

SB 1488 (Hanger) (Passed Senate; HRUL) directs the Secretary of Health and Human Resources to convene a stakeholder work group to examine the causes of the high census at the Commonwealth's state hospitals for individuals with mental illness, including (i) the impact of the practice of conducting evaluations of individuals who are the subject of an emergency custody order in hospital emergency departments, the treatment needs of individuals with complex medical conditions, the treatment needs of individuals who are under the influence of alcohol or other controlled substances, and the need to ensure that individuals receive treatment in the most appropriate setting to meet their physical and behavioral health care needs on the census at the Commonwealth's state hospitals for individuals with mental illness, and (ii) the potential impact of extending the time frame during which an emergency custody order remains valid, revising security requirements to allow custody of a person who is the subject of an emergency custody order to be transferred from law enforcement to a hospital emergency department, diverting individuals who are the subject of an emergency custody order from hospital emergency departments to other more appropriate locations for medical and psychological evaluations, and preventing unnecessary use of hospital emergency department resources by improving the efficiency of the evaluation process on the census at the Commonwealth's state hospitals for individuals with mental illness. The work group shall analyze how such issues affect both adults and children. The work group shall develop recommendations for both long-term and short-term solutions to the high census at the Commonwealth's state hospitals for individuals with mental illness and shall report such recommendations to the Chairman of the Joint Subcommittee to Study Mental Health Services

in the Commonwealth in the Twenty-First Century, the House Committee on Appropriations, the House Committee on Courts of Justice, the Senate Committee on Finance, and the Senate Committee for Courts of Justice by November 1, 2019. (19104970D-S1)

SJ 301 (Deeds) (Agreed to by Senate; HRUL) continues the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the Twenty-First Century for two additional years, through December 1, 2021. (19103005D)

Child Protective Services

SB 1339 (Reeves) (Passed Senate; HAPP) makes numerous changes to the laws governing the provision of foster care services in the Commonwealth. Among other things, the bill (i) allows the Commissioner of Social Services to develop and implement a corrective action plan for or assume temporary control over the foster care services of a local board of social services upon determining that the local board (a) has failed to provide foster care services or make placement and removal decisions in accordance with applicable laws or regulations or (b) has taken any action that poses a substantial risk to the health, safety, or well-being of any child under its supervision and control; (ii) requires the Commissioner to create within the State Department of Social Services (the Department) a foster care health and safety director position; (iii) directs the Commissioner to establish and maintain a confidential hotline to receive reports and complaints from foster parents and other persons regarding violations of laws or regulations applicable to foster care and any other matters related to the health, safety, or well-being of children in foster care; (iv) directs the Department to develop and implement a more reliable, structured, and comprehensive case review and quality improvement process to monitor and improve foster care services provided by local boards and departments of social services; and (v) requires the Department to establish and update annually a caseload standard that limits the number of foster care cases that may be assigned to each foster care caseworker. The provisions of the bill are contingent on funding in a general appropriation act. (19102687D-E)

HB 1953 (Campbell, J.) (Approved by Governor)/**SB 1416** (Mason) (Passed Senate; HCT) provides that whenever an appeal of a finding by a local department of social services is made and a criminal investigation is also commenced against the appellant for the same conduct involving the same victim as investigated by the local department, the appeal process shall automatically be stayed until the criminal investigation is closed or, in the case of a criminal investigation that is not completed within 180 days of the appellant's request for an appeal, for 180 days. (HB1953ER, 19102940D)

SB 1435 (McClellan) (Passed Both Houses) allows the Commissioner of Social Services to issue an order of summary suspension of the license of any child welfare agency when conditions or practices exist that pose an immediate and substantial threat to the health, safety, and welfare of the children receiving care. The bill allows the Commissioner, in issuing an order of summary suspension, to suspend the license of the child welfare agency or to suspend only certain authority of the child welfare agency to operate, including the authority to provide certain services or perform certain functions that the Commissioner determines should be restricted or modified in order to protect the health, safety, or welfare of the children receiving care. The bill

establishes notice, hearing, appeal, and posting requirements for such summary suspensions. The bill also amends the summary suspension procedures for licensed assisted living facilities to align such procedures with the summary suspension procedures established in the bill for child welfare agencies. (19105294D-S1)

Tobacco Products

HB 2748 (Stolle) (Passed Both Houses)/**SB 1727** (Norment) (Passed Both Houses) increases the minimum age for persons prohibited from purchasing or possessing tobacco products, nicotine vapor products, and alternative nicotine products, and the minimum age for persons such products can be sold to, from 18 years of age to 21 years of age unless such person is an active duty military personnel. The bill also allows tobacco products, nicotine vapor products, and alternative nicotine products to be sold from a vending machine if there is posted notice of the minimum age requirements and the machine is located in a place that is not open to the general public and not generally accessible to persons under 21 years of age. Under current law, tobacco products may be sold from a vending machine if there is posted notice of the minimum age requirements and the machine is located in a place that is not open to the general public and not generally accessible to minors. (HB2748ER, SB1727ER)

Land Use

HB 2139 (Thomas) (Passed House; Reported from SLG) authorizes a locality to designate receiving areas or receiving properties that shall receive development rights only from certain sending areas or sending properties specified by the locality. The bill also authorizes a locality to provide for areas defined similarly to urban development areas in the ordinance relating to the transfer of development rights. Current law only authorizes inclusion of urban development areas. (19101605D)

HB 2420 (Bell, Richard P.) (Passed House; Reported from SLG) provides that a wall built on residential property shall be grandfathered as a valid nonconforming use, and the wall shall not be subject to removal solely due to such nonconformity, in any instance where (i) a residential property owner sought local government approval prior to 2008 for construction of a wall on the owner's property, (ii) the property owner was informed by a local official that such wall required no permit and that the structure would comply with the zoning ordinance, (iii) the wall was thereafter constructed, (iv) the locality subsequently informed the property owner that the wall was illegal, and (v) such a wall, had it been constructed as described in clauses (ii) and (iii) after 2017, would be considered a valid nonconforming use not subject to removal. (19100765D)

HB 2779 (Edmunds) (Passed House; Reported from SLG) increases from two to three for an enterprise zone designated on or after July 1, 2005, and from two to one for an enterprise zone designated prior to July 1, 2005, the number of times the Governor may renew a designation of an enterprise zone for an area upon recommendation of the Director of the Department of Housing and Community Development. (19106065D-H1)

Public Safety/Criminal Justice

HB 1911 (Peace) (Passed House; SFIN) makes a driver's failure to move into a nonadjacent lane on a highway with at least four lanes when approaching a stationary vehicle displaying flashing, blinking, or alternating blue, red, or amber lights, or, if changing lanes would be unreasonable or unsafe, to proceed with due caution and maintain a safe speed, reckless driving, which is punishable as a Class 1 misdemeanor. Under current law, a first such offense is a traffic infraction punishable by a fine of not more than \$250, and a second such offense is punishable as a Class 1 misdemeanor. (19106735D-S1)

HB 1941 (Bell, Robert B.) (Passed House; SFIN) increases from a Class 6 felony to a Class 4 felony the punishment for a person who, as a result of driving while intoxicated or operating a watercraft or motorboat while intoxicated in a manner so gross, wanton, and culpable as to show reckless disregard for human life, unintentionally causes the serious bodily injury of another person resulting in permanent and significant physical impairment. Creates a Class 6 felony for such driving or operation that unintentionally causes the serious bodily injury of another person. (19106787D-S1)

HB 2576 (Krizek) (Passed House; Passed Senate with Amendment) creates, within the Department of Criminal Justice Services, a Sex Trafficking Response Coordinator (the Coordinator) who shall (i) create a statewide plan for local and state agencies to identify and respond to victims of sex trafficking; (ii) coordinate the development of standards and guidelines for treatment programs for victims of sex trafficking; (iii) maintain a list of programs that provide treatment or specialized services to victims of sex trafficking and make such list available to law-enforcement agencies, attorneys for the Commonwealth, crime victim and witness assistance programs, the Department of Juvenile Justice, the Department of Social Services, the Department of Education, and school divisions; (iv) oversee the development of a curriculum to be completed by persons convicted of solicitation of prostitution; and (v) promote strategies for the awareness of sex trafficking, for education and training related to sex trafficking, and for the reduction of demand for commercial sex. The bill requires the Coordinator to report annually to the Governor and the General Assembly and include a summary of activities for the year and any recommendations to address sex trafficking within the Commonwealth. This bill is a recommendation of the Virginia State Crime Commission. (19104149D)

HB 2642 (Levine) (Passed House; SACNR) makes any violation relating to cruelty to an animal a Class 6 felony when such violation is carried out with the intent to coerce, intimidate, or harass a family or household member. (19106255D-H1)

Studies/Commissions

HB 2028 (Campbell, R.) (Passed House; SRUL) provides that when any legislative bill requiring the Department of Professional and Occupational Regulation to increase or begin regulation of an occupation is filed during any session of the General Assembly, the Board for Professional and Occupational Regulation shall prepare an evaluation of the legislation using criteria outlined in current law that the Board is required to use whenever the Board determines that a particular

occupation should be regulated or that a different degree of regulation should be imposed on a currently regulated occupation. (19101677D)

HB 2168 (Yancey) (Passed House; SRUL) establishes the legislative Commission on School Innovation, Modernization, and Competitiveness (the Commission), consisting of 22 members, including 12 legislative members, eight nonlegislative citizen members, and two ex officio members, to develop and oversee the implementation of a goal and strategic plan for (i) promoting and increasing public high school student participation in dual enrollment courses, industry certifications, and state licensure examinations, (ii) modernizing public elementary and secondary school buildings throughout the Commonwealth, (iii) achieving the Commonwealth's teacher compensation goal and (iv) ensuring high quality at the student and school division levels. The Commission sunsets on July 1, 2022. (19103878D-E)

HB 2321 (Peace) (Passed House; SRUL) creates the Gaming Study Commission to analyze the Commonwealth's existing gaming industry and proposals to expand gaming in Virginia, which include the following: (i) commercial casino gaming, (ii) in-person and online sports wagering, (iii) online and internet gaming, (iv) tribal gaming, (v) historical horse racing, and (vi) electronic devices approved by the Virginia Alcoholic Beverage Control Authority to be placed in establishments licensed by the Authority. The Commission must submit final recommendations to the General Assembly by November 1, 2019. The bill has an expiration date of January 1, 2020. (19106103D-EH1)

HB 2541 (Byron) (Passed House; Passed Senate with Substitute) extends the expiration of the Office of Telework Promotion and Broadband Assistance and the Broadband Advisory Council from July 1, 2019, to July 1, 2023, and alters and expands from 14 to 16 the membership of the Council. (19106718D-S1)

HB 2602 (Jones, S.C.) (Passed House; SRUL) establishes as an independent advisory board in state government an 11-member Consortium Comprehensive Cancer Center Advisory Board, consisting of the President of Virginia Commonwealth University or his designee, the Vice President for Health Sciences at Virginia Commonwealth University or his designee, the President of the University of Virginia or his designee, the Executive Vice President for Health Affairs at the University of Virginia or his designee, one representative of Eastern Virginia Medical School, one representative of Virginia Tech Carilion School of Medicine and Research Institute, and five other nonlegislative citizen members, to study the requirements for designation as a consortium Comprehensive Cancer Center by the National Cancer Institute and make recommendations to Virginia Commonwealth University and the University of Virginia relating to the process for establishing a joint National Cancer Institute-designated consortium Comprehensive Cancer Center, including recommendations relating to a joint leadership structure, research integration, and programmatic integration. The provisions of the bill sunset on July 1, 2022. (19101696D)

HB 2814 (Morefield) (Passed House; SRUL) extends the sunset date of the Commission on Economic Opportunity for Virginians in Aspiring and Diverse Communities from July 1, 2019, to July 1, 2021. (19106157D)

HJ 610 (Knight) (Agreed to by House; SRUL) requests the Secretary of Natural Resources to study the effects of wind tide flooding in the Southern Watershed. In conducting the study, the Secretary shall (i) coordinate with and provide resources to the City of Virginia Beach to assess the impacts of wind tide flooding in the Southern Watershed, (ii) research the viability of a range of solutions aimed at addressing the root causes and effects of wind tide flooding in the Southern Watershed, (iii) identify the time frames and economic costs of various solutions, and (iv) make recommendations for state action based on all relevant factors. (19101462D)

HJ 626 (Stolle) (Agreed to by House; SRUL) requests the Virginia Department of Health to take action to increase awareness of shingles and shingles prevention. (19101454D)

HJ 641 (Yancey) (Agreed to by House; SRUL) requests the Department of Health to evaluate and allow for stakeholder input on additional issues related to use of rainwater as part of the rulemaking process pursuant to a 2018 Act of Assembly, including (i) the conditions under which rainwater may appropriately be used and for what purposes; (ii) standards for the use of rainwater for human consumption; (iii) standards for rainwater harvesting systems, including systems that collect rainwater for human consumption and systems that collect rainwater for use by commercial enterprises but not human consumption; (iv) a requirement that buildings that draw water from both rainwater harvesting systems and public water supplies maintain appropriate cross-connection safeguards; and (v) training and certification requirements for installers of rainwater harvesting systems, including installers of rainwater harvesting systems installed in buildings that draw water from both rainwater harvesting systems and public water supplies. The Department is also requested to provide an update on the status of the rulemaking process to the General Assembly by November 1, 2019. (19103885D)

HJ 662 (Stolle) (Agreed to by House; SRUL) directs the Joint Commission on Health Care to study the dispensing of drugs and devices pursuant to prescriptions, pharmacy collaborative practice agreements, standing orders, and statewide protocols in the Commonwealth, including a review of the roles and responsibilities of pharmacists and other health care providers prescribing, dispensing, and administering drugs and devices in accordance with laws and regulations. (19104412D-H1)

HJ 674 (Torian) (Agreed to by House; SRUL) requests the Department of Veterans Services and the Department of Taxation (the Agencies) to convene a joint working group to study the feasibility of exempting military retirement income from taxation. Under current law, military retirement income is tax-exempt only for recipients of the Congressional Medal of Honor. The Agencies are directed to consider potential revenue losses, the effects of phasing in the exemption over different time frames, the positive effects for Virginia's current population of veterans, and the impact on the Commonwealth's competitiveness as a desirable state of residence for veterans compared with other states. (19102046D)

HJ 677 (Rush) (Agreed to by House; SRUL) establishes a 21-member joint subcommittee to identify blockchain technology research and economic development opportunities with the goal of creating a statewide, comprehensive, and coordinated strategy relating to blockchain technology. In conducting its study, the joint subcommittee shall analyze and consider (i)

economic development opportunities in the Commonwealth available through the utilization of blockchain technology; (ii) different types of blockchain technology and the feasibility of economic development for each type; (iii) the creation of a statewide, comprehensive, coordinated strategy to encourage commercial activity in the blockchain technology sector; (iv) opportunities for deployment of blockchain technology in state government; and (v) strategies to incentivize the development of blockchain companies in the Commonwealth. The joint subcommittee shall submit its report to the Governor and the 2020 and 2021 Regular Sessions of the General Assembly. (19103191D)

HJ 687 (Keam) (Agreed to by House; SRUL) requests that the Office of the Executive Secretary of the Virginia Supreme Court study options and models for a tax court system in the Commonwealth, including the tax court systems of other states, as well as options and models provided by research organizations. The Office of the Executive Secretary shall report its findings to the members of the General Assembly by the first day of the 2020 Regular Session. (19103680D)

SB 1097 (Marsden) (Passed Senate; HRUL) extends the sunset of the Commission on Civic Education from July 1, 2019, to July 1, 2020. (19101827D-E)

SB 1142 (Favola) (Passed Senate; HRUL) requires the Board of Education to establish the State School Health Advisory Committee, consisting of no more than 20 nonlegislative citizen members, to advise the Board, the Governor, and the General Assembly on (i) the role of employees in public elementary or secondary schools in providing health care services at such schools and (ii) the need for any training associated with delivery of health care services. (19100754D)

SB 1152 (DeSteph) (Passed Senate; HRUL) increases from two to four the number of consecutive four-year terms a nonlegislative citizen member is allowed to serve on the Chesapeake Bay Restoration Fund Advisory Committee (the Committee), which oversees the distribution of funds raised by the sale of Friend of the Chesapeake license plates. The bill provides that the two citizen members of the Committee who are appointed by the Senate Committee on Rules, both of whose terms expire on July 1, 2019, shall have their terms extended until July 1, 2020, and July 1, 2021, respectively. One of the two members appointed by the Speaker of the House of Delegates shall have the expiration of his term extended from July 1, 2019, until July 1, 2022. Such extensions shall not constitute a term in determining each member's eligibility for reappointment under the limit of four consecutive terms provided by the bill. (19102314D)

SB 1618 (Edwards) (Passed Senate; HRUL) increases from 14 to 17 the total membership of the Broadband Advisory Council by adding a member of the Senate and two additional nonlegislative members, one to represent a wireless service authority and one to represent the Virginia, Maryland and Delaware Association of Electric Cooperatives. (19106370D-S1)

SB 1644 (Boysko) (Passed Senate; HRUL) directs the Department of Behavioral Health and Developmental Services (DBHDS) to convene a work group to study the issue of and develop a

plan for sharing protected health information of individuals with mental health treatment needs who have been confined to a local or regional jail in the Commonwealth and who have previously received mental health treatment from a community services board or behavioral health authority in the Commonwealth. The bill requires DBHDS to report by October 1, 2019, to the Governor and the General Assembly on (i) development of the plan, (ii) the content of the plan, and (iii) the steps necessary to implement the plan, including any statutory or regulatory changes and any necessary appropriations. (19104532D-E)

SJ 309 (DeSteph) (Agreed to by Senate; HRUL) requests the Virginia Marine Resources Commission to study the feasibility of creating protection zones for submarine fiber optic cables located along Virginia's shores. (19103454D)

SJ 311 (Boysko) (Agreed to by Senate; HRUL) requests the Department of Housing and Community Development to study the permitting processes in the Commonwealth for broadband deployment and renewable energy construction projects. (19104542D)

Taxation

HB 2540 (Byron) (Conference Committee) applies the reduced state sales and use tax rate of 1.5%, which under current law applies only to food purchased for human consumption, to essential personal hygiene products, defined in the bill as (i) nondurable incontinence products such as diapers, disposable undergarments, pads, and bed sheets; and (ii) menstrual cups and pads, pantyliners, sanitary napkins, tampons, and other products used to absorb or contain menstrual flow. The bill has a delayed effective date of January 1, 2020. (19100843D-E)

SB 1715 (Boysko) (Conference Committee) exempts menstrual supplies, specifically pads, tampons, and menstrual cups, from sales and use tax. The bill has a delayed effective date of July 1, 2020, and is contingent on funding in a general appropriation act. (19106474D-H1)

Transportation

HB 2441 (Wilt) (Passed Both Houses) requires the Department of Motor Vehicles to issue a special identification card without a photograph to a person with a sincerely held religious belief prohibiting the taking of a photograph who would otherwise meet the qualifications for a special identification card but also presents an approved and signed IRS Form 4029. The bill allows a special identification card without a photograph to be similar in size, shape, and design to a driver's license but requires (i) that it be clearly distinguishable from a driver's license, (ii) that it not include a photograph of its holder, and (iii) that it clearly state that (a) the card does not authorize the holder to operate a motor vehicle, (b) federal limits apply, and (c) the card is not valid identification to vote. The bill provides that giving false information, concealing a material fact, or otherwise committing a fraud in applying for a special identification card without a photograph is guilty of a Class 2 misdemeanor and that obtaining a special identification card without a photograph for the purpose of committing any offense punishable as a felony constitutes a Class 4 felony. The bill contains technical amendments. This bill is the result of a study conducted by the Department of Motor Vehicles. (19100181D-E)

HB 2489 (Jones, J.C.) (Passed House; Reported from STRAN) requires the Commissioner of Highways to temporarily suspend toll collection operations in affected evacuation zones on routes designated as mass evacuation routes during any mandatory evacuation during a state of emergency. Current law authorizes the Commissioner, in his discretion, to temporarily suspend toll collection operations in cases of emergency and concern for public safety. (19106042D-H1)

HB 2737 (Bagby) (Passed House; Reported from STRAN) directs the Department of Rail and Public Transportation to evaluate the placement and maintenance of highway signs to (i) indicate the presence and direction of nearby Amtrak or intercity passenger rail stations and (ii) promote the use of such services. The bill further directs the Department to evaluate the cost and potential funding sources for such signs and to report its findings to the Secretary of Transportation and the Chairmen of the House and Senate Committees on Transportation by December 1, 2019. (19105620D-H1)

HB 2800 (Garrett) (Passed House; Reported from STRAN)/**SB 1775** (Carrico) (Passed Senate; Passed House with Amendment) requires the Commissioner of Highways to report annually by December 1 to the Governor, the General Assembly, and the Commonwealth Transportation Board regarding overweight trucks. The bill expires on January 1, 2021. (19105145D-E, 19104683D-E)

HJ 581 (Cole) (Agreed to by House; SRUL)/**SJ 276** (Reeves) (Agreed to by Senate; HRUL) requests the Commonwealth Transportation Board to study the portion of the Interstate 95 corridor between Exit 118 and the Springfield Interchange and financing options for improvements to the corridor. (19100237D, 19102700D-E)

SB 1510 (Carrico) (Passed Senate; Reported from HTRAN) provides that only towing requests made by local law-enforcement officers are subject to local ordinances regulating towing services for unattended, abandoned, or immobile vehicles. (19101888D-E)

SB 1126 (Lucas) (Conference Committee) authorizes casino gaming in the Commonwealth to be regulated by the Virginia Lottery Board (the Board). The bill specifies the licensing requirements for casino gaming and imposes criminal and civil penalties for violations of the casino gaming law. Casino gaming shall be limited to certain cities that meet the criteria that is outlined in the bill, and a referendum must be passed in the city on the question of allowing casino gaming in the city. The referendum must be adopted prior to January 1, 2021. The bill imposes a tax ranging from 13 to 15 percent of the adjusted gross receipts of licensees, based upon a licensee's annual adjusted gross receipts, and provides for how the tax proceeds are disbursed. The bill requires the Board to establish and implement a voluntary exclusion program allowing individuals to voluntarily list themselves as being barred from entering a casino gaming establishment or other facility under the jurisdiction of the Board. The bill also establishes the Problem Gambling Treatment and Support Fund administered by the Commissioner of Behavioral Health and Developmental Services to provide counseling and other support services for compulsive and problem gamblers, develop problem gambling treatment and prevention programs, and provide grants to support organizations that provide assistance to compulsive gamblers. The bill requires the Joint Legislative Audit and Review Commission to report no

later than November 1, 2019, regarding recommendations for casino gaming in the Commonwealth. The bill includes a reenactment clause for the referenda provisions of the bill. (19106846D-H1)

SB 1574 (Norment) (Passed Senate; HAPP) creates a revenue sharing program, if gaming is authorized in the Commonwealth, that would require the owner or operator of any gaming establishment to share a percentage of its adjusted gross receipts with the Commonwealth, ranging from 13 to 15 percent based on its annual adjusted gross receipts. The revenues would be distributed as follows: 30 percent to transportation initiatives, with one-third allocated to projects in the Interstate 81 corridor, one-third allocated to the Northern Virginia Transportation Authority Fund, and one-third allocated to the Hampton Roads Transportation Fund; 30 percent to school construction and modernization; 10 percent to support increases in teacher pay; 10 percent to support initiatives related to higher education affordability; 10 to the locality in which the revenues were collected; nine percent to support the marketing and promotion of tourism destinations, and one percent to used to prevent and treat gambling addictions. (19105363D-S1)

Transportation Funding/Allocation

HB 2527 (Hugo) (Passed House; Reported from STRAN) prohibits the imposition and collection of tolls on any primary highway that is wholly located in Planning District 8 and that was previously classified as a secondary highway and is between 30 and 35 miles in length without prior approval by the General Assembly. (19102826D-E)

HB 2718 (Landes) (Conference Committee) creates the Interstate 81 Corridor Improvement Fund. Any revenues deposited in the Fund would be allocated for improvements to the Interstate 81 Corridor. The bill also directs the Commonwealth Transportation Board (Board) would develop and update, in consultation with an Interstate 81 Committee (Committee) established by the bill, to develop an Interstate 81 Corridor Improvement Program. The Committee is also directed to review the Interstate 81 Corridor Improvement Plan adopted by the Board in December, 2018, as it relates to funding options and make recommendations to the Governor and the General Assembly regarding funding recommendations and prioritization of projects. (19106831D-S1)

SB 1716 (Obenshain) (Conference Committee) creates the Interstate 81 Corridor Improvement Fund. Any revenues deposited in the Fund would be allocated for improvements to the Interstate 81 Corridor. The bill also directs the Commonwealth Transportation Board (Board) would develop and update, in consultation with an Interstate 81 Committee (Committee) established by the bill, to develop an Interstate 81 Corridor Improvement Program. The Committee is also directed to review the Interstate 81 Corridor Improvement Plan adopted by the Board in December, 2018, as it relates to funding options and make recommendations to the Governor and the General Assembly regarding funding recommendations and prioritization of projects. (19106780D-H1)

Board of Supervisors

February 19, 2019

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Attachments: Supplementary documents

cc: Joe Mondoro, Chief Financial Officer
Tisha Deeghan, Deputy County Executive
Rachel O'Dwyer Flynn, Deputy County Executive
Dave Rohrer, 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

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February 19, 2019

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**FAIRFAX COUNTY
LEGISLATIVE SUMMARY**

2019 GENERAL ASSEMBLY

February 16, 2019

Fairfax County Legislative Summary 2019 General Assembly

Board of Supervisors Report Key

Bill No. – Patron, (District No.) Bill Title	Committee/Floor Actions	
<p>HB 589 - 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>
<p>Initiate (067916260) Summary: Designates a portion of Old Keene Mill Road in Fairfax County a "Blue Star Memorial Highway."</p>		

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

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)

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Price, M

<u>HB 2025</u> Tran, K	Driver privilege cards; penalty.
<u>HB 2051</u> McQuinn, D	Cemeteries; development, local ordinance.
<u>HB 2067</u> Bell, J	Public employment; prohibits discrimination on basis of sexual orientation or gender identity.
<u>HB 2070</u> Bell, J	Energy saving products; tax deduction.
<u>HB 2084</u> Watts, V	Counties, certain; additional powers that include taxation, etc.
<u>HB 2103</u> Freitas, N	Stormwater management plans; erosion and sediment control plans, portion of project.
<u>HB 2146</u> Turpin, C	Land development; conservation or replacement of trees, local option.
<u>HB 2155</u> Plum, K	Vehicles stopped at crosswalks; prohibition on passing.
<u>HB 2189</u> Kilgore, T	Local government; taxing authority.
<u>HB 2273</u> Webert, M	Passing stopped school bus; use while passing stopped school bus.
<u>HB 2291</u> VanValkenburg, S	School boards; local law-enforcement agencies, memorandums of understanding.
<u>HB 2329</u> Keam, M	Distributed renewable energy; promotes establishment of solar and other renewable energy.
<u>HB 2359</u> Jones, S	Capital outlay plan; updates six-year plan for projects.
<u>HB 2421</u> Levine, M	Discrimination; sexual orientation and gender identity.
<u>HB 2451</u> Bell, R	Certificate of public need; nursing homes and hospitals, disaster exemption.
<u>HB 2458</u> Landes, R	Early childhood care and education; establishment, licensure.
<u>HB 2466</u> Roem, D	State Route 28; Department of Transportation to study.
<u>HB 2467</u> Roem, D	State Route 28; Department of Transportation to study.
<u>HB 2468</u> Roem, D	State Route 28; Department of Transportation to study.
<u>HB 2495</u> Tran, K	Fall cankerworm; spraying prohibited during certain months.
<u>HB 2504</u> Murphy, K	Protective orders; possession of firearms, penalties.
<u>HB 2506</u> Hodges, M	Chesapeake Bay Preservation Areas; filling low-lying areas.

HB 2510 Hugo, T	Judges; maximum number in nineteenth judicial district.
HB 2513 Hugo, T	Workers' compensation; occupation disease presumptions, PTSD.
HB 2643 Delaney, K	Interstate 66; limits to \$15 the tolls collected on the tolled portion.
HB 2736 Hugo, T	Local employee grievance procedure; qualifying grievances by local government employees.
HJ 577 Rasoul, S	United States Constitution; ratifies Equal Rights Amendment.
HJ 579 Foy, J	United States Constitution; ratifies Equal Rights Amendment.
HJ 583 Ward, J	United States Constitution; ratifies Equal Rights Amendment.
HJ 643 Webert, M	Composite index of local ability to pay; DOE to study effect of local use value assessment.
HJ 657 Pogge, B	Constitutional amendment; real property tax exemption, surviving spouse of a disabled veteran.
SB 1035 Locke, M	Absentee voting; no-excuse absentee.
SB 1058 Favola, B	Companion animals; care, local ordinances.
SB 1075 Howell, J	Absentee voting; no-excuse in-person available 21 days prior to election.
SB 1078 Howell, J	Protective orders; possession of firearms, penalty.
SB 1127 Favola, B	Local government taxing authority; equalizes municipal and county taxing authorities.
SB 1198 Dance, R	Absentee voting; no excuse required when voting in person.
SB 1456 McClellan, J	Distributed renewable energy; promotes establishment of solar and other renewable energy.
SB 1467 Saslaw, R	Protective orders; possession of firearms, surrender or transfer of firearms, penalties.
SB 1471 Hanger, Jr., E	Computation of composite index; land-use assessment value.
SB 1476 Deeds, R	School bus video-monitoring systems; release of information by DMV.
SB 1672 Locke, M	Absentee voting; no-excuse absentee.
SB 1708 Edwards, J	Law-Enforcement Officers Procedural Guarantee Act; hearing panel decisions.
SB 1770 Deeds, R	Transportation funding; creates a statewide approach to funding.
SB 1783 Boysko, J	Local employee grievance procedure; qualifying grievances by local government employees.

[SJ 284](#) United States Constitution; ratifies Equal Rights
Sturtevant, Jr., Amendment.
G

[SJ 307](#) JLARC; costs of education, report.
Lewis, Jr., L

Fairfax County Initiatives

*Bills Introduced
at Fairfax County's Request*

Bills	General Assembly Actions	Date of BOS Position
<p>HB 1913 - Bulova (37) Subdivision ordinance; sidewalks.</p>	<p>1/4/2019 House: Referred to Committee on Counties, Cities and Towns 1/23/2019 House: Subcommittee recommends reporting with amendment (6-Y 0-N) 1/25/2019 House: Reported from Counties, Cities and Towns with amendment (21-Y 0-N) 1/31/2019 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/1/2019 Senate: Referred to Committee on Local Government 2/12/2019 Senate: Reported from Local Government (12-Y 0-N) 2/15/2019 Senate: Substitute by Senator Peake agreed to 2/15/2019 Senate: Passed Senate with substitute (39-Y 0-N)</p>	<p>1/22/2019</p>
<p>Initiate (19103330D) - See also SB 1663 (Barker). Summary: Allows any locality to include provisions in its subdivision ordinance requiring that where a lot being subdivided or developed fronts on an existing street and the provision of a sidewalk the need for which is substantially generated and reasonably required by the proposed development and is in accordance with the locality's adopted comprehensive plan, the locality may require the dedication of land for, and construction of, a sidewalk on the property being subdivided or developed.</p>		
<p>HB 2578 - Plum (36) Secondary state highways; six-year plan, public meeting.</p>	<p>1/9/2019 House: Referred to Committee on Transportation 1/24/2019 House: Subcommittee recommends reporting (6-Y 0-N) 1/29/2019 House: Reported from Transportation (22-Y 0-N) 2/4/2019 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 2/4/2019 House: Reconsideration of passage agreed to by House 2/4/2019 House: Passed House BLOCK VOTE (99-Y 0-N) 2/5/2019 Senate: Referred to Committee on Transportation 2/13/2019 Senate: Reported from Transportation (13-Y 0-N)</p>	<p>1/22/2019</p>
<p>Initiate (19103260D) - See also SB 1684 (Petersen). Summary: Six-year plans for secondary state highways; public meeting. Limits the requirement that a governing body with a six-year plan for improving the secondary highway system advertise for and hold a public meeting regarding such plan to only those years in which the county has a proposed new funding allocation greater than \$100,000.</p>		

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

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1663</u> - Barker (39) Subdivision ordinance; sidewalks.</p>	<p>1/10/2019 Senate: Referred to Committee on Local Government 1/29/2019 Senate: Reported from Local Government with amendment (10-Y 0-N) 2/4/2019 Senate: Read third time and passed Senate (40-Y 0-N) 2/6/2019 House: Referred to Committee on Counties, Cities and Towns 2/8/2019 House: Reported from Counties, Cities and Towns with amendments (22-Y 0-N) 2/11/2019 House: Passed House with amendments BLOCK VOTE (99-Y 0-N) 2/13/2019 Senate: House amendments agreed to by Senate (39-Y 0-N)</p>	<p>1/22/2019</p>
<p>Initiate (19104255D) - See also HB 1913 (Bulova). Summary: Allows any locality to include provisions in its subdivision ordinance requiring that where a lot being subdivided or developed fronts on an existing street and the provision of a sidewalk, the need for which is substantially generated and reasonably required by the proposed development and, is in accordance with the locality's adopted comprehensive plan, the locality may require the dedication of land for, and construction of, a sidewalk on the property being subdivided or developed.</p>		
<p><u>SB 1684</u> - Petersen (34) Secondary state highways; six-year plan, public meeting.</p>	<p>1/14/2019 Senate: Referred to Committee on Transportation 1/23/2019 Senate: Reported from Transportation (13-Y 0-N) 1/29/2019 Senate: Read third time and passed Senate (40-Y 0-N) 2/4/2019 House: Referred to Committee on Transportation 2/7/2019 House: Reported from Transportation (22-Y 0-N) 2/11/2019 House: Passed House BLOCK VOTE (99-Y 0-N) 2/12/2019 Senate: Enrolled 2/12/2019 House: Signed by Speaker 2/13/2019 Senate: Signed by President 2/14/2019 Senate: Enrolled Bill Communicated to Governor on February 14, 2019 2/14/2019 Governor: Governor's Action Deadline Midnight, February 21, 2019</p>	<p>1/22/2019</p>
<p>Initiate (19104464D) - See also HB 2578 (Plum). Summary: Six-year plans for secondary state highways; public meeting. Limits the requirement that a governing body with a six-year plan for improving the secondary highway system advertise for and hold a public meeting regarding such plan to only those years in which the county has a proposed new funding allocation greater than \$100,000.</p>		

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Fairfax County Positions

(Oppose or Amend)

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1655 - Miyares (82) Real property tax exemption for disabled veterans; surviving spouse's ability to change residence.</p>	<p>11/29/2018 House: Referred to Committee on Finance (HFIN) 1/14/2019 House: Reported from HFIN with substitute (22-Y 0-N) 1/18/2019 House: Read third time and passed House BLOCK VOTE (94-Y 0-N) 1/21/2019 Senate: Referred to Committee on Finance 2/5/2019 Senate: Reported from Finance (13-Y 0-N) 2/7/2019 Senate: Passed Senate (40-Y 0-N) 2/11/2019 House: Enrolled 2/11/2019 House: Signed by Speaker 2/11/2019 Senate: Signed by President 2/12/2019 House: Enrolled Bill communicated to Governor on February 12, 2019 2/12/2019 Governor: Governor's Action Deadline Midnight, February 19, 2019 2/15/2019 Governor: Approved by Governor-Chapter 15 (effective 1/1/19)</p>	<p>1/22/2019</p>

Amend (19103726D-H1) - Amend to support as a state tax credit; Board has historically recommended amendment. See also SB 1270 (Stuart).

Summary: Real property tax exemption for disabled veterans; surviving spouses; ability to move to a different residence. Enacts as statutory law an amendment to subdivision (a) of Section 6-A of Article X of the Constitution of Virginia that was adopted by the voters on November 6, 2018, which applies the real property tax exemption for the surviving spouse of a disabled veteran to such spouse's principal place of residence regardless of whether such spouse moves to a different residence. The provisions of the bill would apply to taxable years beginning on and after January 1, 2019. The bill makes technical corrections related to the real property tax exemptions for surviving spouses of members of the armed forces killed in action and surviving spouses of certain persons killed in the line of duty.

<p>HB 2034 - McGuire, III (56) Local electoral boards and general registrars; removal from office by circuit court, etc.</p>	<p>1/7/2019 House: Referred to Committee on Privileges and Elections (HPE) 1/17/2019 House: Subcommittee recommends reporting with substitute (4-Y 2-N) 1/25/2019 House: Reported from HPE with substitute (12-Y 10-N) 2/1/2019 House: Read third time and passed House (53-Y 42-N) 2/4/2019 Senate: Referred to Committee on Privileges and Elections (SPE) 2/12/2019 Senate: Reported from SPE with amendment (8-Y 6-N)</p>	<p>[2/15/2019]</p>
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[Amend] (19105130D-H1) - Amend to remove the requirement that the county or city attorney provide counsel for the local electoral board when the local electoral board initiates proceedings to remove a general registrar.

Summary: General registrars; petition for removal. Provides for the removal of a general registrar by the circuit court upon a petition signed by a majority of members of the local electoral board. Currently, a local electoral board may remove a general registrar with a majority vote. The bill requires the Virginia Division of Risk Management to assign counsel to the defense of any member of a local electoral board or general registrar subject to a petition for removal, upon that member's or registrar's application. The bill also requires that the county or city attorney provide counsel for the local electoral board in proceedings to remove a general registrar from office.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 2686</u> - Knight (81) Zoning Appeals, Board of; changes vote requirement.</p>	<p>1/14/2019 House: Referred to Committee on Counties, Cities and Towns 1/30/2019 House: Subcommittee recommends reporting (7-Y 0-N) 2/1/2019 House: Reported from Counties, Cities and Towns (19-Y 2-N) 2/5/2019 House: Read third time and passed House (61-Y 38-N) 2/6/2019 Senate: Referred to Committee on Local Government 2/12/2019 Senate: Reported from Local Government (10-Y 1-N)</p>	<p>2/5/2019</p>
<p>Oppose (19103623D) Summary: Board of zoning appeals; vote requirement. Changes the vote requirement for certain board of zoning appeals decisions from a majority of the membership to a majority of the membership present and voting.</p>		
<p><u>HJ 615</u> - Cole (88) Constitutional amendment; apportionment, state and local independent redistricting commissions.</p>	<p>1/1/2019 House: Referred to Committee on Privileges and Elections 1/28/2019 House: Subcommittee recommends reporting with substitute (5-Y 3-N) 2/1/2019 House: Reported from Privileges and Elections with substitute (12-Y 10-N) 2/4/2019 House: Agreed to by House (51-Y 48-N) 2/5/2019 Senate: Referred to Committee on Privileges and Elections 2/12/2019 Senate: Reported from Privileges and Elections with substitute (11-Y 0-N 1-A)</p>	<p>[2/8/2019]</p>
<p>[Amend] (19105844D-H1) - Amend to remove provisions pertaining to the local Independent Redistricting Commission, due to concerns that the bill would override the more robust process the County has used in the past. Summary: Constitutional amendment (first resolution); apportionment; state and local independent redistricting commissions; criteria. Requires the establishment of independent redistricting commissions by the General Assembly and the governing bodies of each county, city, or town in which members of the governing body are elected from districts. The Virginia Independent Redistricting Commission is required to be convened for the purpose of proposing districts for the United States House of Representatives and for the Senate and House of Delegates. The Commission shall consist of twelve commissioners, four to be appointed by the Governor, four to be appointed by the Speaker of the House of Delegates, and four to be appointed by the Senate Committee on Rules. Equal representation shall be given to the two major political parties. Congressional district plans must receive an affirmative vote of eight of the twelve commissioners in order to be submitted to the General Assembly for a vote. Senate district plans must receive an affirmative vote of three of the four commissioners appointed by the Senate Committee on Rules in order to be submitted to the Senate for a vote. House of Delegates district plans must receive an affirmative vote of three of the four commissioners appointed by the Speaker of the House of Delegates in order to be submitted to the House of Delegates for a vote. Plans may not be amended by the General Assembly or the respective body and are not subject to amendment, approval, or veto by the Governor. If a plan is rejected by the General Assembly or the respective body, the Commission is required to submit a new plan for consideration and if that plan is rejected, the districts shall be established by the Supreme Court of Virginia. Congressional and legislative districts are to be established in accordance with certain criteria set out in the amendment.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1038</u> - Peake (22) Voter registration; verification of social security numbers, provisional registration status.</p>	<p>11/15/2018 Senate: Referred to Committee on Privileges and Elections 1/15/2019 Senate: Reported from Privileges and Elections (9-Y 5-N) 1/15/2019 Senate: Re-referred to Finance 1/23/2019 Senate: Reported from Finance with amendment (11-Y 5-N) 1/28/2019 Senate: Read third time and passed Senate (20-Y 18-N) 1/30/2019 House: Referred to Committee on Privileges and Elections 2/12/2019 House: Subcommittee recommends reporting (4-Y 2-N) 2/12/2019 House: Subcommittee recommends referring to Committee on Appropriations 2/15/2019 House: Reported from Privileges and Elections (12-Y 10-N) 2/15/2019 House: Referred to Committee on Appropriations</p>	<p>1/22/2019</p>
<p>Oppose (19100267D) - 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 current law, to initiate the cancellation of the registration of any voter whose registration record information does not match the database information. The State Board is authorized to approve the use of any government database to the extent required to enable each general registrar to carry out the provisions of this measure and to promulgate rules for the use of such database. The Department of Elections is required to provide to the general registrars access to the Social Security Administration database and any other database approved by the State Board. The Department of Elections is further required to enter into any agreement with any federal or state agency to facilitate such access. The bill has a delayed effective date of July 1, 2021.</p>		
<p><u>SB 1270</u> - Stuart (28) Real property tax; exemption for disabled veterans, surviving spouse's ability to move.</p>	<p>1/7/2019 Senate: Referred to Committee on Finance 1/15/2019 Senate: Reported from Finance (16-Y 0-N) 1/18/2019 Senate: Read third time and passed Senate (40-Y 0-N) 1/22/2019 House: Referred to Committee on Finance 2/11/2019 House: Reported from Finance (21-Y 0-N) 2/13/2019 House: Passed House with amendment (97-Y 0-N) 2/15/2019 Senate: House amendment agreed to by Senate (39-Y 0-N)</p>	<p>1/22/2019</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Amend (19101186D) - Amend to support as a state tax credit; Board has historically recommended amendment. See also HB 1655 (Miyares).</p> <p>Summary: Real property tax exemption for disabled veterans; surviving spouses; ability to move to a different residence. Enacts as statutory law an amendment to subdivision (a) of Section 6-A of Article X of the Constitution of Virginia that was adopted by the voters on November 6, 2018, which applies the real property tax exemption for the surviving spouse of a disabled veteran to such spouse's principal place of residence regardless of whether such spouse moves to a different residence. The provisions of the bill would apply to taxable years beginning on and after January 1, 2019. The bill makes technical corrections related to the real property tax exemptions for surviving spouses of members of the armed forces killed in action and surviving spouses of certain persons killed in the line of duty.</p>		
<p><u>SB 1369</u> - Norment, Jr. (3) Virginia Public Procurement Act; statute of limitations on actions on construction contracts, etc.</p>	<p>1/8/2019 Senate: Referred to Committee on General Laws and Technology 1/21/2019 Senate: Re-referred to Courts of Justice 1/28/2019 Senate: Reported from Courts of Justice with substitute (13-Y 0-N 1-A) 1/28/2019 Senate: Re-referred to Finance 1/31/2019 Senate: Reported from Finance (15-Y 0-N 1-A) 2/5/2019 Senate: Passed Senate (39-Y 0-N 1-A) 2/13/2019 House: Referred to Committee for Courts of Justice 2/15/2019 House: Reported from Courts of Justice (11-Y 4-N) 2/15/2019 House: Referred to Committee on Appropriations</p>	<p>1/22/2019</p>
<p>Oppose (19101482D) - See also HB 1667 (Kilgore).</p> <p>Summary: Virginia Public Procurement Act; statute of limitations on actions on construction contracts; statute of limitations on actions on performance bonds. Provides that no action may be brought by a public body on any construction contract, including construction management and design-build contracts, unless such action is brought within five years after substantial completion of the work on the project and that no action may be brought by a public body on a warranty or guarantee in such construction contract more than one year from the breach of that warranty, but in no event more than one year after the expiration of such warranty or guarantee. The bill also limits the time frame during which a public body, other than the Department of Transportation, may bring an action against a surety on a performance bond to within one year after substantial completion of the work on the project. Current law allows a public body, other than the Department of Transportation, to bring such an action within one year after (i) completion of the contract, including the expiration of all warranties and guarantees, or (ii) discovery of the defect or breach of warranty that gave rise to the action.</p>		
<p><u>SB 1421</u> - Obenshain (26) Eminent domain; entry upon private property, calculation of just compensation, damages.</p>	<p>1/8/2019 Senate: Referred to Committee for Courts of Justice 1/14/2019 Senate: Reported from Courts of Justice (13-Y 0-N) 1/17/2019 Senate: Read third time and passed Senate (40-Y 0-N) 1/21/2019 House: Referred to Committee for Courts of Justice 2/11/2019 House: Subcommittee recommends reporting with amendments (8-Y 0-N) 2/15/2019 House: Reported from Courts of Justice with amendments (17-Y 0-N)</p>	<p>1/22/2019</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Oppose (19103612D) Summary: Eminent domain; entry upon private property; calculation of just compensation; damages. Makes various changes to provisions related to entry upon private property in an eminent domain proceeding, including (i) requiring that the number of persons for whom permission to inspect the premises is sought be included in a request for permission to inspect private property for the purposes of a project wherein the power of eminent domain may be exercised; (ii) requiring the notice of intent to enter the property to include all of the information contained in the request for permission to inspect the property; (iii) requiring the court to award fees for at least three expert witnesses if the petitioner damages the property during its entry; (iv) removing the requirement that the damage must be done maliciously, willfully, or recklessly for the owner to be reimbursed for his costs; and (v) removing the option that the owner may be reimbursed for his costs if the court awards the owner actual damages in an amount 30 percent or more greater than the petitioner's final written offer made no later than 30 days after the filing of an answer in circuit court or the return date in general district court.</p>		
<p>SB 1578 - Suetterlein (19) Reckless driving; exceeding speed limit.</p>	<p>1/9/2019 Senate: Referred to Committee on Transportation 1/23/2019 Senate: Reported from Transportation (11-Y 2-N) 1/29/2019 Senate: Read third time and passed Senate (35-Y 5-N) 2/4/2019 House: Referred to Committee for Courts of Justice 2/13/2019 House: Subcommittee recommends passing by indefinitely (5-Y 1-N)</p>	<p>1/22/2019</p>
<p>Oppose (19101770D) - Board has historically opposed. Summary: 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 1701 - Ebbin (30) Short-term rentals; regulation, urban county executive form of government.</p>	<p>1/15/2019 Senate: Referred to Committee on Local Government 1/29/2019 Senate: Reported from Local Government with amendment (9-Y 4-N) 2/4/2019 Senate: Passed Senate (26-Y 12-N) 2/6/2019 House: Referred to Committee on Counties, Cities and Towns 2/13/2019 House: Subcommittee recommends passing by indefinitely (5-Y 3-N)</p>	<p>1/22/2019</p>
<p>Oppose (19104398D) Summary: Regulation of short-term rentals; urban county executive form of government. Requires any ordinance adopted by the governing body of any county that operates under the urban county executive form of government (Fairfax County) relating to regulation of short-term rentals to comply with various provisions related to the short-term rental of property, including limits on (i) the total number of nights permitted for short-term rental on the short-term rental operator's property and (ii) the number of short-term rental properties owned by any one person or entity. The bill also requires such ordinance to comply with various Code of Virginia provisions related to zoning enforcement, the Virginia Uniform Statewide Building Code, real estate licensing, common interest communities, and covered entities otherwise regulated by localities.</p>		

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Fairfax County Positions

(Support)

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1698</u> - Fariss (59) Zoning Appeals, Board of; written order, certified mail.</p>	<p>12/11/2018 House: Referred to Committee on Counties, Cities and Towns 1/16/2019 House: Subcommittee recommends reporting (6-Y 0-N) 1/18/2019 House: Reported from Counties, Cities and Towns (20-Y 0-N) 1/24/2019 House: Read third time and passed House BLOCK VOTE (96-Y 0-N) 1/24/2019 House: Reconsideration of passage agreed to by House 1/24/2019 House: Passed House BLOCK VOTE (97-Y 0-N) 1/25/2019 Senate: Referred to Committee on Local Government 2/12/2019 Senate: Reported from Local Government (12-Y 0-N) 2/15/2019 Senate: Passed Senate (39-Y 0-N)</p>	<p>1/22/2019</p>
<p>Support (19102389D) Summary: Board of Zoning Appeals; written order; certified mail. Authorizes a locality to send a zoning administrator's appeal order using certified mail. Current law allows such an order to be sent only by registered mail.</p>		
<p><u>HB 1743</u> - Bulova (37) Pharmacist; counseling for new prescriptions, disposal of medicine.</p>	<p>12/20/2018 House: Referred to Committee on Health, Welfare and Institutions 1/17/2019 House: Subcommittee recommends reporting (10-Y 0-N) 1/22/2019 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 1/28/2019 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 1/29/2019 Senate: Referred to Committee on Education and Health 2/7/2019 Senate: Reported from Education and Health (15-Y 0-N) 2/11/2019 Senate: Passed Senate (40-Y 0-N) 2/13/2019 House: Enrolled 2/13/2019 House: Signed by Speaker 2/14/2019 Senate: Signed by President 2/15/2019 House: Enrolled Bill communicated to Governor on February 15, 2019 2/15/2019 Governor: Governor's Action Deadline Midnight, February 22, 2019</p>	<p>2/5/2019</p>
<p>Support (19101425D) - See also SB 1405 (Dance). Summary: Pharmacist; counseling for new prescriptions; disposal of medicine. Allows a pharmacist to include information regarding the proper disposal of medicine when giving counsel to a person who presents a new prescription for filling. This bill is identical to SB 1405.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1772 - Mullin (93) Virginia Freedom of Information Advisory Council; advisory opinions, evidence in civil proceeding.</p>	<p>12/26/2018 House: Referred to Committee on General Laws 1/15/2019 House: Subcommittee recommends reporting (8-Y 0-N) 1/17/2019 House: Reported from General Laws (22-Y 0-N) 1/17/2019 House: Referred to Committee for Courts of Justice 1/23/2019 House: Subcommittee recommends reporting (6-Y 0-N) 1/25/2019 House: Reported from Courts of Justice (17-Y 0-N) 1/31/2019 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/1/2019 Senate: Referred to Committee on Rules</p>	<p>1/22/2019</p>
<p>Support (19100432D) Summary: Virginia Freedom of Information Advisory Council; advisory opinions; evidence in civil proceeding. Provides that any officer, employee, or member of a public body alleged to have willfully and knowingly violated the Virginia Freedom of Information Act who acted in good faith reliance upon an advisory opinion issued by the Virginia Freedom of Information Advisory Council may introduce such advisory opinion as evidence that the alleged violation was not made willfully and knowingly. The bill contains technical amendments. This bill is a recommendation of the Virginia Freedom of Information Advisory Council.</p>		
<p>HB 1822 - Bulova (37) Virginia Water Quality Improvement Fund; grant for wastewater conveyance facility, etc.</p>	<p>1/1/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 1/16/2019 House: Subcommittee recommends reporting with amendment (9-Y 1-N) 1/16/2019 House: Subcommittee recommends referring to Committee on Appropriations 1/16/2019 House: Reported from HAG with amendment (22-Y 0-N) 1/16/2019 House: Referred to Committee on Appropriations 1/23/2019 House: Subcommittee recommends reporting (7-Y 0-N) 1/30/2019 House: Reported from Appropriations (22-Y 0-N) 2/5/2019 House: Read third time and passed House (99-Y 0-N) 2/6/2019 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/14/2019 Senate: Reported from Agriculture, Conservation and Natural Resources (14-Y 0-N)</p>	<p>1/22/2019</p>
<p>Support (19103598D) Summary: Virginia Water Quality Improvement Fund; grant for wastewater conveyance facility; estimates of future funding requests; Stormwater Local Assistance Fund. Authorizes the Director of the Department of Environmental Quality (the Department) to authorize grants from the Virginia Water Quality Improvement Fund (the Fund) for the installation of certain wastewater conveyance infrastructure. Any such infrastructure shall (i) divert wastewater from one publicly owned treatment works that is eligible for grant funding to another such eligible treatment works; (ii) divert wastewater to a receiving treatment works that is capable of achieving compliance with its nutrient reduction or ammonia control discharge requirements and that results in a net reduction in total phosphorus, total nitrogen, or nitrogen-containing ammonia discharges; and (iii) result in no more expense to the Fund than would otherwise be incurred to install eligible nutrient removal technology or other treatment technology at the treatment works from which the wastewater will be diverted.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1870</u> - Sickles (43) Certificate of public need; nursing homes and hospitals, disaster exemption.</p>	<p>1/3/2019 House: Referred to Committee on Health, Welfare and Institutions 1/24/2019 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 1/30/2019 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 1/30/2019 House: Reconsideration of passage agreed to by House 1/30/2019 House: Passed House BLOCK VOTE (99-Y 0-N) 1/31/2019 Senate: Referred to Committee on Education and Health 2/7/2019 Senate: Reported from Education and Health (15-Y 0-N) 2/11/2019 Senate: Passed Senate (40-Y 0-N) 2/13/2019 House: Enrolled 2/13/2019 House: Signed by Speaker 2/14/2019 Senate: Signed by President 2/15/2019 House: Enrolled Bill communicated to Governor on February 15, 2019 2/15/2019 Governor: Governor's Action Deadline Midnight, February 22, 2019</p>	<p>1/22/2019</p>
<p>Support (19101516D) - See also HB 2451 (Bell, Richard P.) and SB 1277 (Barker). Summary: Certificate of public need; hospitals and nursing homes; disaster exemption; regulations. Provides for a 30-day exemption from the requirement to obtain a certificate of public need for an increase in the total number of beds in existing hospitals or nursing homes if the State Health Commissioner has determined that a natural or man-made disaster has caused the evacuation of a hospital or nursing home and that a public health emergency exists due to a shortage of hospital or nursing home beds. The Board of Health shall adopt regulations for this exemption. This bill is identical to SB 1277.</p>		
<p><u>HB 1871</u> - Jones (89) Virginia Initiative for Employment Not Welfare (VIEW); transitional child care.</p>	<p>1/3/2019 House: Referred to Committee on Health, Welfare and Institutions 1/17/2019 House: Subcommittee recommends reporting (10-Y 0-N) 1/17/2019 House: Subcommittee recommends referring to Committee on Appropriations 1/22/2019 House: Reported from Health, Welfare and Institutions (21-Y 0-N) 1/22/2019 House: Referred to Committee on Appropriations 1/28/2019 House: Subcommittee recommends reporting (8-Y 0-N) 1/30/2019 House: Reported from Appropriations (22-Y 0-N) 2/5/2019 House: Read third time and passed House (86-Y 11-N) 2/6/2019 Senate: Referred to Committee on Rehabilitation and Social Services 2/8/2019 Senate: Reported from Rehabilitation and Social Services (14-Y 1-N) 2/12/2019 Senate: Passed Senate (38-Y 1-N) 2/14/2019 House: Enrolled 2/14/2019 House: Signed by Speaker 2/14/2019 Senate: Signed by President</p>	<p>1/22/2019</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (19101902D) Summary: Allows VIEW participants whose Temporary Assistance for Needy Families financial assistance is terminated to receive child care assistance for up to 12 months after termination if the individual is enrolled in an accredited public institution of higher education or other postsecondary school licensed or certified by the Board of Education or the State Council of Higher Education for Virginia and is taking courses as part of a curriculum that leads to a postsecondary credential, such as a degree or an industry-recognized credential, certification, or license. Under current law, such child care assistance is only available if it enables the individual to work.</p>		
<p><u>HB 1914</u> - Herring (46) Public health practitioners; requirements for issuing prescriptions, exceptions.</p>	<p>1/4/2019 House: Referred to Committee on Health, Welfare and Institutions 1/17/2019 House: Subcommittee recommends reporting (10-Y 0-N) 1/22/2019 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 1/28/2019 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 1/29/2019 Senate: Referred to Committee on Education and Health 2/14/2019 Senate: Reported from Education and Health (15-Y 0-N)</p>	<p>1/22/2019</p>
<p>Support (19101794D) Summary: Requirements for issuing prescriptions; exceptions for public health practitioners. Authorizes practitioners contracted by the Department of Health and practitioners employed or contracted by a local health department to prescribe antibiotic therapy to the sexual partner of a patient diagnosed with a sexually transmitted disease without the physical examination normally required. Under current law, only employees of the Department of Health are so authorized. Additionally, the bill authorizes a practitioner, who is an employee of or contracted by the Department of Health or a local health department, to prescribe Schedule VI antibiotics and antiviral agents to other persons in close contact with a diagnosed patient without a bona-fide practitioner-patient relationship with the diagnosed patient when emergency treatment is necessary to prevent imminent risk of death, life-threatening illness, or serious disability.</p>		
<p><u>HB 2017</u> - Peace (97) Auxiliary grants; supportive housing.</p>	<p>1/7/2019 House: Referred to Committee on Health, Welfare and Institutions 1/15/2019 House: Subcommittee recommends reporting (10-Y 0-N) 1/17/2019 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 1/21/2019 House: Referred to Committee on Appropriations 1/28/2019 House: Subcommittee recommends reporting with amendment (8-Y 0-N) 1/30/2019 House: Reported from Appropriations with amendment (22-Y 0-N) 2/5/2019 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)</p>	<p>1/22/2019</p>

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Bills	General Assembly Actions	Date of BOS Position
	2/6/2019 Senate: Referred to Committee on Rehabilitation and Social Services 2/8/2019 Senate: Reported from Rehabilitation and Social Services (15-Y 0-N) 2/12/2019 Senate: Passed Senate with amendment (40-Y 0-N) 2/14/2019 House: Senate amendment rejected by House (1-Y 97-N)	
<p>Support (19102319D) Summary: Allows individuals receiving auxiliary grants to select supportive housing without any requirement that such individuals wait until their first or any subsequent annual reassessment to make such selection. The bill directs the Commissioner for Aging and Rehabilitative Services to (i) promulgate regulations to implement the provisions of the bill within 180 days of its enactment and (ii) develop guidance documents for implementation of the provisions of the bill no later than February 1, 2020. The bill establishes that the number of auxiliary grant recipients in the supportive housing setting shall not exceed 60.</p>		
<p>HB 2019 - Murphy (34) Residential real property; required disclosures of stormwater management facilities.</p>	1/7/2019 House: Referred to Committee on General Laws 1/29/2019 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 1/31/2019 House: Reported from General Laws with substitute (21-Y 0-N) 2/5/2019 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/6/2019 Senate: Referred to Committee on General Laws and Technology	<p>1/22/2019</p>
<p>Support (19101112D) Summary: Residential real property; required disclosures; stormwater management facilities. Provides that the owner of residential real property under the Virginia Residential Property Disclosure Act must include in the residential property disclosure statement provided to a potential purchaser of residential property a statement that the owner makes no representations with respect to the existence or recordation of any maintenance agreement for any stormwater detention facilities on the property, and that advises the potential purchaser to take whatever due diligence steps they deem necessary to determine the presence of any such facilities or agreements, such as contacting his settlement provider, consulting the locality in which the property is located, or reviewing any survey of the property that may have been conducted. The bill also requires the Common Interest Community Board to include notice that regular annual or special assessments paid by the owner to the association may be used for the construction or maintenance of stormwater management facilities in the form that accompanies association disclosure packets that are required to be provided to all prospective purchasers of lots located within a development that is subject to the Virginia Property Owners' Association Act and resale certificates provided to purchasers of units located in a condominium that is subject to the Condominium Act.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 2033</u> - Murphy (34) Turns into or out of certain residential areas; resident permits.</p>	<p>1/7/2019 House: Referred to Committee on Counties, Cities and Towns 1/30/2019 House: Subcommittee recommends reporting (8-Y 0-N) 2/1/2019 House: Reported from Counties, Cities and Towns (22-Y 0-N) 2/5/2019 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/6/2019 Senate: Referred to Committee on Local Government 2/12/2019 Senate: Reported from Local Government (11-Y 1-N) 2/15/2019 Senate: Passed Senate (32-Y 7-N)</p>	<p>1/22/2019</p>
<p>Support (1910114D) - Board has historically supported. Summary: Allows counties that operate under the urban county executive form of government (Fairfax County) by ordinance to develop a program to issue permits or stickers to residents of a designated area that will allow such residents to make turns into or out of the designated area during certain times of day where such turns would otherwise be restricted.</p>		
<p><u>HB 2158</u> - Plum (36) Naloxone; expands list of individuals who may dispense.</p>	<p>1/8/2019 House: Referred to Committee on Health, Welfare and Institutions 1/23/2019 House: Subcommittee recommends reporting with substitute (10-Y 0-N) 1/29/2019 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 2/4/2019 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 2/4/2019 House: Reconsideration of passage agreed to by House 2/4/2019 House: Passed House BLOCK VOTE (99-Y 0-N) 2/5/2019 Senate: Referred to Committee on Education and Health 2/7/2019 Senate: Reported from Education and Health (15-Y 0-N) 2/11/2019 Senate: Passed Senate (40-Y 0-N) 2/14/2019 House: Enrolled 2/14/2019 House: Signed by Speaker 2/15/2019 Senate: Signed by President</p>	<p>2/5/2019</p>
<p>Support (19104132D) Summary: Dispensing of naloxone. Expands the list of individuals who may dispense naloxone pursuant to a standing order to include health care providers providing services in hospital emergency departments and emergency medical services personnel and eliminates certain requirements as set out in the bill. The bill establishes requirements for the dispensing of naloxone in an injectable formulation with a hypodermic needle or syringe. The bill also allows a person who dispenses naloxone on behalf of an organization to charge a fee for the dispensing of naloxone, provided that the fee is no greater than the cost to the organization of obtaining the naloxone dispensed.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 2342</u> - Thomas, Jr. (28) Conditional rezoning proffers; extensive changes to conditional zoning provisions.</p>	<p>1/8/2019 House: Referred to Committee on Counties, Cities and Towns 1/16/2019 House: Subcommittee recommends reporting with substitute (6-Y 1-N) 1/18/2019 House: Reported from Counties, Cities and Towns with substitute (18-Y 2-N) 1/24/2019 House: Read third time and passed House (90-Y 7-N) 1/25/2019 Senate: Referred to Committee on Local Government 2/12/2019 Senate: Reported from Local Government (11-Y 1-N) 2/15/2019 Senate: Passed Senate (28-Y 10-N 1-A)</p>	<p>1/22/2019</p>
<p>Support (19104992D-H1) - See also SB 1373 (Favola). Summary: Conditional rezoning proffers. Makes extensive changes to conditional zoning provisions first enacted in 2016. Specific amendments include the addition of provisions stating that no local governing body shall require any unreasonable proffer, as described in current law. Under current law, no locality may request or accept any unreasonable proffer. Other changes (i) allow an applicant to submit any onsite or offsite proffer that the applicant deems reasonable and appropriate, as conclusively evidenced by the signed proffers, and (ii) state that nothing in the bill shall be deemed or interpreted to prohibit communications between an applicant or owner and the locality or to prohibit presentation, analysis, or discussion of the potential impacts of new residential development or other new residential use on the locality's public facilities. The provisions of the bill are effective as to any application for a rezoning filed on or after July 1, 2019, or for a proffer condition amendment amending a rezoning that was filed on or after July 1, 2019, or to certain other pending applications. The bill also provides that an applicant with a pending rezoning application for a rezoning or proffer condition amendment that was filed prior to July 1, 2016, may continue to proceed under the law as it existed prior to that date, and an applicant with a pending rezoning application filed on or after July 1, 2016, but before July 1, 2019, or proffer condition amendment application amending a rezoning for which the application was filed on or after July 1, 2016, but before July 1, 2019, may continue to proceed under the law as it existed during that period.</p>		
<p><u>HB 2344</u> - Bell (58) Motor Vehicles, Department of; records released to certain private vendors.</p>	<p>1/8/2019 House: Referred to Committee for Courts of Justice 1/23/2019 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 1/25/2019 House: Reported from Courts of Justice with substitute (16-Y 0-N) 1/31/2019 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/1/2019 Senate: Referred to Committee on Transportation 2/13/2019 Senate: Reported from Transportation with amendments (13-Y 0-N)</p>	<p>1/22/2019</p>
<p>Support (19102619D) Summary: Department of Motor Vehicle records; certain private vendors; penalty. Requires the Department of Motor Vehicles to release certain vehicle owner data, upon request, to a private vendor operating a video-monitoring system on or in a school bus. The bill limits how such data can be used and stored and provides that any person who unlawfully discloses such data is subject to a civil penalty of \$1,000 for each disclosure.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 2528</u> - Hugo (40) Felony homicide; certain drug offenses, penalty.</p>	<p>1/9/2019 House: Referred to Committee for Courts of Justice 1/30/2019 House: Subcommittee recommends reporting (8-Y 0-N) 2/1/2019 House: Reported from Courts of Justice (14-Y 4-N) 2/5/2019 House: Read third time and passed House (75-Y 24-N) 2/6/2019 Senate: Referred to Committee for Courts of Justice 2/11/2019 Senate: Reported from Courts of Justice with substitute (15-Y 0-N) 2/11/2019 Senate: Re-referred to Finance</p>	<p>2/5/2019</p>
<p>Support (19101005D) - Board has historically supported. 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 2553</u> - Thomas, Jr. (28) Mass transit providers; supplemental operating funds.</p>	<p>1/9/2019 House: Referred to Committee on Rules 1/18/2019 House: Referred from Rules by voice vote 1/18/2019 House: Referred to Committee on Appropriations 1/28/2019 House: Subcommittee recommends reporting with amendment (8-Y 0-N) 1/30/2019 House: Reported from Appropriations with amendment (22-Y 0-N) 2/5/2019 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/6/2019 Senate: Referred to Committee on Transportation 2/13/2019 Senate: Reported from Transportation with substitute (13-Y 0-N) 2/13/2019 Senate: Re-referred to Finance</p>	<p>1/22/2019</p>
<p>Support (19104021D) - See also SB 1680 (Mason). Summary: Mass transit providers; loss of certain operating funds. Provides that any mass transit provider that receives funds from the Commonwealth Mass Transit Fund and that incurs a loss in operating funds as a direct result of the performance-based allocation process set forth in Chapter 854 of the Acts of Assembly of 2018 shall be eligible for supplemental funds. The total amount of supplemental funds available shall not exceed \$3 million.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 2560</u> - Pillion (4) Protective services; adult abuse and exploitation, multidisciplinary teams.</p>	<p>1/9/2019 House: Referred to Committee on Health, Welfare and Institutions 1/23/2019 House: Subcommittee recommends reporting with substitute (10-Y 0-N) 1/29/2019 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 2/4/2019 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 2/4/2019 House: Reconsideration of passage agreed to by House 2/4/2019 House: Passed House BLOCK VOTE (99-Y 0-N) 2/5/2019 Senate: Referred to Committee on Rehabilitation and Social Services 2/8/2019 Senate: Reported from Rehabilitation and Social Services (15-Y 0-N) 2/12/2019 Senate: Passed Senate (40-Y 0-N) 2/14/2019 House: Enrolled 2/14/2019 House: Signed by Speaker 2/14/2019 Senate: Signed by President</p>	<p>[2/8/2019]</p>
<p>[Support] (19105283D-H1) Summary: Protective services; adult abuse, neglect, and exploitation; multidisciplinary teams. Authorizes local departments of social services to foster, when practicable, the creation, maintenance, and coordination of hospital and community-based multidisciplinary teams focused on the abuse and exploitation of adults 60 years of age or older or 18 years of age or older who are physically or mentally incapacitated. The bill provides that such teams may: (i) assist the local department of social services in identifying abused, neglected, and exploited adults; (ii) coordinate medical, social, and legal services for abused, neglected, and exploited adults and their families; (iii) develop innovative programs for detection and prevention of the abuse, neglect, and exploitation of adults; (iv) promote community awareness and action to address adult abuse, neglect, and exploitation; and (v) disseminate information to the general public regarding the problem of adult abuse, neglect, and exploitation, strategies and methods for preventing such abuse, and treatment options for abused, neglected, and exploited adults. The bill also allows the attorney for the Commonwealth in each jurisdiction to establish a multidisciplinary adult abuse, neglect, and exploitation response team to review cases of abuse, neglect, and exploitation of adults. Such multidisciplinary team may be established separately or in conjunction with any already existing multidisciplinary team.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 2752</u> - Pillion (4) Motorized skateboards or scooters; clarifies definition, local authority.</p>	<p>1/17/2019 House: Referred to Committee on Transportation 1/22/2019 House: Subcommittee recommends reporting with substitute (7-Y 3-N) 1/29/2019 House: Reported from Transportation with substitute (22-Y 0-N) 2/4/2019 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 2/4/2019 House: Reconsideration of passage agreed to by House 2/4/2019 House: Passed House BLOCK VOTE (99-Y 0-N) 2/5/2019 Senate: Referred to Committee on Transportation 2/13/2019 Senate: Reported from Transportation (11-Y 0-N)</p>	<p>2/5/2019</p>
<p>Support (19105484D) Summary: Motorized skateboards or scooters; operation; local authority. Authorizes localities to regulate the operation of companies providing motorized skateboards or scooters for hire. The bill changes the definition of motorized skateboard or scooter by (i) removing the requirement that such device have no seat and requiring that the device be designed to allow a person to stand or sit, (ii) removing the maximum power limits for such device and providing that the device may be powered in whole or in part by an electric motor, (iii) providing that the device has a speed of no more than 20 miles per hour, and (iv) providing that such device weighs less than 100 pounds. The bill makes consistent the operational requirements for motorized skateboards or scooters and similar devices, including (a) allowing motorized skateboards and scooters to be driven on sidewalks, (b) requiring motorized skateboards and scooters driven on a roadway to be driven as close to the right curb as is safely practicable, (c) prohibiting the operation of motorized skateboards or scooters on any Interstate Highway System component, and (d) requiring operators of motorized skateboards and scooters to give hand signals and have lights on such device. The bill prohibits operating a motorized skateboard or scooter at a speed faster than 20 miles per hour. Certain provisions of this bill have a delayed effective date of January 1, 2020.</p>		
<p><u>HB 2790</u> - Rush (7) Absentee voting; no-excuse in-person available beginning on 2nd Saturday immediately preceding election.</p>	<p>1/18/2019 House: Referred to Committee on Privileges and Elections (HPE) 1/29/2019 House: Subcommittee recommends reporting (6-Y 0-N) 2/1/2019 House: Reported from HPE with amendment (20-Y 2-N) 2/5/2019 House: Read third time and passed House (89-Y 10-N) 2/6/2019 Senate: Referred to Committee on Privileges and Elections 2/12/2019 Senate: Reported from Privileges and Elections with amendments (12-Y 2-N) 2/12/2019 Senate: Re-referred to Finance</p>	<p>[2/8/2019]</p>
<p>[Support] (As Amended by SPE) - Support allowing time for the Department of Elections and stakeholders to prepare to implement the bill for the November 3, 2020, general election. [Support with Amendment] (19102828D E) - Support with amendment to allow time for the Department of Elections and stakeholders to prepare to implement the bill for the November 3, 2020, general election. Summary: Absentee voting; no-excuse in-person available beginning on second Saturday immediately preceding election. Allows for any registered voter to vote by absentee ballot in person beginning on the second Saturday immediately preceding 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 second Saturday immediately preceding the election, including the application requirement and the list of statutory reasons for absentee voting.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 2792</u> - Tran (42) Electric utilities; municipal net energy metering.</p>	<p>1/18/2019 House: Referred to Committee on Commerce and Labor 1/24/2019 House: Subcommittee recommends reporting with substitute (10-Y 0-N) 1/31/2019 House: Reported from Commerce and Labor with substitute (19-Y 2-N) 2/5/2019 House: Read third time and passed House (78-Y 21-N) 2/6/2019 Senate: Referred to Committee on Commerce and Labor 2/11/2019 Senate: Reported from Commerce and Labor (13-Y 0-N) 2/14/2019 Senate: Passed Senate (39-Y 1-N)</p>	<p>2/5/2019</p>
<p>Support with Amendment (19104713D) - Support with amendment to allow the use of power purchase agreements in the pilot program, which is essential for Fairfax County to pursue net metering projects. Summary: Directs the State Corporation Commission to establish a pilot program that affords the opportunity for any locality to participate in net energy metering if it is a retail customer of a certain type of investor-owned electric utility. In order to qualify for the program, the locality is required to own and operate a renewable generating facility with a generating capacity of not more than two megawatts that is located on the municipality's premises and is intended primarily to offset all or part of the locality's own electricity requirements. Under the pilot program, a municipal customer-generator that generates electricity in amounts that exceed the amount of electricity consumed by the municipal customer-generator, determined annually, to credit one or more of the municipality's target metered accounts in order that the generation energy charges on the electric bills of the target's metered accounts are reduced by the amount of excess generation kilowatt hours apportioned to the metered account multiplied by the applicable generation energy rate of the target's accounts. In Appalachian Power's service territory, metered accounts of the public school division of a locality may be target accounts. The amount of generating capacity of all generating facilities that are the subject of a pilot program are limited to (i) five megawatts if Appalachian Power is the pilot program utility, though the utility may increase the amount to up to 10 megawatts or (ii) 25 megawatts if Dominion Power is the pilot program utility. Such aggregated capacities of the generation facilities that are the subject of a pilot program constitute a portion of the existing limit of the utility's adjusted Virginia peak-load forecast of the previous year that is available to municipal customer-generators, eligible customer-generators, eligible agricultural customer-generators, and small agricultural generators in the utility's service area. The duration of the pilot program is six years.</p>		
<p><u>HB 2805</u> - LaRock (33) Parking; access aisles adjacent to parking spaces reserved for persons with disabilities.</p>	<p>1/18/2019 House: Referred to Committee on Transportation 1/29/2019 House: Subcommittee recommends reporting (10-Y 0-N) 1/31/2019 House: Reported from Transportation (22-Y 0-N) 2/5/2019 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/6/2019 Senate: Referred to Committee on Transportation 2/13/2019 Senate: Reported from Transportation (11-Y 0-N)</p>	<p>[2/8/2019]</p>
<p>[Support] (19103221D) Summary: Prohibits parking any vehicle in any striped access aisle adjacent to a parking space reserved for persons with disabilities.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 998 - Ebbin (30) Public employment; prohibits discrimination on basis of sexual orientation or gender identity.</p>	<p>7/16/2018 Senate: Referred to Committee on General Laws and Technology 1/14/2019 Senate: Reported from General Laws and Technology (11-Y 3-N) 1/18/2019 Senate: Read third time and passed Senate (28-Y 12-N) 1/22/2019 House: Referred to Committee on Rules 2/12/2019 House: Referred from Rules by voice vote 2/12/2019 House: Referred to Committee on General Laws</p>	<p>1/22/2019</p>
<p>Support (19100117D) - 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 1013 - Stanley, Jr. (20) Driver's license; suspension for nonpayment of fines or costs.</p>	<p>8/3/2018 Senate: Referred to Committee for Courts of Justice 1/14/2019 Senate: Incorporates SB 1310 (Edwards) 1/14/2019 Senate: Incorporates SB 1612 (Ebbin) 1/14/2019 Senate: Reported from Courts of Justice with substitute (13-Y 0-N 1-A) 1/14/2019 Senate: Re-referred to Finance 1/22/2019 Senate: Reported from Finance with amendment (15-Y 1-N) 1/25/2019 Senate: Read third time and passed Senate (36-Y 4-N) 1/29/2019 House: Referred to Committee for Courts of Justice 2/11/2019 House: Subcommittee recommends passing by indefinitely (4-Y 3-N)</p>	<p>[2/8/2019]</p>
<p>[Support] (19104813D-ES1) - Board has historically supported concept of alternatives to driver's license suspension to address non-payment of court fines and costs. Summary: Suspension of driver's license for nonpayment of fines or costs. Repeals the requirement that the driver's license of a person convicted of any violation of the law who fails or refuses to provide for immediate payment of fines or costs be suspended. The bill also removes a provision allowing the court to require a defendant to present a summary prepared by the Department of Motor Vehicles of the other courts in which the defendant also owes fines and costs. The bill requires the Commissioner of the Department of Motor Vehicles to return or reinstate any person's driver's license that was suspended prior to July 1, 2019, solely for nonpayment of fines or costs, provided that such person has paid the applicable reinstatement fee. The provisions of the bill are contingent upon funding in a general appropriation act. This bill incorporates SB 1310 and SB 1612.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1026</u> - Spruill, Sr. (5) Absentee voting; no-excuse in-person available beginning on 2nd Saturday immediately preceding election.</p>	<p>10/17/2018 Senate: Referred to Committee on Privileges and Elections 1/29/2019 Senate: Incorporates SB 1035 (Locke) 1/29/2019 Senate: Incorporates SB 1075 (Howell) 1/29/2019 Senate: Incorporates SB 1198 (Dance) 1/29/2019 Senate: Reported from Privileges and Elections with substitute (14-Y 0-N) 2/4/2019 Senate: Read third time and passed Senate (40-Y 0-N) 2/6/2019 House: Referred to Committee on Privileges and Elections 2/12/2019 House: Subcommittee recommends reporting (6-Y 0-N) 2/15/2019 House: Reported from Privileges and Elections with amendments (18-Y 4-N)</p>	<p>[2/8/2019] 1/22/2019</p>
<p>[Support] (19106127D-S1) - Support allowing time for the Department of Elections and stakeholders to prepare to implement the bill for the November 3, 2020, general election. Support (19100137D) – Board has historically supported. See also HB 1641 (Herring), SB 1035 (Locke), and SB 1672 (Locke). Summary: Absentee voting; no-excuse in-person available beginning on second Saturday immediately preceding election. Allows for any registered voter to vote by absentee ballot in person beginning on the second Saturday immediately preceding 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 second Saturday immediately preceding the election, including the application requirement and the list of statutory reasons for absentee voting. The provisions of the bill do not become effective until the November 3, 2020, general election, and the State Board of Elections is required to submit a report on the procedures and instructions it promulgates for conducting absentee voting pursuant to the provisions of the bill.</p>		
<p><u>SB 1073</u> - Marsden (37) Motor vehicles; removal from roadway when involved in an accident on HOT lane on I-66 .</p>	<p>12/13/2018 Senate: Referred to Committee on Transportation 1/16/2019 Senate: Reported from Transportation (9-Y 0-N 1-A) 1/22/2019 Senate: Read third time and passed Senate (40-Y 0-N) 1/24/2019 House: Referred to Committee on Transportation 2/6/2019 House: Subcommittee recommends reporting with amendments (6-Y 0-N) 2/12/2019 House: Reported from Transportation with amendments (22-Y 0-N) 2/13/2019 House: Passed House with amendments BLOCK VOTE (98-Y 0-N) 2/13/2019 Senate: House amendments agreed to by Senate (37-Y 0-N)</p>	<p>1/22/2019</p>
<p>Support (19101626D) Summary: Removing motor vehicles from roadway. Requires the driver of a motor vehicle involved in an accident on a high occupancy toll (HOT) lane that is under construction on Interstate 66 to move such motor vehicle to the nearest pull-off area if the driver can safely do so, the vehicle is movable, and there are no injuries or deaths resulting from the accident. The bill provides that such requirement will expire upon the certification by the Secretary of Transportation that the HOT lane construction on I-66 is complete.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 1104 - Peake (22) Community policy and management teams; use of funds.</p>	<p>12/21/2018 Senate: Referred to Committee on Finance 1/29/2019 Senate: Reported from Finance with substitute (16-Y 0-N) 2/1/2019 Senate: Read third time and passed Senate (40-Y 0-N) 2/6/2019 House: Referred to Committee on Appropriations 2/12/2019 House: Subcommittee recommends passing by indefinitely (8-Y 0-N)</p>	<p>[2/8/2019]</p>
<p>[Support] (19106004D-S1) Summary: Provides that the state pool of funds for community policy and management teams may be used for wrap-around services, as defined in the Policy Manual of the Children's Services Act and subject to specific appropriation, that are provided in a public school setting. The bill requires the Office of Children's Services to report annually to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance regarding the use of wrap-around services in public school settings.</p>		
<p>SB 1121 - Petersen (34) Judges; maximum number in nineteenth judicial district.</p>	<p>12/26/2018 Senate: Referred to Committee for Courts of Justice 1/14/2019 Senate: Reported from Courts of Justice (13-Y 0-N) 1/17/2019 Senate: Read third time and passed Senate (40-Y 0-N) 1/21/2019 House: Referred to Committee for Courts of Justice 2/11/2019 House: Reported from Courts of Justice (18-Y 0-N) 2/11/2019 House: Referred to Committee on Appropriations 2/14/2019 House: Subcommittee recommends passing by indefinitely (4-Y 2-N)</p>	<p>1/22/2019</p>
<p>Support (19102862D) - See also HB 2510 (Hugo). Summary: Maximum number of judges in each judicial district. Increases from 11 to 12 the maximum number of authorized general district court judgeships in the nineteenth judicial district. This bill is a recommendation of the Committee on District Courts.</p>		
<p>SB 1129 - Locke (2) Food stamps and TANF; eligibility, drug-related felonies.</p>	<p>12/29/2018 Senate: Referred to Committee on Rehabilitation and Social Services 1/25/2019 Senate: Reported from Rehabilitation and Social Services with substitute (12-Y 1-N 1-A) 1/25/2019 Senate: Re-referred to Finance 1/29/2019 Senate: Reported from Finance with amendment (16-Y 0-N) 2/1/2019 Senate: Read third time and passed Senate (40-Y 0-N) 2/1/2019 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) 2/1/2019 Senate: Passed Senate (21-Y 19-N) 2/6/2019 House: Referred to Committee on Appropriations 2/11/2019 House: Reported from Appropriations with substitute (22-Y 0-N) 2/13/2019 House: Motion to refer to committee agreed to (50-Y 45-N) 2/13/2019 House: Referred to Committee for Courts of Justice</p>	<p>1/22/2019</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (19102418D) - Board has historically supported. See also HB 1891 (James). Summary: Eligibility for food stamps and TANF; drug-related felonies. Provides that a person who is otherwise eligible to receive food stamp benefits or Temporary Assistance for Needy Families shall not be denied such assistance solely because he has been convicted of any drug-related felony, provided that such person is complying with, or has already complied with, all obligations imposed by the criminal court, is actively engaged in or has completed a substance abuse treatment program, participates in periodic drug screenings, and fulfills any other obligations as determined by the Department of Social Services. Under current law, such individuals may not be denied food stamp benefits based on a felony conviction of possession of a controlled substance. The provisions of the bill are contingent on funding in a general appropriation act.</p>		
<p>SB 1135 - Favola (31) Community Living Waiver wait list; child identified as having a developmental disability.</p>	<p>12/30/2018 Senate: Referred to Committee on Rehabilitation and Social Services 1/25/2019 Senate: Reported from Rehabilitation and Social Services with substitute (14-Y 0-N) 1/30/2019 Senate: Read third time and passed Senate (40-Y 0-N) 2/4/2019 House: Referred to Committee on Health, Welfare and Institutions 2/7/2019 House: Reported from Health, Welfare and Institutions with amendment (22-Y 0-N) 2/11/2019 House: Passed House with amendment BLOCK VOTE (99-Y 0-N) 2/13/2019 Senate: House amendment agreed to by Senate (39-Y 0-N)</p>	<p>1/22/2019</p>
<p>Support (19102930D) Summary: Local departments of social services; foster care; notice of developmental disability. Directs local departments of social services to notify the appropriate community services board as soon as it is known that a child in the foster care system has a developmental disability so that the community services board may screen the child for placement on the Family and Individual Supports waiver waiting list.</p>		
<p>SB 1145 - Favola (31) Virginia Initiative for Employment Not Welfare (VIEW); transitional child care.</p>	<p>12/31/2018 Senate: Referred to Committee on Rehabilitation and Social Services 1/25/2019 Senate: Reported from Rehabilitation and Social Services (12-Y 1-N 1-A) 1/25/2019 Senate: Re-referred to Finance 1/29/2019 Senate: Reported from Finance (16-Y 0-N) 2/1/2019 Senate: Read third time and passed Senate (38-Y 1-N 1-A) 2/6/2019 House: Referred to Committee on Health, Welfare and Institutions 2/12/2019 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 2/13/2019 House: Passed House (85-Y 12-N)</p>	<p>1/22/2019</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (19101901D) Summary: Allows VIEW participants whose Temporary Assistance for Needy Families financial assistance is terminated to receive child care assistance for up to 12 months after termination if the individual is enrolled in an accredited public institution of higher education or other postsecondary school licensed or certified by the Board of Education or the State Council of Higher Education for Virginia and is taking courses as part of a curriculum that leads to a postsecondary credential, such as a degree or an industry-recognized credential, certification, or license. Under current law, such child care assistance is only available if it enables the individual to work.</p>		
<p>SB 1224 - Chafin (38) Local multidisciplinary adult abuse, neglect & exploitation response teams; establishment of teams.</p>	<p>1/4/2019 Senate: Referred to Committee on Rehabilitation and Social Services 1/25/2019 Senate: Reported from Rehabilitation and Social Services with substitute (15-Y 0-N) 1/30/2019 Senate: Read third time and passed Senate (40-Y 0-N) 2/4/2019 House: Referred to Committee for Courts of Justice</p>	<p>1/22/2019</p>
<p>Support (19103368D) Summary: Local multidisciplinary elder abuse response teams. Allows the attorney for the Commonwealth in each political subdivision to coordinate the establishment of a multidisciplinary response to elder abuse, neglect, and financial exploitation of incapacitated adults to (i) conduct regular reviews of new and ongoing reports of elder abuse, neglect, and financial exploitation of incapacitated adults and, at the request of any member of the team, conduct reviews of any other reports of elder abuse, neglect, or financial exploitation in the jurisdiction involving an incapacitated or older adult and (ii) establish and review guidelines for the community's response to elder abuse, neglect, and financial exploitation of incapacitated adults.</p>		
<p>SB 1277 - Barker (39) Certificate of public need; nursing homes and hospitals, disaster exemption.</p>	<p>1/7/2019 Senate: Referred to Committee on Education and Health 1/31/2019 Senate: Reported from Education and Health (15-Y 0-N) 2/4/2019 Senate: Passed Senate (40-Y 0-N) 2/6/2019 House: Referred to Committee on Health, Welfare and Institutions 2/12/2019 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 2/13/2019 House: Passed House with substitute BLOCK VOTE (98-Y 0-N)</p>	<p>1/22/2019</p>
<p>Support (19101545D) - See also HB 1870 (Sickles) and HB 2451 (Bell, Richard P.). Summary: Certificate of public need; hospitals and nursing homes; disaster exemption; regulations. Provides for a 30-day exemption from the requirement to obtain a certificate of public need for an increase in the total number of beds in existing hospitals or nursing homes if the State Health Commissioner has determined that a natural or man-made disaster has caused the evacuation of a hospital or nursing home and that a public health emergency exists due to a shortage of hospital or nursing home beds. The Board of Health shall adopt regulations for this exemption. This bill is identical to HB 1870.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1286</u> - Barker (39) Persons with disabilities; auxiliary grants, supportive housing.</p>	<p>1/7/2019 Senate: Referred to Committee on Rehabilitation and Social Services 1/25/2019 Senate: Reported from Rehabilitation and Social Services (15-Y 0-N) 1/25/2019 Senate: Re-referred to Finance 1/29/2019 Senate: Reported from Finance (16-Y 0-N) 2/1/2019 Senate: Read third time and passed Senate (40-Y 0-N) 2/6/2019 House: Referred to Committee on Health, Welfare and Institutions 2/12/2019 House: Reported from Health, Welfare and Institutions with amendments (22-Y 0-N) 2/13/2019 House: Passed House with amendments BLOCK VOTE (98-Y 0-N)</p>	<p>1/22/2019</p>
<p>Support (19102021D) Summary: Persons with disabilities; auxiliary grants; supportive housing. Clarifies language surrounding receipt of auxiliary grants by individuals living in supportive housing and increases the maximum number of auxiliary grant recipients in supportive housing from 60 to 120.</p>		
<p><u>SB 1301</u> - Edwards (21) Private collectors; delinquent taxes and other charges.</p>	<p>1/7/2019 Senate: Referred to Committee on Finance 1/16/2019 Senate: Passed by indefinitely in Finance (10-Y 6-N) 1/22/2019 Senate: Reconsidered by Finance 1/23/2019 Senate: Reported from Finance (9-Y 7-N) 1/28/2019 Senate: Read third time and passed Senate (22-Y 16-N) 1/30/2019 House: Referred to Committee on Finance 2/6/2019 House: Subcommittee recommends reporting (7-Y 0-N) 2/11/2019 House: Reported from Finance (20-Y 1-N) 2/14/2019 House: Passed House (79-Y 19-N)</p>	<p>[2/8/2019]</p>
<p>[Support] (19102375D) - Board has historically supported concept. Summary: Allows a local treasurer to employ private collections agents to assist with the collection of delinquent amounts due other than delinquent local taxes. Current law allows only for the collection of delinquent taxes by private collections agents.</p>		
<p><u>SB 1323</u> - Hanger, Jr. (24) Capital outlay plan; updates six-year plan for projects.</p>	<p>1/7/2019 Senate: Referred to Committee on Finance 1/15/2019 Senate: Reported from Finance with amendments (15-Y 1-N) 1/18/2019 Senate: Read third time and passed Senate (40-Y 0-N) 1/22/2019 House: Referred to Committee on Appropriations</p>	<p>1/22/2019</p>
<p>Support (19103643D-E) - The County supports funding for a Northern Virginia regional science center which is included in the capital outlay plan. Summary: Capital outlay plan. Updates the six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1373</u> - Favola (31) Conditional rezoning proffers; extensive changes to conditional zoning provisions.</p>	<p>1/8/2019 Senate: Referred to Committee on Local Government 1/15/2019 Senate: Incorporates SB 1524 (Black) 1/15/2019 Senate: Reported from Local Government with substitute (11-Y 2-N) 1/21/2019 Senate: Read third time and passed Senate (29-Y 10-N 1-A) 1/24/2019 House: Referred to Committee on Counties, Cities and Towns 2/8/2019 House: Reported from Counties, Cities and Towns (20-Y 2-N) 2/11/2019 House: Passed House (92-Y 7-N) 2/12/2019 Senate: Enrolled 2/12/2019 House: Signed by Speaker 2/13/2019 Senate: Signed by President 2/14/2019 Senate: Enrolled Bill Communicated to Governor on February 14, 2019 2/14/2019 Governor: Governor's Action Deadline Midnight, February 21, 2019</p>	<p>1/22/2019</p>

Support (19104977D-S1) - See also HB 2342 (Thomas).

Summary: Conditional rezoning proffers. Makes extensive changes to conditional zoning provisions first enacted in 2016. Specific amendments include the addition of provisions stating that no local governing body shall require any unreasonable proffer, as described in current law. Under current law, no locality may request or accept any unreasonable proffer. Other changes (i) allow an applicant to submit any onsite or offsite proffer that the applicant deems reasonable and appropriate, as conclusively evidenced by the signed proffers, and (ii) state that nothing in the bill shall be deemed or interpreted to prohibit communications between an applicant or owner and the locality or to prohibit presentation, analysis, or discussion of the potential impacts of new residential development or other new residential use on the locality's public facilities. The provisions of the bill are effective as to any application for a rezoning filed on or after July 1, 2019, or for a proffer condition amendment amending a rezoning that was filed on or after July 1, 2019, or to certain other pending applications. The bill also provides that an applicant with a pending rezoning application for a rezoning or proffer condition amendment that was filed prior to July 1, 2016, may continue to proceed under the law as it existed prior to that date, and an applicant with a pending rezoning application filed on or after July 1, 2016, but before July 1, 2019, or proffer condition amendment application amending a rezoning for which the application was filed on or after July 1, 2016, but before July 1, 2019, may continue to proceed under the law as it existed during that period. This bill incorporates SB 1524.

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 1400 - Petersen (34) C-PACE loans; stormwater management, residential dwellings and condominiums.</p>	<p>1/8/2019 Senate: Referred to Committee on Local Government 1/29/2019 Senate: Reported from Local Government (13-Y 0-N) 2/4/2019 Senate: Read third time and passed Senate (40-Y 0-N) 2/6/2019 House: Referred to Committee on Counties, Cities and Towns 2/13/2019 House: Subcommittee recommends reporting with amendment (8-Y 0-N) 2/15/2019 House: Reported from Counties, Cities and Towns with amendment (21-Y 0-N)</p>	<p>[2/15/2019]</p>
<p>[Support] (19101646D) Summary: C-PACE loans; stormwater management; residential dwellings and condominiums. Authorizes any locality, by ordinance, to authorize contracts to provide loans for the initial acquisition and installation of stormwater management improvements with free and willing property owners of both existing properties and new construction. Current law authorizes such contracts only for clean energy improvements. The bill removes an exclusion for residential dwellings with fewer than five dwelling units and condominium projects from certain requirements related to a voluntary special assessment lien that secures such a loan.</p>		
<p>SB 1405 - Dance (16) Pharmacist; counseling for new prescriptions, disposal of medicine.</p>	<p>1/8/2019 Senate: Referred to Committee on Education and Health 1/17/2019 Senate: Reported from Education and Health (15-Y 0-N) 1/22/2019 Senate: Read third time and passed Senate (40-Y 0-N) 1/24/2019 House: Referred to Committee on Health, Welfare and Institutions 2/7/2019 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 2/11/2019 House: Passed House BLOCK VOTE (99-Y 0-N) 2/12/2019 Senate: Enrolled 2/12/2019 House: Signed by Speaker 2/13/2019 Senate: Signed by President 2/14/2019 Senate: Enrolled Bill Communicated to Governor on February 14, 2019 2/14/2019 Governor: Governor's Action Deadline Midnight, February 21, 2019</p>	<p>2/5/2019</p>
<p>Support (19101424D) - See also HB 1743 (Bulova). Summary: Pharmacist; counseling for new prescriptions; disposal of medicine. Allows a pharmacist to include information regarding the proper disposal of medicine when giving counsel to a person who presents a new prescription for filling. This bill is identical to HB 1743.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1407</u> - Mason (1) Child care providers; fingerprint background checks.</p>	<p>1/8/2019 Senate: Referred to Committee on Rehabilitation and Social Services 2/1/2019 Senate: Reported from Rehabilitation and Social Services with substitute (13-Y 0-N) 2/5/2019 Senate: Passed Senate (40-Y 0-N) 2/8/2019 House: Referred to Committee on Health, Welfare and Institutions 2/12/2019 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 2/13/2019 House: Passed House BLOCK VOTE (98-Y 0-N)</p>	<p>1/22/2019</p>
<p>Support (19101950D) - See also HB 1994 (Price). Summary: Child day programs; fingerprint background checks. Allows local law-enforcement agencies to process and submit requests for national fingerprint background checks for employees and volunteers of child day programs operated by a local government. The bill has a delayed effective date of July 1, 2020.</p>		
<p><u>SB 1439</u> - McClellan (9) Death certificates; medical certification, electronic filing.</p>	<p>1/8/2019 Senate: Referred to Committee on Education and Health 1/17/2019 Senate: Incorporates SB 1493 (Cosgrove) 1/17/2019 Senate: Reported from Education and Health with substitute (15-Y 0-N) 1/22/2019 Senate: Read third time and passed Senate (40-Y 0-N) 1/24/2019 House: Referred to Committee on Health, Welfare and Institutions 2/7/2019 House: Reported from Health, Welfare and Institutions with amendments (22-Y 0-N) 2/11/2019 House: Passed House with amendments BLOCK VOTE (99-Y 0-N) 2/13/2019 Senate: House amendments agreed to by Senate (39-Y 0-N)</p>	<p>2/5/2019</p>
<p>Support (19105238D-S1) Summary: Death certificates; medical certification; electronic filing. Requires the completed medical certification portion of a death certificate to be filed electronically with the State Registrar of Vital Records through the Electronic Death Registration System and provides that, except for under certain circumstances, failure to file a medical certification of death electronically through the Electronic Death Registration System shall constitute grounds for disciplinary action by the Board of Medicine. The bill includes a delayed effective date of January 1, 2020, and a phased-in requirement for registration with the Electronic Death Registration System and electronic filing of medical certifications of death for various categories of health care providers. The bill directs the Department of Health to work with stakeholders to educate and encourage physicians, physician assistants, and nurse practitioners to timely register with and utilize the Electronic Death Registration System.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1468</u> - Black (13) Northern Virginia Transportation Authority; analysis of projects.</p>	<p>1/8/2019 Senate: Referred to Committee on Transportation 1/16/2019 Senate: Reported from Transportation with amendments (10-Y 0-N) 1/22/2019 Senate: Read third time and passed Senate (40-Y 0-N) 1/24/2019 House: Referred to Committee on Transportation 2/6/2019 House: Subcommittee recommends reporting (6-Y 0-N) 2/12/2019 House: Reported from Transportation (21-Y 1-N) 2/12/2019 House: Referred to Committee on Appropriations 2/13/2019 House: Subcommittee recommends reporting (8-Y 0-N)</p>	<p>1/22/2019</p>
<p>Support (19104213D) Summary: Shifts responsibility from the Department of Transportation to the Northern Virginia Transportation Authority for the evaluation and rating of significant transportation projects in and near Planning District 8. The bill also adds administrative and operating expenses to those expenses that can be paid by the Northern Virginia Transportation Authority Fund. Current law provides that administrative expenses be allocated to the component counties and cities of the Authority.</p>		
<p><u>SB 1520</u> - Carrico, Sr. (40) Motor Vehicles, Department of; records released to certain private vendors.</p>	<p>1/8/2019 Senate: Referred to Committee on Transportation 1/30/2019 Senate: Incorporates SB 1476 (Deeds) 1/30/2019 Senate: Reported from Transportation with substitute (13-Y 0-N) 2/4/2019 Senate: Passed Senate (38-Y 1-N) 2/4/2019 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) 2/4/2019 Senate: Passed Senate (38-Y 2-N) 2/6/2019 House: Referred to Committee on Transportation 2/7/2019 House: Referred from Transportation by voice vote 2/7/2019 House: Referred to Committee for Courts of Justice 2/11/2019 House: Subcommittee recommends reporting with amendments (6-Y 0-N) 2/15/2019 House: Reported from Courts of Justice with amendments (17-Y 0-N)</p>	<p>[2/8/2019] 1/22/2019</p>
<p>[Support] (19105659D-S1) Monitor (19103029D) Summary: Department of Motor Vehicle records; certain private vendors; penalty. Requires the Department of Motor Vehicles to release certain vehicle owner data, upon request, to a private vendor operating a video-monitoring system on or in a school bus. The bill limits how such data can be used and stored and provides that it is a Class 1 misdemeanor to violate such limitations.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1553</u> - Surovell (36) Urban county executive form of government; abandoned shopping carts.</p>	<p>1/8/2019 Senate: Referred to Committee on Local Government 1/29/2019 Senate: Reported from Local Government with substitute (8-Y 2-N) 2/4/2019 Senate: Read third time and passed Senate (21-Y 19-N) 2/6/2019 House: Referred to Committee on Counties, Cities and Towns 2/13/2019 House: Subcommittee failed to recommend reporting (4-Y 4-N)</p>	<p>[2/8/2019] 1/22/2019</p>
<p>[Support] (19105516D-S1) - Bill amended to limit enforcement to shopping carts. Support with Amendment (19104083D) — Support with amendment to narrow scope of legislation to improve implementation. Summary: Provides that any county that has adopted the urban county executive form of government (Fairfax County) may, by ordinance, provide that it is unlawful for any person to place, leave, or abandon on any real property in the county, or within specified districts within the county, any shopping cart. The ordinance must provide that any such shopping cart that remains on the real property for a period of seven days after a notice of violation is given to the owner of such shopping cart shall be presumed to be abandoned and subject to being removed from the real property by the county or its agents without further notice. In the event any such shopping cart is so removed, the cost of removal, including the cost of disposal, shall be charged to the owner of the shopping cart.</p>		
<p><u>SB 1559</u> - Lewis, Jr. (6) C-PACE loans; shoreline resiliency improvements.</p>	<p>1/9/2019 Senate: Referred to Committee on Local Government 1/29/2019 Senate: Reported from Local Government with substitute (13-Y 0-N) 2/4/2019 Senate: Read third time and passed Senate (40-Y 0-N) 2/6/2019 House: Referred to Committee on Counties, Cities and Towns 2/13/2019 House: Subcommittee recommends reporting (8-Y 0-N) 2/15/2019 House: Reported from Counties, Cities and Towns (21-Y 0-N)</p>	<p>[2/15/2019]</p>
<p>[Support] (19106110D-S1) Summary: Authorizes any locality, by ordinance, to authorize contracts to provide loans for the initial acquisition and installation of shoreline resiliency improvements, including improvements for the mitigation of flooding or the impacts of flooding or stormwater management improvements with a preference for natural or nature-based features and living shorelines with free and willing property owners of both existing properties and new construction. Current law authorizes such contracts only for clean energy improvements. Such ordinance shall include (i) a minimum and maximum aggregate dollar amount that may be financed with respect to a property and (ii) if a locality or other public body is originating the loan, a maximum aggregate dollar amount that may be financed with respect to loans originated by the locality or other public body.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1575</u> - Ebbin (30) Teacher licensure; certain instructors at higher educational institutions.</p>	<p>1/9/2019 Senate: Referred to Committee on Education and Health 1/31/2019 Senate: Reported from Education and Health with substitute (15-Y 0-N) 2/4/2019 Senate: Passed Senate (40-Y 0-N) 2/6/2019 House: Referred to Committee on Education 2/11/2019 House: Reported from Education with substitute (22-Y 0-N) 2/13/2019 House: Passed House with substitute BLOCK VOTE (98-Y 0-N) 2/15/2019 Senate: House substitute rejected by Senate (0-Y 39-N)</p>	<p>1/22/2019</p>
<p>Support (19102839D) Summary: Advisory Board on Teacher Education and Licensure; teacher licensure; dual enrollment and career and technical education. Grants to the Chancellor of the Virginia Community College System voting privileges as a member of the Advisory Board on Teacher Education and Licensure (the Advisory Board). The bill requires the Advisory Board to report to the Board of Education and the Chairmen of the House Committee on Education and the Senate Committee on Education and Health no later than December 1, 2019, recommendations relating to licensure qualifications for individuals (i) employed by an institution of higher education to teach career and technical education courses in a high school setting and (ii) to teach dual enrollment courses in a high school setting. The bill also requires the Board of Education to provide for the issuance of a three-year license to solely teach career and technical education courses or dual enrollment courses at public high schools in the Commonwealth to any individual who is employed as an instructor by an institution of higher education that is accredited by a nationally recognized regional accreditation body, is teaching in the specific career and technical education or dual enrollment subject area at such institution in which the individual seeks to teach at a public school, and complies with certain additional requirements.</p>		
<p><u>SB 1576</u> - Suetterlein (19) DOE; pilot program, placement transition of certain students.</p>	<p>1/9/2019 Senate: Referred to Committee on Education and Health 1/24/2019 Senate: Reported from Education and Health (15-Y 0-N) 1/24/2019 Senate: Re-referred to Finance 1/31/2019 Senate: Incorporates SB 1264 (Vogel) 1/31/2019 Senate: Reported from Finance with substitute (14-Y 0-N) 2/5/2019 Senate: Passed Senate (40-Y 0-N) 2/8/2019 House: Referred to Committee on Appropriations 2/13/2019 House: Subcommittee recommends passing by indefinitely (7-Y 1-N)</p>	<p>1/22/2019</p>
<p>Support (19100917D) Summary: Department of Education; pilot program; feasibility of educational placement transition of certain students with disabilities. Requires the Department of Education and relevant local school boards to develop and implement a pilot program for up to four years in two to eight local school divisions in the Commonwealth. In developing the pilot, the Department is required to partner with the appropriate school board employees in each such local school division to (i) identify the resources, services, and supports required by each student who resides in each such local school division and who is educated in a private</p>		

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Bills	General Assembly Actions	Date of BOS Position
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school setting pursuant to his Individualized Education Program; (ii) study the feasibility of transitioning each such student from his private school setting to an appropriate public school setting in the local school division and providing the identified resources, services, and supports in such public school setting; and (iii) recommend a process for redirecting federal, state, and local funds, including funds provided pursuant to the Children's Services Act, provided for the education of each such student to the local school division for the purpose of providing the identified resources, services, and supports in the appropriate public school setting. The bill requires the Department of Education to make a report to the Governor, the Senate Committees on Education and Health and Finance, and the House Committees on Education and Appropriations on the findings of each pilot program after two and four years. The provisions of the bill are contingent on funding in a general appropriation act.

<p>SB 1680 - Mason (1) Mass transit providers; loss of certain operating funds.</p>	<p>1/11/2019 Senate: Referred to Committee on Transportation 1/30/2019 Senate: Reported from Transportation with substitute (10-Y 2-N) 1/30/2019 Senate: Re-referred to Finance 1/31/2019 Senate: Reported from Finance (13-Y 1-N 2-A) 2/5/2019 Senate: Passed Senate (35-Y 5-N) 2/8/2019 House: Referred to Committee on Appropriations 2/11/2019 House: Reported from Appropriations (22-Y 0-N) 2/13/2019 House: Passed House BLOCK VOTE (98-Y 0-N)</p>	<p>1/22/2019</p>
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Support (19104336D) - See also HB 2553 (Thomas).
Summary: Provides that any mass transit provider that incurs a loss in operating funds as a direct result of the performance-based allocation process set forth in Chapter 854 of the Acts of Assembly of 2018 may be eligible for supplemental operating funds in fiscal year 2020. The maximum amount of supplemental operating funds shall not exceed \$3 million from the nongeneral fund amounts available to the Department of Rail and Public Transportation.

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Fairfax County Positions

(Monitor)

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1625</u> - Orrock, Sr. (54) Animal care; adequate shelter, exposure to heat or cold.</p>	<p>10/23/2018 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/14/2019 House: Subcommittee recommends reporting (8-Y 0-N) 1/16/2019 House: Reported from Agriculture, Chesapeake and Natural Resources (21-Y 1-N) 1/22/2019 House: Read third time and passed House (88-Y 9-N) 1/23/2019 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/7/2019 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (8-Y 5-N) 2/14/2019 Senate: Passed Senate with substitute (34-Y 6-N)</p>	<p>1/22/2019</p>
<p>Monitor (19100436D) Summary: Animal care; adequate shelter; exposure to heat or cold. Provides that the definition of "adequate shelter" includes the provision of shelter that protects the animal from exposure to heat or cold. Current law requires such shelter to protect the animal from the adverse effects of heat or cold.</p>		
<p><u>HB 1733</u> - Gilbert (15) School boards; local law-enforcement agencies, memorandums of understanding.</p>	<p>12/19/2018 House: Referred to Committee on Education 1/16/2019 House: Reported from Education with amendment (22-Y 0-N) 1/22/2019 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 1/23/2019 Senate: Referred to Committee on Education and Health 2/7/2019 Senate: Reported from Education and Health with substitute (15-Y 0-N) 2/11/2019 Senate: Passed Senate with substitute (40-Y 0-N) 2/13/2019 House: Senate substitute rejected by House 19106557D-S1 (1-Y 93-N) 2/15/2019 Senate: Senate insisted on substitute (39-Y 0-N) 2/15/2019 Senate: Senate requested conference committee</p>	<p>1/22/2019</p>
<p>Monitor (19100602D) Summary: School boards; local law-enforcement agencies; memorandums of understanding. Requires the school board in each school division in which the local law-enforcement agency employs school resource officers to enter into a memorandum of understanding with such local law-enforcement agency that sets forth the powers and duties of the school resource officers. The bill requires each such school board and local law-enforcement agency to review and amend or affirm the memorandum at least once every five years or at any time upon the request of either party.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1865 - Fowler, Jr. (55) Towing fees; sets maximum towing hookup and initial towing fees.</p>	<p>1/3/2019 House: Referred to Committee on Transportation 1/15/2019 House: Subcommittee recommends reporting with substitute (6-Y 1-N) 1/29/2019 House: Reported from Transportation with substitute (22-Y 0-N) 2/4/2019 House: Read third time and passed House (83-Y 15-N) 2/5/2019 Senate: Referred to Committee on Transportation 2/13/2019 Senate: Reported from Transportation (12-Y 0-N)</p>	<p>[2/8/2019] 1/22/2019</p>
<p>[Monitor] (19105967D-H1) - Amended to limit possible fee increases. See also SB 1567 (Marsden). Oppose Unless Amended (19104945D) - Oppose unless amended to limit fee increases. Summary: Localities; towing fees. Provides that localities in Planning District 8 and Planning District 16 shall establish by ordinance a hookup and initial towing fee of no less than \$135 and no more than \$150. Current law authorizes such localities to set the hookup and initial towing fee at \$135.</p>		
<p>HB 1937 - Krizek (44) Real property tax; exemptions for elderly and handicapped, computation of income limitation.</p>	<p>1/6/2019 House: Referred to Committee on Finance 1/14/2019 House: Reported from Finance with amendment (22-Y 0-N) 1/18/2019 House: Read third time and passed House BLOCK VOTE (94-Y 0-N) 1/21/2019 Senate: Referred to Committee on Finance 2/6/2019 Senate: Reported from Finance (13-Y 0-N) 2/8/2019 Senate: Passed Senate (40-Y 0-N) 2/11/2019 House: Enrolled 2/11/2019 House: Signed by Speaker 2/11/2019 Senate: Signed by President 2/12/2019 House: Enrolled Bill communicated to Governor on February 12, 2019 2/12/2019 Governor: Governor's Action Deadline Midnight, February 19, 2019 2/15/2019 Governor: Approved by Governor-Chapter 16 (effective 7/1/19)</p>	<p>1/22/2019</p>
<p>Monitor (19100954D-E) Summary: Real property tax; exemptions for elderly and handicapped; computation of income limitation. Provides that, if a locality has established a real estate tax exemption for the elderly and handicapped and enacted an income limitation related to the exemption, the locality may exclude, for purposes of the limitation, any disability income received by a family member or nonrelative who lives in the dwelling and who is permanently and totally disabled.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1966</u> - Yancey (94) Uniform Statewide Building Code; issuance of building permits.</p>	<p>1/7/2019 House: Referred to Committee on General Laws (HGL) 1/17/2019 House: Subcommittee recommends reporting with substitute (6-Y 1-N) 1/29/2019 House: Reported from HGL with substitute (21-Y 0-N) 2/4/2019 House: Read third time and passed House (94-Y 4-N) 2/5/2019 Senate: Referred to Committee on General Laws and Technology 2/11/2019 Senate: Reported from General Laws and Technology with amendments (15-Y 0-N) 2/14/2019 Senate: Passed Senate with amendments (40-Y 0-N)</p>	<p>2/5/2019 1/22/2019</p>
<p>Monitor (19105113D) - Bill has been amended to address the County's concerns. Oppose (19101136D) Summary: Uniform Statewide Building Code; enforcement by local building departments. Requires any fees that are levied by a local governing body in order to defray the cost of Building Code enforcement and appeals be used only to support the functions of the local building department. The bill also requires local building departments, when denying an application for the issuance of a building permit, to provide to the applicant a written explanation detailing the reasons for which the application was denied. The bill provides that the applicant may submit a revised application addressing the reasons for which the application was previously denied and that, if the applicant does so, the local building department shall be encouraged, but not required, to limit its review of the revised application to only those portions of the application that were previously deemed inadequate and that the applicant has revised.</p>		
<p><u>HB 2014</u> - Peace (97) Family First Prevention Services Act; statutory alignment.</p>	<p>1/7/2019 House: Referred to Committee for Courts of Justice 1/14/2019 House: Referred from Courts of Justice by voice vote 1/14/2019 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 1/24/2019 House: Subcommittee recommends reporting (10-Y 0-N) 1/29/2019 House: Reported from HHWI (21-Y 0-N) 1/29/2019 House: Referred to Committee on Appropriations 2/1/2019 House: Subcommittee recommends reporting (7-Y 0-N) 2/1/2019 House: Reported from Appropriations (21-Y 0-N) 2/5/2019 House: Read third time and passed House (98-Y 0-N) 2/5/2019 House: VOTE: PASSAGE EMERGENCY (98-Y 0-N) 2/6/2019 Senate: Referred to Committee for Courts of Justice 2/7/2019 Senate: Re-referred to Rehabilitation and Social Services 2/8/2019 Senate: Reported from Rehabilitation and Social Services with amendments (15-Y 0-N) 2/12/2019 Senate: Passed Senate with amendments (40-Y 0-N) 2/13/2019 House: Senate amendments agreed to by House (93-Y 0-N) 2/13/2019 House: VOTE: ADOPTION EMERGENCY (93-Y 0-N) 2/15/2019 House: Enrolled</p>	<p>2/5/2019</p>
<p>Monitor (19101811D) Summary: Aligns the Code of Virginia with the federal Family First Prevention Services Act of 2018. The bill contains an emergency clause for provisions of the bill relating to background checks for employees of, volunteers at, and contractors providing services to juveniles at children's residential facilities.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 2474</u> - Torian (52) Long-term care; expediting review of applications, report.</p>	<p>1/9/2019 House: Referred to Committee on Health, Welfare and Institutions 1/31/2019 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 2/5/2019 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/6/2019 Senate: Referred to Committee on Education and Health 2/14/2019 Senate: Reported from Education and Health (15-Y 0-N)</p>	<p>[2/8/2019] 2/5/2019</p>
<p>[Monitor] (19105076D-H1) - Bill has been amended to require DMAS to provide certain annual reports to the General Assembly. Oppose Unless Amended (HHWI Subcommittee Substitute) — Oppose unless amended to return to requiring an expedited review only for applicants with a terminal condition. Summary: Medical assistance services; long term care; eligibility; screening; report. Directs the Department of Medical Assistance Services (DMAS) to report annually, by August 1, to the Governor and the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health regarding (i) the number of screenings for eligibility for community-based and institutional long-term care services conducted by DMAS or the public or private entity with which DMAS has entered into a contract to conduct such screenings and (ii) the number of cases in which DMAS or the public or private entity with which the DMAS has entered into a contract to conduct such screenings fails to complete such screenings within 30 days.</p>		
<p><u>HB 2549</u> - Jones (76) Cluster zoning; density calculation.</p>	<p>1/9/2019 House: Referred to Committee on Counties, Cities and Towns 1/30/2019 House: Subcommittee recommends reporting with amendment (8-Y 0-N) 2/1/2019 House: Reported from Counties, Cities and Towns with amendment (21-Y 0-N) 2/5/2019 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/6/2019 Senate: Referred to Committee on Local Government 2/12/2019 Senate: Reported from Local Government with amendments (10-Y 2-N)</p>	<p>[2/15/2019] 2/5/2019</p>
<p>[Monitor] (19104091D-E) - Bill amended to make provisions permissive and to add a reenactment clause. Oppose (19104091D) Summary: Prohibits localities from including areas designated as Resource Protection Areas in accordance with the State Water Control Board in a cluster zoning density calculation and provides that nothing in the statute shall require a locality to allow a greater overall density for a clustered development than would be required on a non-clustered development.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 2665</u> - Stolle (83) Specialty dockets; report.</p>	<p>1/11/2019 House: Referred to Committee for Courts of Justice 1/16/2019 House: Subcommittee recommends reporting (8-Y 0-N) 1/21/2019 House: Reported from Courts of Justice (18-Y 0-N) 1/25/2019 House: Read third time and passed House (97-Y 0-N) 1/28/2019 Senate: Referred to Committee for Courts of Justice 1/30/2019 Senate: Reported from Courts of Justice (10-Y 0-N) 2/4/2019 Senate: Passed Senate (40-Y 0-N) 2/5/2019 House: Enrolled 2/5/2019 House: Signed by Speaker 2/5/2019 Senate: Signed by President 2/6/2019 House: Enrolled Bill communicated to Governor on February 6, 2019 2/6/2019 Governor: Governor's Action Deadline Midnight, February 13, 2019 2/13/2019 Governor: Approved by Governor-Chapter 13 (effective 7/1/19)</p>	<p>1/22/2019</p>
<p>Monitor (19103681D) - See also SB 1655 (Cosgrove). Summary: Requires the Office of the Executive Secretary of the Supreme Court to develop a statewide evaluation model and conduct ongoing evaluations of the effectiveness and efficiency of all local specialty dockets established in accordance with the Rules of Supreme Court of Virginia and submit a report of these evaluations to the General Assembly by December 1 of each year. This bill is identical to SB 1655.</p>		
<p><u>HB 2784</u> - Hodges (98) Robert O. Norris Bridge and Statewide Special Structure Fund; created.</p>	<p>1/18/2019 House: Referred to Committee on Transportation 1/24/2019 House: Subcommittee recommends reporting with amendment (7-Y 0-N) 1/29/2019 House: Reported from Transportation with amendments (21-Y 0-N) 1/29/2019 House: Referred to Committee on Appropriations 2/1/2019 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 2/1/2019 House: Reported from Appropriations with substitute (21-Y 0-N) 2/5/2019 House: Read third time and passed House (99-Y 0-N) 2/6/2019 Senate: Referred to Committee on Transportation 2/13/2019 Senate: Reported from Transportation (13-Y 0-N)</p>	<p>[2/8/2019]</p>
<p>[Monitor] (19105915D-H1) - See also SB 1749 (McDougle). Summary: Robert O. Norris Bridge and Statewide Special Structure Fund. Establishes the Robert O. Norris Bridge and Statewide Special Structure Fund to be used for the purpose of funding maintenance and replacement of large and unique structures. The bill also requires the Commonwealth Transportation Board to (i) undertake a comprehensive review of the current and future condition of pavements and bridges in the Commonwealth; (ii) dedicate a portion of certain funds to the Robert O. Norris Bridge and Statewide Special Structure Fund; and (iii) evaluate the feasibility of using the Public-Private Transportation Act of 1995 to design, build, operate, and maintain two bridges to replace the Robert O. Norris Bridge on State Route 3 and the Downing Bridge on U.S. Route 360.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 1025 - Spruill, Sr. (5) Tethering of animals; adequate shelter and space.</p>	<p>10/17/2018 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 1/17/2019 Senate: Reported from Agriculture, Conservation and Natural Resources with amendments (7-Y 6-N) 1/24/2019 Senate: Read third time and passed Senate (29-Y 11-N) 1/29/2019 House: Referred to Committee on Rules 2/12/2019 House: Referred from Rules by voice vote 2/12/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 2/13/2019 House: Subcommittee recommends reporting with substitute (6-Y 4-N) 2/13/2019 House: Reported from HAG with substitute (16-Y 6-N) 2/15/2019 House: Passed House with substitute (71-Y 24-N)</p>	<p>[2/15/2019]</p>
<p>[Monitor] (19106905D-H1) - Bill amended to remove local authority pertaining to adequate shelter for companion animals. [Support] (19100082D-E) - Support additional local authority pertaining to adequate shelter for companion animals.</p> <p>Summary: Provides that outdoor tethering of a companion animal does not meet the requirement that an animal be given adequate shelter, unless the animal is actively engaged in an agricultural or hunting activity, when tethering is conducted during a heat advisory or a severe weather warning. The bill provides that in order to meet the requirement that an animal be given adequate space a tether must be at least four times the length of the animal or 15 feet in length, whichever is greater, and not cause injury or pain, weigh more than one-tenth of the animal's body weight, or have weights or heavy objects attached to it. Current law requires that the tether be at least three times the length of the animal. The bill exempts agricultural animals from existing provisions and these added provisions related to tethering. The bill also authorizes any locality to adopt ordinances that are parallel to or more stringent than the state law regarding the care of companion animals.</p>		
<p>SB 1095 - Howell (32) Early childhood care and education; establishment, licensure.</p>	<p>1/7/2019 Senate: Referred to Committee on Education and Health 1/17/2019 Senate: Incorporates SB 1313 (Dunnavant) 1/17/2019 Senate: Reported from Education and Health with substitute (10-Y 2-N 1-A) 1/17/2019 Senate: Re-referred to Finance (SFIN) 1/29/2019 Senate: Reported from SFIN with substitute (16-Y 0-N) 2/4/2019 Senate: Passed Senate (37-Y 2-N 1-A) 2/6/2019 House: Referred to Committee on Education 2/11/2019 House: Subcommittee recommends reporting (6-Y 1-N) 2/11/2019 House: Subcommittee recommends referring to Committee on Appropriations 2/13/2019 House: Reported from Education (21-Y 1-N) 2/13/2019 House: Referred to Committee on Appropriations</p>	<p>1/22/2019</p>
<p>Monitor (19102558D) - See also HB 2458 (Landes). Summary: Superintendent of Public Instruction and Commissioner of Social Services; early childhood care and education. Requires the Superintendent of Public Instruction and the Commissioner of Social Services to (i) convene a stakeholder group to consider the development of a statewide unified public-private system for early childhood care and education in the Commonwealth and (ii) collaborate to develop a uniform quality rating and improvement system with required participation by publicly funded early childhood care and education programs and voluntary participation by privately funded providers.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 1262 - Sturtevant, Jr. (10) Localities and school divisions; posting of register of funds expended.</p>	<p>1/6/2019 Senate: Referred to Committee on Local Government 1/29/2019 Senate: Reported from Local Government with amendments (9-Y 4-N) 2/4/2019 Senate: Read third time and passed Senate (23-Y 17-N) 2/6/2019 House: Referred to Committee on Counties, Cities and Towns 2/13/2019 House: Subcommittee recommends passing by indefinitely (6-Y 2-N)</p>	<p>[2/8/2019] 1/22/2019</p>
<p>[Monitor] (19103271D-E) - Bill was amended to exclude posting of other material prohibited by law and material related to confidential settlements or contracts. Amend (19103271D) – Amend to allow flexibility to exclude personally identifiable information of constituents and employees; Board has historically recommended amendment. See also HB 1907 (VanValkenburg).</p> <p>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, any information related to undercover law-enforcement officers, and any information related to a settlement or contract that contains a confidentiality clause. The bill has a delayed effective date of July 1, 2020.</p>		
<p>SB 1404 - Petersen (34) Eminent domain; costs for petition for distribution of funds, interest rate.</p>	<p>1/8/2019 Senate: Referred to Committee for Courts of Justice 1/14/2019 Senate: Reported from Courts of Justice with amendments (10-Y 2-N 1-A) 1/17/2019 Senate: Read third time and passed Senate (39-Y 1-N) 1/21/2019 House: Referred to Committee for Courts of Justice 2/11/2019 House: Subcommittee recommends reporting with amendments (8-Y 0-N) 2/15/2019 House: Reported from Courts of Justice with amendments (17-Y 0-N)</p>	<p>1/22/2019</p>
<p>Monitor (19102876D-E)</p> <p>Summary: Eminent domain; costs for petition for distribution of funds; interest rate; recordation of certificate. Provides that the costs of filing a petition with the court for the distribution of the funds due pursuant to an eminent domain proceeding shall be taxed against the condemnor. The bill also provides that the interest rate on the funds represented by a certificate of deposit from the date of filing of the certificate until the funds are paid into the court shall not be less than the judgment rate of interest. Finally, the bill reorganizes for clarity the provisions governing what happens upon recordation of a certificate by the Commissioner of Highways in a condemnation proceeding.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 1425 - Dunnavant (12) License tax, local; mobile food units.</p>	<p>1/8/2019 Senate: Referred to Committee on Finance 1/16/2019 Senate: Reported from Finance (15-Y 0-N) 1/24/2019 Senate: Passed Senate (39-Y 1-N) 1/29/2019 House: Referred to Committee on Finance (HFIN) 2/6/2019 House: Subcommittee recommends reporting with amendment (8-Y 2-N) 2/13/2019 House: Reported from HFIN with amendment (14-Y 8-N)</p>	<p>[2/8/2019]</p>
<p>[Monitor] (19105609D-S1) Summary: Local license tax; mobile food units. Provides that when the owner of a mobile food unit, defined as a restaurant mounted on wheels and readily moveable at any time during its operation, pays a license tax in the county or city in which the mobile food unit is registered, no other license shall be required in any other locality in the Commonwealth. The exemption from paying the license tax in other localities will expire two years after the payment of the initial license tax in the locality in which the mobile food unit is registered. During the two-year exemption period, the owner may exempt up to three mobile food units from license taxation in other localities. Regardless of any license tax exemption, the owner must register with the commissioner of the revenue or director of finance in any locality in which he conducts business.</p>		
<p>SB 1430 - Obenshain (26) Virginia Conflict of Interest and Ethics Advisory Council; duties.</p>	<p>1/8/2019 Senate: Referred to Committee on Rules 2/1/2019 Senate: Reported from Rules with substitute (15-Y 0-N) 2/5/2019 Senate: Passed Senate (40-Y 0-N) 2/8/2019 House: Referred to Committee for Courts of Justice 2/11/2019 House: Subcommittee recommends reporting (6-Y 2-N)</p>	<p>[2/8/2019] 2/5/2019</p>
<p>[Monitor] (19106374D-ES1) - Bill has been amended as requested. Amend (19103492D) — Amend to clarify that training will be online and to ensure parity with the requirements for state officials. Summary: Conflict of interest; duties of Virginia Conflict of Interest and Ethics Advisory Council; training requirement; inquiries from citizens. Requires all local elected officials to take training on the provisions of the State and Local Government Conflict of Interests Act at least once every two years. The bill requires such officials in office on July 1, 2019, to complete such training no later than December 31, 2019. The Council may provide such training by online means. The bill also requires the Virginia Conflict of Interest and Ethics Advisory Council (the Council) to offer guidance to any person who contacts the Council with an inquiry regarding ethics, conflicts issues, or a person's duties under the General Assembly Conflicts of Interests Act, the State and Local Government Conflict of Interests Act, or lobbying laws. Current law requires the Council to offer guidance on such Acts and lobbying laws to state and local government agencies and to those individuals to whom the Acts and lobbying laws apply.</p>		
<p>SB 1545 - Sturtevant, Jr. (10) Public schools; alternative accountability process.</p>	<p>1/8/2019 Senate: Referred to Committee on Education and Health 1/24/2019 Senate: Reported from Education and Health with substitute (15-Y 0-N) 1/29/2019 Senate: Read third time and passed Senate (40-Y 0-N) 2/4/2019 House: Referred to Committee for Courts of Justice 2/15/2019 House: Subcommittee recommends passing by indefinitely (5-Y 2-N)</p>	<p>[2/8/2019] 1/22/2019</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>[Monitor] (19105747D-S1) - Bill has been amended to eliminate impact to the County's existing Alternative Accountability Program. Amend (19103322D) - Amend to ensure the bill does not impact the County's existing Alternative Accountability Program.</p> <p>Summary: Allows a school board to adopt an alternative accountability process to provide a principal and parties involved in an incident involving assault or assault and battery without bodily injury that occurs on a school bus, on school property, or at a school-sponsored event an option to enter into a mutually agreed upon process between the involved parties as an alternative to reporting such incident to law enforcement. The bill provides that a principal in a school division with such an alternative accountability process may attempt to engage the parties involved in such an incident in the process prior to reporting such incident to the local law-enforcement agency and prohibits, if provided for by the school board, a principal from reporting a party who successfully completes the alternative accountability process.</p>		
<p>SB 1567 - Marsden (37) Towing fees; sets maximum towing hookup and initial towing fees.</p>	<p>1/9/2019 Senate: Referred to Committee on Transportation 1/30/2019 Senate: Reported from Transportation with substitute (13-Y 0-N) 2/4/2019 Senate: Passed Senate (40-Y 0-N) 2/6/2019 House: Referred to Committee on Transportation 2/7/2019 House: Reported from Transportation (22-Y 0-N) 2/11/2019 House: Passed House (67-Y 31-N) 2/12/2019 Senate: Enrolled 2/12/2019 House: Signed by Speaker 2/13/2019 Senate: Signed by President 2/14/2019 Senate: Enrolled Bill Communicated to Governor on February 14, 2019 2/14/2019 Governor: Governor's Action Deadline Midnight, February 21, 2019</p>	<p>[2/8/2019] 1/22/2019</p>
<p>[Monitor] (19106070D-S1) - Amended to limit possible fee increases. See also HB 1865 (Fowler). Oppose Unless Amended (19101339D) - Oppose unless amended to limit fee increases.</p> <p>Summary: Localities; towing fees. Provides that localities in Planning District 8 and Planning District 16 shall establish by ordinance a hookup and initial towing fee of no less than \$135 and no more than \$150. Current law authorizes such localities to set the hookup and initial towing fee at \$135.</p>		
<p>SB 1622 - McPike (29) Child day programs; lead testing, potable water, effective date.</p>	<p>1/9/2019 Senate: Referred to Committee on Rehabilitation and Social Services 2/1/2019 Senate: Reported from Rehabilitation and Social Services with substitute (15-Y 0-N) 2/5/2019 Senate: Passed Senate (40-Y 0-N) 2/8/2019 House: Referred to Committee on Health, Welfare and Institutions 2/12/2019 House: Reported from Health, Welfare and Institutions with amendments (21-Y 0-N) 2/12/2019 House: Referred to Committee on Appropriations 2/12/2019 House: Subcommittee recommends passing by indefinitely (5-Y 3-N)</p>	<p>2/5/2019</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Monitor (19104179D) Summary: Child day programs; potable water; lead testing. Requires licensed child day programs and certain other programs that serve preschool-age children to develop and implement a plan to test potable water from sources identified by the U.S. Environmental Protection Agency as high priority. The bill requires such plan and the results of each such test to be submitted to the Commissioner of Social Services and the Department of Health's Office of Drinking Water. The bill stipulates that if the result of any such test indicates a level of lead in the potable water that is at or above 15 parts per billion, the program shall remediate the level of lead in the potable water to below 15 parts per billion and confirm such remediation by retesting the water and submitting the results of the retests to the Commissioner of Social Services and the Department of Health's Office of Drinking Water. The bill allows such programs, in lieu of testing or remediation, to use other water sources that meet the U.S. Food and Drug Administration standards for bottled water.</p>		
<p><u>SB 1655</u> - Cosgrove, Jr. (14) Specialty dockets; report.</p>	<p>1/9/2019 Senate: Referred to Committee for Courts of Justice 1/28/2019 Senate: Reported from Courts of Justice (12-Y 0-N) 1/31/2019 Senate: Read third time and passed Senate (40-Y 0-N) 2/4/2019 House: Referred to Committee for Courts of Justice 2/6/2019 House: Reported from Courts of Justice (17-Y 0-N) 2/11/2019 House: Passed House BLOCK VOTE (99-Y 0-N) 2/12/2019 Senate: Enrolled 2/12/2019 House: Signed by Speaker 2/13/2019 Senate: Signed by President 2/14/2019 Senate: Enrolled Bill Communicated to Governor on February 14, 2019 2/14/2019 Governor: Governor's Action Deadline Midnight, February 21, 2019</p>	<p>1/22/2019</p>
<p>Monitor (19101131D) - See also HB 2665 (Stolle). Summary: Requires the Office of the Executive Secretary of the Supreme Court to develop a statewide evaluation model and conduct ongoing evaluations of the effectiveness and efficiency of all local specialty dockets established in accordance with the Rules of Supreme Court of Virginia and submit a report of these evaluations to the General Assembly by December 1 of each year. This bill is identical to HB 2665.</p>		
<p><u>SB 1749</u> - McDougle (4) Robert O. Norris Bridge and Statewide Special Structure Fund; created.</p>	<p>1/17/2019 Senate: Referred to Committee on Transportation 1/30/2019 Senate: Reported from Transportation with amendment (13-Y 0-N) 2/4/2019 Senate: Passed Senate (40-Y 0-N) 2/6/2019 House: Referred to Committee on Transportation 2/7/2019 House: Reported from Transportation (22-Y 0-N) 2/11/2019 House: Passed House BLOCK VOTE (99-Y 0-N) 2/12/2019 Senate: Enrolled 2/12/2019 House: Signed by Speaker 2/13/2019 Senate: Signed by President 2/14/2019 Senate: Enrolled Bill Communicated to Governor on February 14, 2019 2/14/2019 Governor: Governor's Action Deadline Midnight, February 21, 2019</p>	<p>[2/8/2019]</p>

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Bills	General Assembly Actions	Date of BOS Position
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[Monitor] (19106283D-S1) - See also HB 2784 (Hodges).
Summary: Robert O. Norris Bridge and Statewide Special Structure Fund. Establishes the Robert O. Norris Bridge and Statewide Special Structure Fund to be used for the purpose of funding maintenance and replacement of large and unique structures. The bill also requires the Commonwealth Transportation Board to (i) undertake a comprehensive review of the current and future condition of pavements and bridges in the Commonwealth; (ii) dedicate a portion of certain funds to the Robert O. Norris Bridge and Statewide Special Structure Fund; and (iii) evaluate the feasibility of using the Public-Private Transportation Act of 1995 to design, build, operate, and maintain two bridges to replace the Robert O. Norris Bridge on State Route 3 and the Downing Bridge on U.S. Route 360.

<p><u>SB 1759</u> - Surovell (36) Underground electric distribution lines; placing in areas of transit-oriented development.</p>	<p>1/18/2019 Senate: Referred to Committee on Commerce and Labor 1/31/2019 Senate: Reported from Commerce and Labor with substitute (9-Y 4-N) 1/31/2019 Senate: Re-referred to Finance 1/31/2019 Senate: Reported from Finance (13-Y 3-N) 2/5/2019 Senate: Passed Senate (32-Y 8-N) 2/5/2019 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) 2/5/2019 Senate: Passed Senate (29-Y 11-N) 2/8/2019 House: Referred to Committee on Commerce and Labor 2/14/2019 House: Reported from Commerce and Labor with amendments (20-Y 1-N)</p>	<p>[2/8/2019] 2/5/2019</p>
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[Monitor] (February 7 draft) - Seek amendments to provide safeguards and improve potential implementation.
Support (19100654D)
Summary: Undergrounding utility lines pilot program; transportation infrastructure improvement; urban county executive form of government. Establishes a pilot program under which the governing body of any locality operating under the urban county executive form of government (Fairfax County) may request an electric utility to place underground electric utility distribution lines in areas of transit-oriented development in such locality in conjunction with a transportation infrastructure improvement project that the Commonwealth Transportation Board identifies that reduces congestion, improves mobility, incorporates transit systems and improves safety. The measure provides that the locality and the utility shall enter into an agreement that provides that (i) the locality shall pay to the utility its full additional costs of relocating and converting that portion of the line located in the locality underground rather than overhead that are not recoverable under applicable rates, net of relocation credits, which costs shall include associated feasibility costs, or any smaller portion of such costs as the utility and the locality may agree; (ii) the locality shall impose an assessment on electric utility customers in the locality in an amount sufficient to cover the utility's additional costs, which assessment shall be shown as a separate item on such customers' electric bills and shall be collected by the utility on behalf of the locality; (iii) the utility shall convert, operate, and maintain the agreed portion of the line underground; and (iv) such other terms and conditions on which the parties may agree. The measure provides that upon presentation of the agreement to the Commonwealth Transportation Board, the Commissioner of Highways shall be responsible for securing the necessary easements and permits for the pilot program. The measure provides that the pilot program terminates on July 1, 2026.

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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
HB 1615 - Landes (25) Elections; date of June primary election.	8/28/2018 House: Referred to Committee on Privileges and Elections (HPE) 1/30/2019 House: Subcommittee recommends reporting (6-Y 0-N) 2/1/2019 House: Reported from HPE (19-Y 3-N) 2/5/2019 House: Read third time and passed House (91-Y 8-N) 2/6/2019 Senate: Referred to Committee on Privileges and Elections (SPE) 2/12/2019 Senate: Reported from SPE (7-Y 5-N) 2/15/2019 Senate: Defeated by Senate (11-Y 28-N)	2/5/2019
<p>Support (19100239D) Summary: Changes the date of the primary election held in June from the second Tuesday in June to the third Tuesday in June. The bill also changes candidate filing deadlines to reflect the change of date.</p>		
HB 1628 - Hayes, Jr. (77) Absentee voting; persons age 65 or older.	10/23/2018 House: Referred to Committee on Privileges and Elections 1/29/2019 House: Subcommittee recommends laying on the table (4-Y 2-N) 2/5/2019 House: Left in Privileges and Elections	1/22/2019
<p>Support (19100383D) - Board has historically supported. Summary: Absentee voting; eligibility of persons age 65 or older. 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>		
HB 1641 - Herring (46) Absentee voting; no-excuse absentee.	11/26/2018 House: Referred to Committee on Privileges and Elections 1/29/2019 House: Subcommittee recommends laying on the table (4-Y 2-N) 2/5/2019 House: Left in Privileges and Elections	1/22/2019
<p>Support (19100922D) - Board has historically supported. See also SB 1026 (Spruill), SB 1035 (Locke), and SB 1672 (Locke). Summary: Permits any registered voter to vote by absentee ballot in any election in which he is qualified to vote. The bill removes the current list of statutory reasons under which a person may be entitled to vote by absentee ballot and removes references to those reasons from other sections of the Code.</p>		
HB 1645 - Bourne (71) Virginia Fair Housing Law; unlawful discriminatory housing practices.	11/27/2018 House: Referred to Committee on Rules 1/18/2019 House: Referred from Rules by voice vote 1/18/2019 House: Referred to Committee on General Laws 2/5/2019 House: Left in General Laws	1/22/2019
<p>Support (19100302D) - Board has historically supported. Summary: Adds discrimination on the basis of a person's source of income to the list of unlawful discriminatory housing practices. The bill defines "source of income" as any source that lawfully provides funds to or on behalf of a renter or buyer of housing, including any assistance, benefit, or subsidy program, whether such program is administered by a governmental or nongovernmental entity.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1667 - Kilgore (1) Virginia Public Procurement Act; statute of limitations on actions on construction contracts, etc.</p>	<p>12/3/2018 House: Referred to Committee for Courts of Justice 1/11/2019 House: Subcommittee recommends reporting (5-Y 1-N) 1/30/2019 House: Subcommittee recommends reporting with substitute (6-Y 1-N) 1/30/2019 House: Reported from Courts of Justice with substitute (11-Y 6-N) 1/30/2019 House: Referred to Committee on Appropriations 2/5/2019 House: Left in Appropriations</p>	<p>1/22/2019</p>
<p>Oppose (19101460D) - See also SB 1369 (Norment). Summary: Virginia Public Procurement Act; statute of limitations on actions on construction contracts; statute of limitations on actions on performance bonds. Provides that no action may be brought by a public body on any construction contract, including construction management and design-build contracts, unless such action is brought within five years after substantial completion of the work on the project and that no action may be brought by a public body on a warranty or guarantee in such construction contract more than one year from the breach of that warranty, but in no event more than one year after the expiration of such warranty or guarantee. The bill also limits the time frame during which a public body, other than the Department of Transportation, may bring an action against a surety on a performance bond to within one year after substantial completion of the work on the project. Current law allows a public body, other than the Department of Transportation, to bring such an action within one year after (i) completion of the contract, including the expiration of all warranties and guarantees, or (ii) discovery of the defect or breach of warranty that gave rise to the action.</p>		
<p>HB 1695 - Fariss (59) Passing a stopped school bus; civil penalty.</p>	<p>12/11/2018 House: Referred to Committee on Transportation 1/17/2019 House: Referred from Transportation by voice vote 1/17/2019 House: Referred to Committee for Courts of Justice 1/23/2019 House: Subcommittee recommends laying on the table (8-Y 0-N) 2/5/2019 House: Left in Courts of Justice</p>	<p>1/22/2019</p>
<p>Support (19101584D) Summary: Increases from \$250 to \$500 the civil penalty for passing a stopped school bus.</p>		
<p>HB 1703 - Guzman (31) Aviation jet fuel; taxation, distribution of certain revenue to Metro. Washington Airport Authority.</p>	<p>12/12/2018 House: Referred to Committee on Finance 1/23/2019 House: Subcommittee recommends passing by indefinitely (8-Y 1-N) 2/5/2019 House: Left in Finance</p>	<p>1/22/2019</p>
<p>Oppose (19101086D) Summary: Taxation of aviation jet fuel; distribution of certain revenues to Metropolitan Washington Airports Authority. Imposes a tax at a rate of five cents per gallon on aviation jet fuel purchased or used by an airline licensed by the Federal Aviation Administration with more than eight billion passenger-miles originating at Virginia airports during the calendar year and any regional air carrier contracting with such airline. The bill disburses revenue from the tax to the Metropolitan Washington Airports Authority (the Authority), provided that the Authority enters into an agreement to use the proceeds to finance Phase 2 of the Dulles Corridor Metrorail project and to reduce toll rates on users of the Dulles Toll Road. If the Authority does not enter into such an agreement, the bill prohibits the Department of Aviation from disbursing any revenue from taxes on aviation fuel to the Authority.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1823</u> - Convirs-Fowler (21) Virginia Fair Housing Law; unlawful discriminatory housing practices.</p>	<p>1/1/2019 House: Referred to Committee on Rules 1/28/2019 House: Stricken from docket by Rules (16-Y 0-N)</p>	<p>1/22/2019</p>
<p>Support (19102102D) - 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>HB 1843</u> - Bloxom, Jr. (100) Driver privilege cards; penalty.</p>	<p>1/2/2019 House: Referred to Committee on Transportation 1/25/2019 House: Subcommittee recommends laying on the table (4-Y 2-N) 2/5/2019 House: Left in Transportation</p>	<p>1/22/2019</p>
<p>Support (19101370D) Summary: Authorizes the issuance of new driver privilege cards by the Department of Motor Vehicles to an applicant who (i) has reported income from Virginia sources on an individual tax return filed with the Commonwealth in the preceding 12 months; (ii) is not in violation of the insurance requirements for the registration of an uninsured motor vehicle; and (iii) provides an unexpired passport as proof of identity. The bill provides that driver privilege cards shall confer the same privileges and shall be subject to the same provisions as driver's licenses and permits; however, driver privilege cards shall not (a) confer voting privileges, (b) permit an individual to waive any part of the driver examination, or (c) have their issuance be contingent upon the applicant's ability to produce proof of legal presence in the United States. The bill provides for the term "driver's license" to consistently refer to all driver's licenses, permits, driver privilege cards, and special identification cards issued by the Commonwealth or the comparable law of another jurisdiction. The bill allows the issuance of a limited-duration driver's license and special identification card to an applicant presenting valid documentary evidence that a federal court or federal agency having jurisdiction over immigration has authorized the applicant to be in the United States for a period of at least 30 days from the date of application. The bill authorizes the Tax Commissioner to provide to the Commissioner of the Department of Motor Vehicles information sufficient to verify that an applicant for a driver privilege card or permit reported income from Virginia sources on an individual tax return filed with the Commonwealth in the preceding 12 months. The bill has a delayed effective date of January 1, 2020.</p>		
<p><u>HB 1872</u> - Webert (18) Motorcycles and autocycles; protective helmets, organ donor exemption.</p>	<p>1/3/2019 House: Referred to Committee on Transportation 1/22/2019 House: Subcommittee failed to recommend reporting (2-Y 8-N) 2/5/2019 House: Left in Transportation</p>	<p>1/22/2019</p>
<p>Oppose (19100466D) - Board has historically opposed. Summary: Protective helmets on motorcycles and autocycles; organ donor exemption. Exempts any operator of and passenger on a motorcycle or autocycle who is 21 years of age or older and a registered organ donor from the requirement to wear a protective helmet when on a motorcycle or autocycle. The bill reduces operating or riding on a motorcycle or autocycle without a protective helmet from a primary offense to a secondary offense, which can be charged only when the offender is stopped for another, separate offense.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1879</u> - Convirs-Fowler (21) Stormwater management facilities; private residential lots, disclosure.</p>	<p>1/3/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 1/16/2019 House: Referred from HAG by voice vote 1/16/2019 House: Referred to Committee on General Laws 1/22/2019 House: Subcommittee recommends laying on the table (6-Y 2-N) 2/5/2019 House: Left in General Laws</p>	<p>1/22/2019</p>
<p>Support (19101519D) Summary: Stormwater management facilities; private residential lots; disclosure. Directs the State Water Control Board to adopt regulations requiring any local stormwater management authority that requires a residential landowner to maintain a stormwater management facility on his property to record with the deed for the property a statement of the specifications and requirements and a schedule of audits of the facility. The bill requires the seller of any property with such a facility to disclose the specifications, requirements, and schedule of audits to a purchaser of the property.</p>		
<p><u>HB 1891</u> - James (80) Food stamps; eligibility, drug-related felonies.</p>	<p>1/4/2019 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 1/22/2019 House: Subcommittee recommends reporting with amendment (6-Y 4-N) 1/22/2019 House: Subcommittee recommends referring to Committee on Appropriations 1/24/2019 House: Reported from HHWI with amendment (15-Y 7-N) 1/24/2019 House: Referred to Committee on Appropriations 1/29/2019 House: Subcommittee recommends reporting with substitute (5-Y 2-N) 1/30/2019 House: Tabled in Appropriations (12-Y 10-N)</p>	<p>1/22/2019</p>
<p>Support (19101723D) - Board has historically supported. See also SB 1129 (Locke). Summary: Eligibility for food stamps; drug-related felonies. Provides that a person who is otherwise eligible to receive food stamp benefits shall not be denied such assistance solely because he has been convicted of a drug-related felony. Under current law, such individuals may not be denied food stamp benefits based on a felony conviction of possession of a controlled substance, provided that such person is complying with, or has already complied with, all obligations imposed by the criminal court, is actively engaged in or has completed a substance abuse treatment program, participates in periodic drug screenings, and fulfills any other obligations as determined by the Department of Social Services.</p>		
<p><u>HB 1903</u> - Head (17) Criminal history record information; limitations on dissemination of information.</p>	<p>1/4/2019 House: Referred to Committee for Courts of Justice 2/5/2019 House: Left in Courts of Justice</p>	<p>1/22/2019</p>
<p>Amend (19100543D) - Amend to allow public employers to receive criminal history information older than seven years from the date of the request. Summary: Dissemination of criminal history record information; limitations. Limits the criminal history information that the Central Criminal Records Exchange, or the criminal justice agency in cases of offenses not required to be reported to the Exchange, may provide to a requesting employer or prospective employer to convictions occurring within seven years prior to the request, except for any information related to a felony act of violence or a barrier crime.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1907 - VanValkenburg (72) Localities and school divisions; posting of register of funds expended.</p>	<p>1/4/2019 House: Referred to Committee on Counties, Cities and Towns 1/30/2019 House: Subcommittee recommends laying on the table (7-Y 1-N) 2/5/2019 House: Left in Counties, Cities and Towns</p>	<p>1/22/2019</p>
<p>Amend (19103212D) - Amend to allow flexibility to exclude personally identifiable information of constituents and employees; Board has historically recommended amendment. See also SB 1262 (Sturtevant). 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, 2020.</p>		
<p>HB 1959 - Toscano (57) Absentee voting; no-excuse in-person available 21 days prior to election.</p>	<p>1/6/2019 House: Referred to Committee on Privileges and Elections 1/29/2019 House: Subcommittee recommends laying on the table (4-Y 2-N) 2/5/2019 House: Left in Privileges and Elections</p>	<p>1/22/2019</p>
<p>Support with Amendment (19102642D) - Support with amendments to facilitate implementation. Board has historically supported with amendments. 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 1977 - Sullivan, Jr. (48) Voter identification; accepted forms of identification.</p>	<p>1/7/2019 House: Referred to Committee on Privileges and Elections 1/29/2019 House: Subcommittee recommends laying on the table (4-Y 2-N) 2/5/2019 House: Left in Privileges and Elections</p>	<p>1/22/2019</p>
<p>Support (19100529D) - Board has historically supported. 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>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1994 - Price (95) Child care providers; fingerprint background checks.</p>	<p>1/7/2019 House: Referred to Committee on Health, Welfare and Institutions 1/17/2019 House: Reported from Health, Welfare and Institutions with amendment (22-Y 0-N) 1/17/2019 House: Referred to Committee on Appropriations 1/28/2019 House: Subcommittee recommends laying on the table (5-Y 3-N) 2/5/2019 House: Left in Appropriations</p>	<p>1/22/2019</p>
<p>Support (19102000D) - See also SB 1407 (Mason). Summary: Allows local law-enforcement agencies to process and submit requests for national fingerprint background checks required for (i) applicants for licensure as a child day center, family day home, or family day system, registration as a family day home, or approval as a family day home by a family day system; (ii) agents of an applicant for licensure as a child day center, family day home, or family day system, registration as a family day home, or approval as a family day home by a family day system at the time of application who is or will be involved in the day-to-day operations of the child day center, family day home, or family day system, or who is or will be alone with, in control of, or supervising one or more of the children; (iii) adults living in such child day center or family day home; and (iv) employees and volunteers of any child day center, family day home, or family day system licensed in accordance with the provisions of this chapter, child day center exempt from licensure, registered family day home, family day home approved by a family day system, or child day center, family day home, or child day program that enters into a contract with the Department or a local department to provide child care services funded by the Child Care and Development Block Grant.</p>		
<p>HB 2025 - Tran (42) Driver privilege cards; penalty.</p>	<p>1/7/2019 House: Referred to Committee on Transportation 1/25/2019 House: Subcommittee recommends laying on the table (4-Y 2-N) 2/5/2019 House: Left in Transportation</p>	<p>1/22/2019</p>
<p>Support (19103137D) Summary: Authorizes the issuance of new driver privilege cards by the Department of Motor Vehicles to an applicant who (i) has reported income from Virginia sources on an individual tax return filed with the Commonwealth in the preceding 12 months and (ii) is not in violation of the insurance requirements for the registration of an uninsured motor vehicle. The bill provides that driver privilege cards shall confer the same privileges and shall be subject to the same provisions as driver's licenses and permits; however, driver privilege cards shall not (a) confer voting privileges, (b) permit an individual to waive any part of the driver examination, or (c) have their issuance be contingent upon the applicant's ability to produce proof of legal presence in the United States. The bill provides for the term "driver's license" to consistently refer to all driver's licenses, permits, driver privilege cards, and special identification cards issued by the Commonwealth or the comparable law of another jurisdiction. The bill allows the issuance of a limited-duration driver's license and special identification card to an applicant presenting valid documentary evidence that a federal court or federal agency having jurisdiction over immigration has authorized the applicant to be in the United States for a period of at least 30 days from the date of application. The bill authorizes the Tax Commissioner to provide to the Commissioner of the Department of Motor Vehicles information sufficient to verify that an applicant for a driver privilege card or permit reported income from Virginia sources on an individual tax return filed with the Commonwealth in the preceding 12 months. The bill has a delayed effective date of January 1, 2020.</p>		

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Bills	General Assembly Actions	Date of BOS Position
HB 2051 - McQuinn (70) Cemeteries; development, local ordinance.	1/7/2019 House: Referred to Committee on Counties, Cities and Towns 2/5/2019 House: Left in Counties, Cities and Towns	1/22/2019
<p>Monitor (19102310D) Summary: Cemeteries; development; local ordinance. Provides that local subdivision ordinances may include certain requirements to govern the private development of land containing an existing cemetery. The bill also authorizes localities to adopt ordinances requiring that certain research in local property records be conducted prior to development to identify any cemeteries on the property.</p>		
HB 2067 - Bell (87) Public employment; prohibits discrimination on basis of sexual orientation or gender identity.	1/7/2019 House: Referred to Committee on Rules 1/28/2019 House: Referred from Rules by voice vote 1/28/2019 House: Referred to Committee on General Laws 2/5/2019 House: Left in General Laws	1/22/2019
<p>Support (19102588D) - 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>		
HB 2070 - Bell (87) Energy saving products; tax deduction.	1/7/2019 House: Referred to Committee on Finance 1/30/2019 House: Subcommittee recommends striking from docket (7-Y 0-N) 2/5/2019 House: Left in Finance	1/22/2019
<p>Support (19102583D) Summary: Tax deduction for energy saving products. Establishes a tax deduction for the amount a taxpayer pays for energy saving products, not to exceed \$10,000. Energy saving products are defined as being either (i) solar panels or (ii) products that meet the requirements of the Energy Star program established by the U.S. Environmental Protection Agency and the U.S. Department of Energy. To qualify for the deduction, the taxpayer must spend at least \$1,000 on energy saving products. The bill also provides that a person may not claim both this deduction and the existing deduction for certain energy efficient products during the same taxable year.</p>		
HB 2084 - Watts (39) Counties, certain; additional powers that include taxation, etc.	1/7/2019 House: Referred to Committee on Counties, Cities and Towns 1/30/2019 House: Subcommittee recommends laying on the table (7-Y 0-N) 2/5/2019 House: Left in Counties, Cities and Towns	1/22/2019
<p>Monitor (19101523D) - Board has historically monitored. 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 eligibility for highway maintenance funds. Currently, such powers are generally granted only to cities and towns.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 2103</u> - Freitas (30) Stormwater management plans; erosion and sediment control plans, portion of project.</p>	<p>1/8/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/30/2019 House: Subcommittee recommends laying on the table (8-Y 2-N) 2/5/2019 House: Left in Agriculture, Chesapeake and Natural Resources</p>	<p>2/5/2019</p>
<p>Oppose (19104080D) Summary: Stormwater management plans; erosion and sediment control plans; portion of project. Directs the State Water Control Board to establish a procedure that allows an operator to submit stormwater management plans that are sufficient for a particular proposed land-disturbing activity without requiring such plans to cover any subsequent land-disturbing activity anticipated at the same location or an adjacent location. The bill also amends a provision of the law that is not yet effective, directing the establishment of the same procedure as it applies not only to stormwater management plans but also to erosion and sediment control plans.</p>		
<p><u>HB 2146</u> - Turpin (85) Land development; conservation or replacement of trees, local option.</p>	<p>1/8/2019 House: Referred to Committee on Counties, Cities and Towns 1/23/2019 House: Subcommittee failed to recommend reporting (3-Y 4-N) 2/5/2019 House: Left in Counties, Cities and Towns</p>	<p>1/22/2019</p>
<p>Monitor (19101980D) Summary: Land development; conservation or replacement of trees; local option. Authorizes any locality to adopt an ordinance providing for either the conservation of or the planting and replacement of trees during the land development process. Currently, only a locality within Planning District 8 with a population density of 75 persons per square mile and which is classified as an eight-hour nonattainment area for ozone under the federal Clean Air Act and Amendments of 1990, in effect as of July 1, 2008, may adopt such an ordinance for the conservation of trees and only a locality with a population density of 75 persons per square mile or within the Chesapeake Bay watershed may adopt such an ordinance for the planting and replacement of trees during the land development process.</p>		
<p><u>HB 2155</u> - Plum (36) Vehicles stopped at crosswalks; prohibition on passing.</p>	<p>1/8/2019 House: Referred to Committee on Transportation 1/29/2019 House: Subcommittee failed to recommend reporting (4-Y 6-N) 2/5/2019 House: Left in Transportation</p>	<p>1/22/2019</p>
<p>Support (19101728D) Summary: Prohibits the driver of a vehicle from overtaking and passing a vehicle stopped at a marked crosswalk to permit a pedestrian to cross the highway.</p>		
<p><u>HB 2189</u> - Kilgore (1) Local government; taxing authority.</p>	<p>1/8/2019 House: Referred to Committee on Counties, Cities and Towns 1/30/2019 House: Subcommittee recommends laying on the table (7-Y 0-N) 2/5/2019 House: Left in Counties, Cities and Towns</p>	<p>1/22/2019</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (19101905D) - Board has historically supported. See also SB 1127 (Favola). 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, 2020, prior to which the Joint Subcommittee on Local Government Fiscal Stress shall review the bill and develop recommended legislation to make any other amendments necessary to the Code of Virginia to effectuate its provisions.</p>		
<p>HB 2273 - Webert (18) Passing stopped school bus; use while passing stopped school bus.</p>	<p>1/8/2019 House: Referred to Committee for Courts of Justice 1/21/2019 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 1/25/2019 House: Reported from Courts of Justice with substitute (16-Y 0-N) 1/31/2019 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/1/2019 Senate: Referred to Committee on Transportation 2/6/2019 Senate: Passed by indefinitely in Transportation (8-Y 5-N)</p>	<p>1/22/2019</p>
<p>Support (19100523D) Summary: Use of handheld personal communications devices in certain motor vehicles while passing stopped school bus; penalty. Imposes a mandatory fine of \$250 for using a handheld personal communications device for reading emails or texting while operating a motor vehicle and passing a stopped school bus.</p>		
<p>HB 2291 - VanValkenburg (72) School boards; local law-enforcement agencies, memorandums of understanding.</p>	<p>1/8/2019 House: Referred to Committee on Education 2/5/2019 House: Left in Education</p>	<p>1/22/2019</p>
<p>Monitor (19104117D) Summary: School boards; local law-enforcement agencies; memorandums of understanding. Requires the school board in each school division in which the local law-enforcement agency employs school resource officers to enter into a memorandum of understanding with such local law-enforcement agency that sets forth the respective roles and responsibilities of the school board and the law-enforcement agency and the roles and responsibilities of such school resource officers. The bill requires each such school board and local law-enforcement agency to (i) review the memorandum of understanding every two years or at any time upon the request of either party and may revise such memorandum at any time as agreed by the parties and (ii) ensure that all relevant personnel employed by either party are informed of and review the provisions of the memorandum of understanding, including any revisions to the memorandum of understanding. The bill also requires the Virginia Center for School and Campus Safety to develop a model memorandum of understanding that may be used by local school boards and local law-enforcement agencies to satisfy the new requirements put forth in the bill.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 2329</u> - Keam (35) Distributed renewable energy; promotes establishment of solar and other renewable energy.</p>	<p>1/8/2019 House: Referred to Committee on Commerce and Labor 1/31/2019 House: Failed to report (defeated) in Commerce and Labor (7-Y 8-N)</p>	<p>1/22/2019</p>
<p>Support (19103955D) Summary: Distributed renewable energy. Promotes the establishment of distributed renewable solar and other renewable energy. The measure (i) removes the one percent cap on the total amount of renewable energy that can be net metered in a utility's service territory, (ii) authorizes third-party power purchase agreements for all customer classes throughout the Commonwealth, (iii) allows local governments and certain other public bodies to install solar or wind facilities of up to five megawatts on government-owned property and use the electricity for government-owned buildings, (iv) allows all net metering customers to attribute output from a single solar array to multiple meters, (v) allows the owner of a multi-family residential building or the common areas of a condominium to install a renewable energy generation facility and sell the electricity to tenants or condominium unit owners, (vi) removes the restriction on customers installing a net-metered generation facility larger than that required to meet their previous 12 months' demand, (vii) raises the cap for net-metered nonresidential generation facilities from one megawatt to two megawatts, and (viii) removes the ability of utilities to assess standby charges. The measure also amends the Commonwealth Energy Policy to include provisions supporting distributed generation of renewable energy.</p>		
<p><u>HB 2359</u> - Jones (76) Capital outlay plan; updates six-year plan for projects.</p>	<p>1/8/2019 House: Referred to Committee on Appropriations 2/5/2019 House: Left in Appropriations</p>	<p>1/22/2019</p>
<p>Support (19103644D) - The County supports funding for a Northern Virginia regional science center which is included in the capital outlay plan. Summary: Capital outlay plan. Updates the six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources.</p>		
<p><u>HB 2421</u> - Levine (45) Discrimination; sexual orientation and gender identity.</p>	<p>1/8/2019 House: Referred to Committee on Rules 1/28/2019 House: Referred from Rules by voice vote 1/28/2019 House: Referred to Committee on General Laws 2/5/2019 House: Left in General Laws</p>	<p>1/22/2019</p>
<p>Support (19100256D) - 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>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 2451 - Bell (20) Certificate of public need; nursing homes and hospitals, disaster exemption.</p>	<p>1/9/2019 House: Referred to Committee on Health, Welfare and Institutions 1/31/2019 House: Tabled in Health, Welfare and Institutions (22-Y 0-N)</p>	<p>1/22/2019</p>
<p>Support (19101416D) - See also HB 1870 (Sickles) and SB 1277 (Barker). Summary: Certificate of public need; nursing homes and hospitals; disaster exemption. Provides for a 30-day exemption from the requirement to obtain a certificate of public need for an increase in the total number of beds in nursing homes or hospitals if the State Health Commissioner has determined that a natural or man-made disaster has caused the evacuation of nursing homes or hospitals and that a public health emergency exists due to a shortage of nursing home or hospital beds.</p>		
<p>HB 2458 - Landes (25) Early childhood care and education; establishment, licensure.</p>	<p>1/9/2019 House: Referred to Committee on Education 1/21/2019 House: Subcommittee recommends reporting with substitute (6-Y 1-N) 1/21/2019 House: Subcommittee recommends referring to Committee on Appropriations 1/23/2019 House: Reported from Education with substitute (20-Y 1-N) 1/23/2019 House: Referred to Committee on Appropriations 2/5/2019 House: Left in Appropriations</p>	<p>1/22/2019</p>
<p>Monitor (19102705D) - See also SB 1095 (Howell). Summary: Early childhood care and education; licensing. Requires the Board of Education to establish a statewide unified public-private system for early childhood care and education in the Commonwealth to be administered by the Board of Education, the Superintendent of Public Instruction, and the Department of Education. The bill transfers the authority to license and regulate child day programs and other early child care agencies from the Board of Social Services and Department of Social Services to the Board of Education and the Department of Education. The bill maintains current licensure, background check, and other requirements of such programs. The bill establishes the Early Childhood Innovation Fund for the purpose of facilitating regional public-private collaboration and to field test innovative strategies and evidence-based practices that support a robust system of comprehensive early childhood care and education services to deliver measurable school readiness outcomes and meet regional workforce support needs. Such provisions of the bill have a delayed effective date of July 1, 2021.</p>		
<p>HB 2466 - Roem (13) State Route 28; Department of Transportation to study.</p>	<p>1/9/2019 House: Referred to Committee on Rules 2/5/2019 House: Left in Rules</p>	<p>1/22/2019</p>
<p>Monitor (19102854D) Summary: Department of Transportation to study State Route 28; report. Directs the Department of Transportation to study the feasibility of implementing improvements to State Route 28 in Prince William County between the City of Manassas Park and Fairfax County.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 2467 - Roem (13) State Route 28; Department of Transportation to study.</p>	<p>1/9/2019 House: Referred to Committee on Rules 1/29/2019 House: Subcommittee recommends striking from docket (7-Y 0-N) 2/5/2019 House: Left in Rules</p>	<p>1/22/2019</p>
<p>Amend (19102882D) - Amend limits of study to remove segments in Fairfax County. Summary: Department of Transportation to study State Route 28; report. Directs the Department of Transportation to study the feasibility of implementing improvements to State Route 28 between the City of Manassas Park and State Route 29 in Fairfax County.</p>		
<p>HB 2468 - Roem (13) State Route 28; Department of Transportation to study.</p>	<p>1/9/2019 House: Referred to Committee on Rules 1/29/2019 House: Subcommittee recommends striking from docket (7-Y 0-N) 2/5/2019 House: Left in Rules</p>	<p>1/22/2019</p>
<p>Amend (19102971D) - Amend limits of study to remove segments in Fairfax County. Summary: Department of Transportation to study State Route 28; report. Directs the Department of Transportation to study the feasibility of implementing improvements to State Route 28 between U.S. Route 15 in Fauquier County and State Route 29 in Fairfax County.</p>		
<p>HB 2495 - Tran (42) Fall cankerworm; spraying prohibited during certain months.</p>	<p>1/9/2019 House: Referred to Committee on Counties, Cities and Towns 1/24/2019 House: Subcommittee recommends laying on the table (5-Y 4-N) 2/5/2019 House: Left in Counties, Cities and Towns</p>	<p>1/22/2019</p>
<p>Oppose (19104098D) Summary: Prohibits localities from spraying pesticides intended to suppress an infestation of the fall cankerworm during the period between March 1 and August 1.</p>		
<p>HB 2504 - Murphy (34) Protective orders; possession of firearms, penalties.</p>	<p>1/9/2019 House: Referred to Committee for Courts of Justice 2/5/2019 House: Left in Courts of Justice</p>	<p>1/22/2019</p>
<p>Support (19103833D) Summary: Protective orders; possession of firearms; penalties. Provides that it is a Class 6 felony for a person who is subject to a permanent protective order (i.e., a protective order with a maximum duration of two years) for subjecting another person to an act of violence, force, or threat to possess a firearm while the order is in effect. This penalty is equivalent to the existing penalty for possession of a firearm by a person subject to a permanent protective order for family abuse. The bill also provides that such person may continue to possess and transport a firearm for 24 hours after being served with the order for the purposes of selling or transferring the firearm to another person. The bill requires that any person who is prohibited from possessing a firearm because he is subject to a permanent protective order certify in writing to the clerk of the court that issued the order within 48 hours after being served with the order that any firearm in his possession has been sold or transferred. The bill provides that failure to file such certification is a Class 1 misdemeanor.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 2506</u> - Hodges (98) Chesapeake Bay Preservation Areas; filling low-lying areas.</p>	<p>1/9/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/30/2019 House: Subcommittee recommends striking from docket (10-Y 0-N) 2/5/2019 House: Left in Agriculture, Chesapeake and Natural Resources</p>	<p>2/5/2019</p>
<p>Oppose (19104058D) Summary: Directs the State Water Control Board to adopt regulations allowing the owner of residential property in a Chesapeake Bay Preservation Area to deposit appropriate fill material in certain low-lying areas within 50 landward feet of a resource protection area (RPA) located on the property. The bill establishes certain provisions that the regulations shall contain and provides that no filling that is carried out in compliance with such regulations shall (i) be considered a land-disturbing activity for purposes of stormwater management and erosion and sediment control, (ii) require a Virginia Water Protection Permit, or (iii) require a permit from the Virginia Marine Resources Commission. The bill also authorizes certain localities to adopt ordinances establishing a local permit process for projects that disturb less than one acre, and it requires projects that disturb one acre or more of land to follow general permit requirements established in statute.</p>		
<p><u>HB 2510</u> - Hugo (40) Judges; maximum number in nineteenth judicial district.</p>	<p>1/9/2019 House: Referred to Committee for Courts of Justice 1/28/2019 House: Subcommittee recommends reporting (8-Y 0-N) 1/28/2019 House: Subcommittee recommends referring to Committee on Appropriations 1/30/2019 House: Reported from Courts of Justice (18-Y 0-N) 1/30/2019 House: Referred to Committee on Appropriations 2/1/2019 House: Subcommittee recommends laying on the table (6-Y 1-N) 2/5/2019 House: Left in Appropriations</p>	<p>1/22/2019</p>
<p>Support (19101667D) - See also SB 1121 (Petersen). Summary: Maximum number of judges in each judicial district. Increases from 11 to 12 the maximum number of authorized general district court judgeships in the nineteenth judicial district. This bill is a recommendation of the Committee on District Courts.</p>		
<p><u>HB 2513</u> - Hugo (40) Workers' compensation; occupation disease presumptions, PTSD.</p>	<p>1/9/2019 House: Referred to Committee on Commerce and Labor 1/29/2019 House: Subcommittee recommends reporting (5-Y 3-N) 1/29/2019 House: Subcommittee recommends referring to Committee on Appropriations 1/31/2019 House: Reported from Commerce and Labor (15-Y 4-N) 1/31/2019 House: Referred to Committee on Appropriations 2/5/2019 House: Left in Appropriations</p>	<p>2/5/2019</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (19102118D) - Also support the Joint Legislative Audit and Review Commission's comprehensive study of workers' compensation.</p> <p>Summary: Workers' compensation; occupation disease presumptions; PTSD. Establishes a presumption that if certain firefighters, law-enforcement officers, hazardous materials officers, animal protection police officers, or 9-1-1 emergency call takers, dispatchers, or similarly situated employees (i) receive a diagnosis of post-traumatic stress disorder (PTSD) from a licensed physician, licensed clinical psychologist, licensed professional counselor, or licensed clinical social worker; (ii) suffer death or any impairment resulting in total or partial disability from work caused by the PTSD; and (iii) receive a statement from such a provider that the PTSD was caused by a single critical event or multiple exposures to critical events that occurred in the course of the employment, then the PTSD is an occupational disease, suffered in the line of duty, that is covered by the Virginia Workers' Compensation Act unless such presumption is overcome by a preponderance of competent evidence to the contrary. The measure provides that a "critical event" includes an event that results in serious injury or death to an individual; deals with a minor who has been injured, killed, abused, exploited, or a victim of a crime; deals with mass casualties; results in injury to or the death of a coworker; involves an immediate threat to the life of the claimant or another individual; or involves the abuse, cruelty, injury, exploitation, or death of an animal.</p>		
<p>HB 2643 - Delaney (67) Interstate 66; limits to \$15 the tolls collected on the tolled portion.</p>	<p>1/10/2019 House: Referred to Committee on Transportation 1/24/2019 House: Subcommittee recommends reporting (6-Y 1-N) 1/29/2019 House: Referred from Transportation by voice vote 1/29/2019 House: Referred to Committee on Appropriations 2/1/2019 House: Subcommittee recommends laying on the table (7-Y 0-N) 2/5/2019 House: Left in Appropriations</p>	<p>1/22/2019</p>
<p>Oppose (19103674D) - Including a maximum fee would impact the traffic flow on I-66 Inside the Beltway and may impact the Concessionaire contract on I-66 Outside the Beltway.</p> <p>Summary: Tolling on Interstate 66. Limits to \$15 the tolls collected on the tolled portion of Interstate 66 east of mile marker 67. The bill expands the limitation to the tolled portion of Interstate 66 east of mile marker 43 upon completion of the Transform 66 Outside the Beltway project.</p>		
<p>HB 2736 - Hugo (40) Local employee grievance procedure; qualifying grievances by local government employees.</p>	<p>1/16/2019 House: Referred to Committee on Counties, Cities and Towns 2/5/2019 House: Left in Counties, Cities and Towns</p>	<p>1/22/2019</p>
<p>Oppose (19104660D) - Board has historically opposed.</p> <p>Summary: Local employee grievance procedure. Provides that qualifying grievances by local government employees shall advance to a final step as agreed upon by the aggrieved and the local government; however, if an agreement cannot be reached on whether to use a panel hearing or hearing officer, a three-person panel shall be used. The bill contains technical amendments.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HJ 577</u> - Rasoul (11) United States Constitution; ratifies Equal Rights Amendment.</p>	<p>7/20/2018 House: Referred to Committee on Privileges and Elections 1/22/2019 House: Subcommittee recommends passing by indefinitely (4-Y 2-N) 2/5/2019 House: Left in Privileges and Elections</p>	<p>1/22/2019</p>
<p>Support (19100132D) - Board has historically supported. See also HJ 583 (Ward). Summary: Constitution of the United States; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the Constitution of the United States that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.</p>		
<p><u>HJ 579</u> - Foy (2) United States Constitution; ratifies Equal Rights Amendment.</p>	<p>8/13/2018 House: Referred to Committee on Privileges and Elections 1/22/2019 House: Subcommittee recommends passing by indefinitely (4-Y 2-N) 2/5/2019 House: Left in Privileges and Elections</p>	<p>1/22/2019</p>
<p>Support (19100231D) - Board has historically supported. Summary: Constitution of the United States; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the Constitution of the United States that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.</p>		
<p><u>HJ 583</u> - Ward (92) United States Constitution; ratifies Equal Rights Amendment.</p>	<p>10/8/2018 House: Referred to Committee on Privileges and Elections 1/22/2019 House: Subcommittee recommends passing by indefinitely (4-Y 2-N) 2/5/2019 House: Left in Privileges and Elections</p>	<p>1/22/2019</p>
<p>Support (19100546D) - Board has historically supported. See also HJ 577 (Rasoul). Summary: Constitution of the United States; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the Constitution of the United States that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.</p>		
<p><u>HJ 643</u> - Webert (18) Composite index of local ability to pay; DOE to study effect of local use value assessment.</p>	<p>1/7/2019 House: Referred to Committee on Rules 1/29/2019 House: Subcommittee recommends striking from docket (7-Y 0-N) 2/5/2019 House: Left in Rules</p>	<p>1/22/2019</p>
<p>Oppose (19100976D) - 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.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>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 657 - Pogge (96) Constitutional amendment; real property tax exemption, surviving spouse of a disabled veteran.</p>	<p>1/8/2019 House: Referred to Committee on Privileges and Elections 1/28/2019 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 2/1/2019 House: Stricken from docket by Privileges and Elections (21-Y 1-N)</p>	<p>1/22/2019</p>
<p>Amend (19101855D) - Amend to support as a state tax credit. For similar constitutional amendments, the Board has historically sought to amend to support as a state tax credit. Summary: Constitutional amendment (first resolution); real property tax exemption; surviving spouse of a disabled veteran; date of veteran's disability and death. Provides that, as of January 1, 2021, the real property tax exemption for the surviving spouse of a 100 percent disabled veteran shall apply regardless of whether the disabled veteran died prior to January 1, 2011. Under the current constitutional real property tax exemption, if a veteran received a 100 percent disability rating and died prior to January 1, 2011, his surviving spouse is not eligible for the exemption pursuant to state statutory law.</p>		
<p>SB 1035 - Locke (2) Absentee voting; no-excuse absentee.</p>	<p>10/30/2018 Senate: Referred to Committee on Privileges and Elections 1/29/2019 Senate: Incorporated by Privileges and Elections (SB 1026-Spruill) (14-Y 0-N)</p>	<p>1/22/2019</p>
<p>Support (19100414D) - Board has historically supported. See also HB 1641 (Herring), SB 1026 (Spruill), and SB 1672 (Locke). Summary: Permits any registered voter to vote by absentee ballot in any election in which he is qualified to vote. The bill removes the current list of statutory reasons under which a person may be entitled to vote by absentee ballot and removes references to those reasons from other sections of the Code.</p>		
<p>SB 1058 - Favola (31) Companion animals; care, local ordinances.</p>	<p>12/6/2018 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/6/2019 Senate: Left in Agriculture, Conservation and Natural Resources</p>	<p>1/22/2019</p>
<p>Support (19100755D) Summary: Companion animals; care; local ordinances. Authorizes any locality to adopt an ordinance that parallels and makes more stringent the state law regarding the care of companion animals.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1075</u> - Howell (32) Absentee voting; no-excuse in-person available 21 days prior to election.</p>	<p>12/13/2018 Senate: Referred to Committee on Privileges and Elections 1/29/2019 Senate: Incorporated by Privileges and Elections (SB 1026-Spruill) (14-Y 0-N)</p>	<p>1/22/2019</p>
<p>Support with Amendment (19100722D) - Support with amendments to facilitate implementation. Board has historically supported with amendments. 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 1078</u> - Howell (32) Protective orders; possession of firearms, penalty.</p>	<p>12/13/2018 Senate: Referred to Committee for Courts of Justice 1/21/2019 Senate: Reported from Courts of Justice with substitute (14-Y 0-N 1-A) 1/21/2019 Senate: Re-referred to Finance 2/6/2019 Senate: Left in Finance</p>	<p>1/22/2019</p>
<p>Support (19100829D) Summary: Protective orders; possession of firearms; penalty. Provides that it is a Class 6 felony for a person who is subject to a permanent protective order (i.e., a protective order with a maximum duration of two years) for subjecting another person to an act of violence, force, or threat to possess a firearm while the order is in effect, which is equivalent to the existing penalty for possession of a firearm by a person subject to a permanent protective order for family abuse. The bill also provides that such person may continue to possess and transport a firearm for 24 hours after being served with the order for the purposes of selling or transferring the firearm to another person.</p>		
<p><u>SB 1127</u> - Favola (31) Local government taxing authority; equalizes municipal and county taxing authorities.</p>	<p>12/28/2018 Senate: Referred to Committee on Local Government 1/15/2019 Senate: Re-referred to Finance 1/23/2019 Senate: Passed by indefinitely in Finance (13-Y 3-N)</p>	<p>1/22/2019</p>
<p>Support (19103307D) - Board has historically supported. See also HB 2189 (Kilgore). 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, 2020, prior to which the Division of Legislative Services is directed to convene a working group to develop recommendations as to what additional legislative changes are needed to effectuate the provisions of the bill.</p>		

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Bills	General Assembly Actions	Date of BOS Position
SB 1198 - Dance (16) Absentee voting; no excuse required when voting in person.	1/3/2019 Senate: Referred to Committee on Privileges and Elections 1/29/2019 Senate: Incorporated by Privileges and Elections (SB 1026-Spruill) (14-Y 0-N)	1/22/2019
<p>Support (19101559D) - Board has historically supported.</p> <p>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>		
SB 1456 - McClellan (9) Distributed renewable energy; promotes establishment of solar and other renewable energy.	1/8/2019 Senate: Referred to Committee on Commerce and Labor 1/28/2019 Senate: Passed by indefinitely in Commerce and Labor (10-Y 3-N)	1/22/2019
<p>Support (19103827D)</p> <p>Summary: Distributed renewable energy. Promotes the establishment of distributed renewable solar and other renewable energy. The measure (i) removes the one percent cap on the total amount of renewable energy that can be net metered in a utility's service territory, (ii) authorizes third-party power purchase agreements for all customer classes throughout the Commonwealth, (iii) allows local governments and certain other public bodies to install solar or wind facilities of up to five megawatts on government-owned property and use the electricity for government-owned buildings, (iv) allows all net metering customers to attribute output from a single solar array to multiple meters, (v) allows the owner of a multi-family residential building or the common areas of a condominium to install a renewable energy generation facility and sell the electricity to tenants or condominium unit owners, (vi) removes the restriction on customers installing a net-metered generation facility larger than that required to meet their previous 12 months' demand, (vii) raises the cap for net-metered nonresidential generation facilities from one megawatt to two megawatts, and (viii) removes the ability of utilities to assess standby charges. The measure also amends the Commonwealth Energy Policy to include provisions supporting distributed generation of renewable energy.</p>		
SB 1467 - Saslaw (35) Protective orders; possession of firearms, surrender or transfer of firearms, penalties.	1/8/2019 Senate: Referred to Committee for Courts of Justice 1/28/2019 Senate: Passed by indefinitely in Courts of Justice (8-Y 6-N)	1/22/2019
<p>Support (19103735D)</p> <p>Summary: Protective orders; possession of firearms; surrender or transfer of firearms; penalties. Provides that a court shall order a person subject to a permanent protective order (i.e., a protective order with a maximum duration of two years) to (i) within 24 hours, surrender any firearm possessed by such person to a designated local law-enforcement agency, sell or transfer any firearm possessed by such person to a dealer, or sell or transfer any firearm possessed by such person to any person who is not otherwise prohibited by law from possessing such firearm, provided that such person will not allow the person subject to a protective order to exert any influence or control over the sold or transferred firearm, or (ii) certify in writing that such person does not possess any firearms and file such certification with the clerk of the court that entered the protective order within 48 hours after being served with a protective order. The bill provides that within 48 hours after surrendering or selling or</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>transferring all firearms, such person must certify in writing that all firearms possessed by such person have either been surrendered or sold or transferred and file such certification with the clerk of the court that entered the protective order. The bill also provides that any person subject to a protective order who fails to certify in writing that all firearms possessed by such person have either been surrendered or sold or transferred or that such person does not possess any firearms is guilty of a Class 1 misdemeanor. The bill provides procedures for designating a local law-enforcement agency to receive and store firearms as well as a process to return such surrendered firearms. The bill also provides that any person who buys or has a firearm transferred to him from a person subject to a permanent protective order and allows the person subject to a protective order to exert any influence or control over the sold or transferred firearm is guilty of a Class 1 misdemeanor.</p>		
<p>SB 1471 - Hanger, Jr. (24) Computation of composite index; land-use assessment value.</p>	<p>1/8/2019 Senate: Referred to Committee on Finance 1/31/2019 Senate: Passed by indefinitely in Finance (16-Y 0-N)</p>	<p>1/22/2019</p>
<p>Oppose (19102935D) - 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. This bill would result in the shifting of funds from urban to rural localities; Fairfax County Public Schools estimates that it would lose more than \$7.6 million. Summary: Education; computation of composite index; land-use assessment value. Requires the General Assembly to modify the current standards of quality funding formula and the calculation of composite index of local ability to pay to incorporate within the real estate indicator of local wealth the land-use assessment value for those properties located within a land-use plan.</p>		
<p>SB 1476 - Deeds (25) School bus video-monitoring systems; release of information by DMV.</p>	<p>1/8/2019 Senate: Referred to Committee on Transportation 1/23/2019 Senate: Incorporated by Transportation (SB 1520-Carrico) (13-Y 0-N)</p>	<p>1/22/2019</p>
<p>Support (19101967D) - Board has historically supported. 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>SB 1672 - Locke (2) Absentee voting; no-excuse absentee.</p>	<p>1/11/2019 Senate: Referred to Committee on Privileges and Elections 1/29/2019 Senate: Stricken at request of Patron in Privileges and Elections (13-Y 0-N)</p>	<p>1/22/2019</p>
<p>Support (19102230D) - Board has historically supported. See also HB 1641 (Herring), SB 1026 (Spruill), and SB 1035 (Locke). Summary: Permits any registered voter to vote by absentee ballot in any election in which he is qualified to vote. The bill removes the current list of statutory reasons under which a person may be entitled to vote by absentee ballot and removes references to those reasons from other sections of the Code.</p>		

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

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1708</u> - Edwards (21) Law-Enforcement Officers Procedural Guarantee Act; hearing panel decisions.</p>	<p>1/15/2019 Senate: Referred to Committee for Courts of Justice 1/28/2019 Senate: Failed to report (defeated) in Courts of Justice (6-Y 6-N 2-A)</p>	<p>2/5/2019</p>
<p>Oppose (19104419D) Summary: Law-Enforcement Officers Procedural Guarantee Act; hearing panel decisions; finality and enforcement. Makes final and binding the decision of the hearing panel conducting a hearing to review an action that dismisses, demotes, suspends, or transfers a law-enforcement officer for punitive reasons, if such decisions are consistent with law and written policy. Under current law, the hearing panel only provides advisory recommendations. The bill allows either party to the hearing to petition the circuit court of the locality in which the grievant is employed for an order requiring the implementation of the final decision of the hearing panel.</p>		
<p><u>SB 1770</u> - Deeds (25) Transportation funding; creates a statewide approach to funding.</p>	<p>1/18/2019 Senate: Referred to Committee on Finance 1/31/2019 Senate: Passed by indefinitely in Finance (16-Y 0-N)</p>	<p>2/5/2019</p>
<p>Oppose (19104415D) Summary: Transportation Funding. Creates a statewide approach to transportation funding. The bill repeals the regional sales tax and gas tax enacted in 2013 to fund transportation initiatives in Hampton Roads and Northern Virginia, and raises the statewide gas tax by three percent to fund transportation generally. The bill has a delayed effective date of July 1, 2020, and directs the Secretary of Transportation to report to the Governor and the chairmen of the House Committees on Appropriations and Transportation and the Senate Committees on Finance and Transportation regarding changes necessary to existing transportation funding allocations to honor existing contracts and debt service obligations.</p>		
<p><u>SB 1783</u> - Boysko (33) Local employee grievance procedure; qualifying grievances by local government employees.</p>	<p>1/18/2019 Senate: Referred to Committee on Local Government 1/29/2019 Senate: Stricken at request of Patron in Local Government (8-Y 0-N)</p>	<p>2/5/2019</p>
<p>Oppose (19104563D) - Board has historically opposed. Summary: Local employee grievance procedure. Provides that qualifying grievances by local government employees shall advance to a final step as agreed upon by the aggrieved and the local government; however, if an agreement cannot be reached on whether to use a panel hearing or hearing officer, a three-person panel shall be used. The bill contains technical amendments.</p>		

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

Bills	General Assembly Actions	Date of BOS Position
<p>SJ 284 - Sturtevant, Jr. (10) United States Constitution; ratifies Equal Rights Amendment.</p>	<p>1/7/2019 Senate: Referred to Committee on Privileges and Elections 1/9/2019 Senate: Incorporates SJ 270 (Saslaw) 1/9/2019 Senate: Reported from Privileges and Elections with substitute (8-Y 6-N) 1/15/2019 Senate: Agreed to by Senate (26-Y 14-N) 1/18/2019 House: Referred to Committee on Privileges and Elections 1/22/2019 House: Subcommittee recommends passing by indefinitely (4-Y 2-N) 2/5/2019 House: Left in Privileges and Elections</p>	<p>1/22/2019</p>
<p>Support (19104385D-S1) - Board has historically supported. Summary: Constitution of the United States; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the Constitution of the United States that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.</p>		
<p>SJ 307 - Lewis, Jr. (6) JLARC; costs of education, report.</p>	<p>1/9/2019 Senate: Referred to Committee on Rules 2/1/2019 Senate: Passed by indefinitely in Rules by voice vote</p>	<p>1/22/2019</p>
<p>Support (19103131D) - Board has historically supported. Fairfax County's Legislative Program includes support for adequate K-12 education funding. Summary: Study; JLARC; costs of education; report. Directs the Joint Legislative Audit and Review Commission to study the true cost of education in the Commonwealth and provide an accurate assessment of the costs to implement the Standards of Quality.</p>		

**BUDGET PROPOSALS FOR FY 2018 - FY 2020 DURING THE 2019 GENERAL ASSEMBLY SESSION
as of February 7, 2019**

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

	Governor's Budget		House		Senate	
	FY 2019*	FY 2020	FY 2019*	FY 2020	FY 2019*	FY 2020
Direct County Impact						
Provide a one-time 1% bonus for State- Supported Local Employees in FY 2020	\$0.00	\$0.20	\$0.00	\$0.00	\$0.00	\$0.00
Increase the across the board salary adjustment from 2 percent to 3 percent for State- Supported Local Employees in FY 2020	\$0.00	\$0.00	\$0.00	\$0.32	\$0.00	\$0.00
TOTAL DIRECT COUNTY IMPACT	\$0.00	\$0.20	\$0.00	\$0.32	\$0.00	\$0.00
TOTAL OVER THE BIENNIUM	\$0.20		\$0.32		\$0.00	

* Compares to County's FY 2019 Adopted Budget

Impact to the Fairfax County Public Schools' (FCPS) FY 2020 Operating Fund Budget

Governor Northam's Budget:

Compared to the FCPS' FY 2019 Approved Budget, Governor Northam's Budget includes \$27.2 million more in state aid and \$9.2 million in sales tax revenue for FY 2020.

The impact of Governor Northam's Budget is reflected in the FCPS FY 2020 Proposed Budget released on January 10, 2019.

House: Compared to the FCPS' FY 2019 Approved Budget, the House budget amendments include \$23.6 million more in state aid and \$9.2 million more in sales tax revenue for FY 2020.

Compared to the FCPS' FY 2020 Proposed Budget, the House budget amendments include \$3.6 million less in state aid and no change in sales tax revenue.

Senate: Compared to the FCPS' FY 2019 Approved Budget, the Senate budget amendments include \$23.5 million more in state aid and \$9.2 million more in sales tax revenue for FY 2020.

Compared to the FCPS' FY 2020 Proposed Budget, the Senate budget amendments include \$3.7 million less in state aid and no change in sales tax revenue.

**BUDGET PROPOSALS FOR FY 2018 - FY 2020
DURING THE 2019 GENERAL ASSEMBLY SESSION
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Budget Bill Item #	Issue	Fairfax County Impact
Compensation		
State-Supported Employee Compensation		
474.AC1	Governor Northam's Budget: Provides a one-time bonus of 1 percent for all Constitutional officers and state-supported local employees effective December 1, 2019 (FY 2020).	Results in a one-time increase of \$190,000 in FY 2020. This is in addition to the 2 percent salary increase effective July 1, 2019, for which Fairfax County will receive an increase of approximately \$640,000.
474 #5h	House: Provides \$8.9 million in FY 2020 for state-supported local employees to increase the across the board salary adjustment from 2 percent to 3 percent. Removes the 1 percent bonus proposed by the Governor.	Results in an additional \$320,000 in FY 2020.
474 #2s	Senate: Removes the 1 percent bonus for all Constitutional officers and state-supported local employees.	Results in a decrease of \$190,000 in FY 2020 compared to the Governor's budget.
Public Safety		
397	State Aid to Localities with Police Departments (HB 599) Governor Northam's Budget: No change from the adopted budget, which had provided \$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 percent and 3.9 percent, respectively. Statutory policy requires that HB 599 funding increase at the rate of GF revenue growth. House/Senate: No change.	No change from the adopted budget, which had resulted in an increase of \$900,000 for Fairfax County in FY 2019 and \$1 million in FY 2020.
70	Body-Worn Cameras Governor Northam's Budget: Provides funding of \$0.7 million in FY 2020 for body-worn camera review in Commonwealth's Attorneys' offices.	TBD. It is unclear how these funds will be distributed to localities with body-worn camera programs.
70 #1h	House: Provides \$0.7 million in FY 2020, in addition to \$0.7 million included in the Governor's budget to fund additional positions within the Commonwealth's Attorneys' offices.	
70	Senate: No change.	
38 #3h	House: Continues and expands the scope of the work group examining workload issues, as well as other fiscal and policy impacts, as a result of the use of body-worn cameras.	
73 #1s	Senate: Establishes guidelines for staffing requirements for Commonwealth's Attorneys' offices to hire one Assistant Commonwealth's Attorney for every 75 body-worn cameras employed by local law enforcement officers.	A budget Q&A has been prepared by staff, identifying the first year cost for a body-worn camera program at \$7.9 million and a recurring cost of \$6.1 million thereafter. Of that, the annual cost resulting from the 1:75 ratio is \$2.4 million. It is important to note that the Commonwealth's Attorney's request was higher than the 1:75 ratio and included attorney positions as well as paralegal and administrative support staff. The County is currently analyzing its body-worn camera pilot program, which ended last year. Because it takes time for cases with body-worn camera footage from the pilot to reach the Commonwealth's Attorney for case review, there is not enough data to accurately determine the number of additional staff required to address the increased workload. County staff will continue to work with the Office of the Commonwealth's Attorney as additional cases come up for review, and benchmark with other jurisdictions.
47	Governor Northam's Budget: Provides funding of \$0.6 million for the Indigent Defense Commission in FY 2020 to fund 20 paralegal positions to lessen workload impact from body-worn camera review. House/Senate: No change.	TBD. It is unclear how these funds will be distributed to localities with body-worn camera programs.
4-5.04 #1h	House: Prohibits state agencies from using funds to purchase or implement body-worn cameras or systems.	

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Budget Bill Item #	Issue	Fairfax County Impact
Revenue		
Health Department		
292	<p>Governor Northam's Budget: Provides \$0.3 million in support for rent increases at local health departments. In addition, provides \$1.5 million to support childhood immunizations.</p> <p>House/Senate: No change.</p>	<p>No impact for Fairfax County from the rent increase funding.</p> <p>Fairfax County may receive a small amount of funding and/or vaccine from the Virginia Department of Health to support childhood immunizations.</p>
3-1.01	<p>Communications Sales and Use Tax</p> <p>Governor Northam's Budget: Eliminates the transfer of Communications Sales and Use Tax revenues to the General Fund in FY 2020; however, still diverts \$2 million in FY 2019.</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> <p>The elimination of the transfer in FY 2020 is a positive development.</p>
3-1.01 #6h	<p>House: Restores the second year transfer of \$2 million from Communications Sales and Use Tax to the General Fund in order to provide increased resources for the Virginia Telecommunication Initiative, a program that assists localities with acquiring access to broadband telecommunications.</p>	<p>Other localities will receive this funding for broadband.</p>
3-1.01 #1s	<p>Senate: Restores the second year transfer of \$2 million from Communications Sales and Use Tax to the General Fund.</p>	
Other Items of Interest		
362	<p>Water Quality Improvement Fund (WQIF)</p> <p>Governor Northam's Budget: Directs \$73.8 million for the mandatory deposit to the Water Quality Improvement Fund (WQIF) associated with the FY 2018 year-end surplus; provides an additional \$20 million in FY 2019 and \$15 million in FY 2020 for WQIF.</p>	<p>Likely positive. Fairfax County has used WQIF for projects in the past, and likely will have future projects that qualify for WQIF funding.</p>
362 #1h	<p>House: Reverses the proposed supplemental deposit of \$15 million in FY 2020 for WQIF; does not impact FY 2019.</p>	
362 #1s	<p>Senate: Reverses the proposed supplemental deposit of \$20 million in FY 2019 and \$15 million in FY 2020 for WQIF.</p>	
368.C1	<p>Stormwater Local Assistance Fund (SLAF)</p> <p>Governor Northam's Budget: Provides funding of \$50 million for SLAF in FY 2020 in addition to the \$20 million included in FY 2019.</p>	<p>The County's Legislative Program includes support for SLAF, and the County has received SLAF funding for a number of projects.</p>
368 #1h	<p>House: Reverses the proposed deposit of \$50 million in FY 2020 for SLAF.</p>	
368 #1s	<p>Senate: Reduces by \$40 million the proposed deposit in FY 2020 for SLAF.</p>	
106 L1	<p>Virginia Telecommunication Initiative</p> <p>Governor Northam's Budget: Provides an additional \$46 million in FY 2020 (for a total of \$50 million) to extend broadband service to currently unserved areas.</p>	TBD.
106 #1h	<p>House: Reverses the additional \$46 million in FY 2020 to extend broadband service to currently unserved areas.</p>	
106 #1s	<p>Senate: Reduces by \$31 million the amount provided to extend broadband service to currently unserved areas.</p>	
122	<p>Virginia Economic Development Partnership (VEDP)</p> <p>Governor Northam's Budget: Increases funding by \$20 million in FY 2019 to enhance the Virginia Business Ready Sites Program.</p>	TBD.
122 #1h	<p>House: Reverses the proposed \$20 million in FY 2019 to enhance the Virginia Business Ready Sites Program.</p>	
122 #1s	<p>Senate: Reduces by \$19 million in FY 2019 the amount provided to enhance the Virginia Business Ready Sites Program. Provides an increase of \$1 million in each year for the program.</p>	

**BUDGET PROPOSALS FOR FY 2018 - FY 2020
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Budget Bill Item #	Issue	Fairfax County Impact
105	<u>Housing Trust Fund</u> Governor Northam's Budget: Provides \$30 million (\$19 million increase compared to the adopted budget) over the biennium to support the Housing Trust Fund.	The County's Legislative Program includes support for additional appropriations to the Virginia Housing Trust Fund.
105 #1h	House: Reverses the proposed \$19 million increase over the biennium to support the Housing Trust Fund.	
105 #1s	Senate: Only provides an additional \$1.5 million each year for the Housing Trust Fund.	
62	<u>Virginia Complete Count Commission</u> Governor Northam's Budget: Provides \$1.5 million in FY 2019 to support education, outreach, and preparation for community participation in the 2020 Census.	TBD.
62 #1h, #1s	House/Senate: Reverses \$1.5 million in FY 2019 in support of education, outreach, and preparation for community participation in the 2020 Census.	
475 R	<u>Elections</u> Governor Northam's Budget: Provides \$5.9 million in FY 2020 to reimburse the Department of Elections and localities for presidential primary expenses. In addition, adds funding and positions to enhance training for local elections officials and to enhance voter list maintenance processes.	Likely positive, as the County's Legislative Program includes support for state funding for election administration (including training for local electoral board members, registrars, and elections officials), although it is unclear how funds will be distributed to localities throughout the state.
475 #4h, 475 #1s	House/Senate: Eliminates \$5.9 million in FY 2020 that the Governor included to reimburse the Department of Elections and localities for presidential primary expenses.	
C-44.20	<u>Science Museum of Virginia</u> Governor Northam's Budget: Includes detailed planning funds for the construction of a Regional Science Center in Northern Virginia. Overall, \$29.6 million is included in FY 2019 for a list of projects, including this project.	The County supports funding for the Children's Science Center, and asked the Governor to include funding in his budget.
C-44.20 #1h	House: Eliminates the entire funding of \$29.6 million.	
C-44.20 #1s	Senate: Decreases the total amount from \$29.6 million to \$19.2 million; appears to maintain the funding included for detailed planning funds for the construction of a Regional Science Center in Northern Virginia.	
255 #1s	<u>Machinery and Tools Tax Rate Study</u> Senate: Convenes a working group to study a plan that would allow Virginia to require all localities to assess a "zero" rate on a manufacturer's machinery and tools for the first five years the equipment is put into service. The funds to reimburse local governments would be provided by the state using new sales and use tax revenues from requiring remote sellers to collect sales tax. Funds, not to exceed \$50 million annually statewide, would be distributed to localities following a reimbursement method similar to the method used for the Communications Sales and Use Tax Trust Fund.	Preserving local government authority, particularly in such a key area as taxation, is a priority for the County. This study raises considerable tax policy concerns.
3-5.17 #1s	<u>Cigarette Taxes Study</u> Senate: Extends from November 2018 to November 2019 the conclusion of a study of options for the modernization of cigarette taxes and possible reforms to the taxation of tobacco products.	Study could provide fairness and equity for all local governments.
391 #2h	<u>Exchange of Offender Medical Information</u> House: Requires the Department of Corrections to develop improved policies related to the exchange of offender medical information with a report due by October 1, 2019.	
4-14 #3s	<u>Decriminalization of Marijuana</u> Senate: Reduces penalties for possession of marijuana to a fine of not more than \$500 and makes a first offense violation eligible for expungement.	

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Budget Bill Item #	Issue	Fairfax County Impact
Human Services		
Medicaid Expansion		
307 341 348	Governor Northam's Budget: Provides approximately \$1.7 million GF and \$1.7 million NGF in FY 2019 and \$11.2 million GF and \$23.7 million NGF in FY 2020 to cover the estimated cost of administering the Medicaid expansion work requirements (also referred to as the 1115 demonstration waiver). Also adjusts appropriations to properly account for the administrative costs associated with Medicaid expansion, and modifies language related to provider coverage and provider payment rate assessments to clarify current policy.	TBD. It is not clear if the Virginia Department of Social Services or local departments of social services will be responsible for administering the work requirements.
3-5.15 #1h	House: Clarifies that the hospital provider assessment language includes administrative costs such as administering the provisions of the Section 1115 waiver.	Likely no impact.
3-5.15 #1s, 3-5.16 #1s	Senate: Reverts the language related to the provider coverage and provider payment rate assessments to the language passed by the 2018 GA.	Likely no impact.
307 #5s	Senate: Directs the Department of Medical Assistance Services (DMAS), in collaboration with the Department of Social Services (DSS), to contract with a vendor for a pilot program to improve screening services for income and assets as part of the Medicaid eligibility determination process for both initial applications and renewals. The pilot program would include new methods to increase automation of various financial accounts to improve the verification process for eligibility. The pilot will also develop and evaluate methods to monitor compliance with the provisions of the Training, Education, Employment, and Opportunity Program. The savings generated from improvements in the eligibility process would be used to pay for the vendor costs of the pilot program.	Likely positive, as automation could result in efficiencies that improve the Medicaid eligibility determination process.
310	Governor Northam's Budget: Requires the Department of Behavioral Health and Developmental Services (DBHDS), in consultation with DMAS, to monitor the impact of Medicaid expansion on the Community Services Boards (CSBs). If the amount of new revenue generated as a result of expansion is at least 10 percent less than the savings assumed in the budget, the Commissioner of DBHDS may allocate up to \$7 million in NGF to replace lost revenue.	Likely positive, though it is unclear how DBHDS will allocate the \$7 million if it becomes available. Localities, including Fairfax County, have raised concerns about reductions to CSBs being greater than increased Medicaid revenue resulting from Medicaid expansion. DBHDS will be reducing state funding to the Fairfax-Falls Church CSB in FY 2019 by \$1.69 million and in FY 2020 by \$4.36 million, based on the assumption that the CSB will receive increased revenue as a result of newly-eligible Medicaid participants. However, the Fairfax-Falls Church CSB anticipates that the maximum additional billings resulting from newly-eligible Medicaid participants will be only \$915,000 in FY 2019, far short of the \$1.69 million reduction.
	House: No change.	

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Budget Bill Item #	Issue	Fairfax County Impact
310 #2s	Senate: Modifies language in the introduced budget to allow assistance to be provided as of April 15, 2019, instead of at the end of FY 2019, so that the provision of critical services is not disrupted. The amendment also clarifies that assistance may be provided to an individual CSB rather than requiring that Medicaid reimbursements to all CSBs fall short of GF reductions before assistance may be provided. The amendment requires DBHDS to report to the Secretary of Finance and the Chairmen of the House Appropriations and Senate Finance Committees on how the expected GF savings compare to actual Medicaid payments for FY 2019 so that the expected GF savings in FY 2020 may be adjusted by the 2020 GA.	TBD. It is not clear how DBHDS will allocate funding.
307	Governor Northam's Budget: Provides approximately \$400,000 GF and \$1.3 million NGF in FY 2020 to address the increased cost of processing Medicaid and CHIP applications through the Cover Virginia central processing unit. Additional funding will cover higher contract costs associated with an increased number of applications being processed at the Cover Virginia central processing unit, and the expanded scope of the contract to provide administrative services. House: No change.	Likely no impact.
307 #4s	Senate: Eliminates funding. The Commonwealth now allows the federal marketplace to make Medicaid eligibility determinations, which will reduce the call center's workload.	
	Medicaid Waivers	
310	Governor Northam's Budget: Provides approximately \$81,000 GF and \$244,000 NGF in FY 2020 for first-time assessments of individuals who will receive services through the 1,067 new developmental disability (DD) Medicaid waiver slots scheduled to become available in FY 2020. The cost of the assessments for the slots added in the first year was covered using year-end balances. House/Senate: No change.	TBD. Because it is not clear how the waivers will be distributed throughout the state, it is not clear how the funding for the assessments associated with the waivers will be distributed throughout the state.
310	Governor Northam's Budget: Increases the federal funding appropriation by approximately \$907,000 NGF in each year for the Waiver Management System (WaMS) project, which is an automated system that consolidates waiver processing functions. House/Senate: No change.	TBD. Fairfax County CSB staff use this tool.
303	Governor Northam's Budget: Reduces the time to implement the required use of an Electronic Visit Verification (EVV) system by consumer-directed aides providing personal care, respite care, and companion services in the Medicaid Commonwealth Coordinated Care (CCC) Plus Waiver and Developmental Disability waiver programs and the Early and Periodic Screening Diagnosis and Treatment (EPSDT) program. The new implementation date will be October 1, 2019, three months ahead of the current federal mandate. House/Senate: No change.	Hundreds of Fairfax County residents will be impacted by this change. Details on implementation (including training and outreach to providers, support coordinators, and individuals and families) are unclear at this time.

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Budget Bill Item #	Issue	Fairfax County Impact
310 #2h, #1s	House/Senate: Adds language prohibiting DBHDS and DMAS from implementing an individualized supports budget process for the three Medicaid waivers related to providing DD services without explicit GA authorization.	Positive. The individual supports budget process will result in a significant workload increase to support coordinators, and no additional funding has been provided to address the increased workload.
310 #6s	Senate: Directs DBHDS to prioritize five DD waiver slots in the Fairfax-Falls Church allocation of developmental disability slots for residents of Falls Church who may be placed in the Miller House and are on the Priority One waitlist.	The Miller House is located in the City of Falls Church on City-owned land. When the project was originally proposed, the Fairfax-Falls Church CSB had more control over the waiver assignment process. Since then, the state has changed the waiver selection process, and the current process of waiver selection is delegated to the Waiver Slot Assignment Committee (an independent committee comprised of members nominated by the Fairfax-Falls Church CSB and selected by DBHDS). This Committee is tasked with making independent decisions based on need for waivers, and is not obligated to consider whether individuals are Fairfax County, City of Falls Church, or City of Fairfax residents. Though in keeping with the original agreement, this amendment does circumvent the Waiver Slot Assignment Committee process.
310 #7s	Senate: Directs DBHDS to ensure that children on the DD waiting list whose parents serve in the military or Foreign Service and are deployed outside of Virginia and then return are placed on the waiting list consistent with their placement prior to leaving Virginia.	Likely no impact. Currently, the waiting list is based on acuity and not when someone was placed on the waitlist.
303 #4s	Senate: Provides \$375,000 GF and \$375,000 NGF for 10 Medicaid DD slots that will be held in reserve for individuals with developmental disabilities whose circumstances may result in a change in services and between waivers.	TBD.
Medicaid		
302	Governor Northam's Budget: Increases funding for the Family Access to Medical Insurance Security (FAMIS) program (Virginia's Children's Health Insurance Program (CHIP)) by approximately \$4.25 million GF and \$40.3 million NGF in FY 2019 and \$8.5 million GF and \$42 million NGF in FY 2020 to reflect the latest forecast of expenditures. The costs are primarily a result of higher than expected managed care rates and, to a lesser extent, increased enrollment.	These are required increases due to higher costs and utilization.
House/Senate: No change.		
307	Governor Northam's Budget: Replaces \$1.7 million NGF with \$1.7 million GF in FY 2020 as a result of a reduction in the federal match rate for administering CHIP. On October 1, 2019, the federal match rate for CHIP is scheduled to be reduced by 11.5 percent points. This reduction will increase the GF share necessary to administer the program from 12 percent to 23.5 percent.	Likely no impact.
House/Senate: No change.		

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Budget Bill Item #	Issue	Fairfax County Impact
303	Governor Northam's Budget: Increases funding for Medicaid utilization and inflation (as estimated in the most recent expenditure forecast) by \$202 million GF and \$270 million NGF in FY 2019 and \$260 million GF and \$1.75 billion NGF in FY 2020. Also increases oversight of Medicaid spending, requiring DMAS to convene a quarterly meeting with executive and legislative branch leadership to explain differences between forecasted and actual Medicaid spending.	These are required increases due to higher costs and utilization. The Commonwealth substantially underestimated the expenditures in the traditional Medicaid program (unrelated to Medicaid expansion) for FY 2019 and FY 2020.
303 #1h, #6s	House/Senate: Eliminates \$38.9 million GF and \$38.9 million NGF in FY 2020 that was included in the Governor's Budget to pay the health insurance fee on managed care contracts, pursuant to the federal Patient Protection and Affordable Care Act. A federal law passed in January 2018 suspended the fee for calendar year 2019, resulting in a savings.	Likely no impact.
307 #11s, \$14s, #15s	Senate: Provides authority for the Department of Planning and Budget to transfer funding and positions to implement SB 1352, which creates a new Office of Medicaid Fiscal Oversight and Accountability, which will develop the official Medicaid forecast, develop managed care rates, and provide fiscal monitoring of the Medicaid program. Also directs DMAS to report to the Joint Subcommittee for Health and Human Resources Oversight on managed care rates, and creates a Medicaid Forecasting Workgroup to provide greater oversight and transparency of the development of the Medicaid expenditure forecast.	Likely no impact.
303	Governor Northam's Budget: Provides \$3.5 million GF and \$3.6 million NGF in FY 2020 for coverage of preventive services and vaccines for currently eligible adult populations in fee-for-service, Medallion 4.0, and CCC Plus to ensure equity with the Medicaid expansion population.	Likely positive for the individuals needing these services. It is not clear how the funds will be allocated or administered.
303 #7h	House: Eliminates \$3.5 million GF in FY 2020.	
303 #3s	Senate: Eliminates \$3.5 million GF and \$3.6 million NGF in FY 2020.	
307	Governor Northam's Budget: Provides \$500,000 GF and \$500,000 NGF in each year for training for consumer-directed attendants who provide personal assistance, respite, and companion services.	The inclusion of consumer direction in the new managed care structure is a positive development, but it is not clear how this funding will be distributed throughout the state. The County's Human Services Issue Paper includes support for preserving consumer direction.
303 #3h	House: Eliminates funding in both years of the biennium.	
307 #2s	Senate: Removes \$500,000 GF and \$500,000 NGF in FY 2019.	

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Budget Bill Item #	Issue	Fairfax County Impact
	<u>Children's Services Act (CSA)</u>	
282	Governor Northam's Budget: Reduces the appropriation for CSA by \$5.9 million GF in each year to reflect a reduction in anticipated caseload and utilization.	If the anticipated reductions occur, this likely will have no impact on Fairfax County. If the anticipated reductions do not occur, the Commonwealth will need to restore funding, because CSA is a sum sufficient program.
	House/Senate: No change.	
282	Governor Northam's Budget: Removes a \$50,000 cap on the amount of state funding that can be used by localities for administrative costs.	This amendment aligns the budget language with current practice.
	House/Senate: No change.	
282 #1s, #2s	Senate: Delays the final report on a study of private day special education rates (included in the biennium budget passed by the 2018 GA) from July 2019 to October 2019. Also directs the Department of Education and the Office of Children's Services to establish an implementation workgroup for developing and refining collection and reporting measures, as recommended in the Private Day Special Education Outcomes report from November 2018.	Likely no impact.
	<u>Child Welfare</u>	
348	Governor Northam's Budget: Provides approximately \$1.2 million GF and \$90,000 NGF in each year for 2,500 mobile device management software licenses for the Virginia Department of Social Services for devices that communicate with its child welfare information system, and for local departments of social services for devices used by clients to determine their eligibility for services.	TBD.
	House/Senate: No change.	
344	Governor Northam's Budget: Provides approximately \$336,000 GF and \$258,000 NGF in FY 2019 and \$1.3 million GF and \$1 million NGF in FY 2020 to fund a three percent cost of living adjustment for foster care and adoptions payments. Appropriation Act language requires an automatic adjustment for inflation to be applied to the maximum room and board rates paid to foster parents in the fiscal year following a state employee pay raise. Because state employees received a three percent raise in July 2017, this addendum provides a similar percentage increase to foster care rates. This increase is also assumed for adoption subsidy funding, to ensure that adoption subsidies keep pace with foster family rates and to avoid any disincentives for adoption.	Likely positive for foster and adoptive parents.
	House/Senate: No change.	
339 #1s, 344 #1s, #2s	Senate: Provides \$1.8 million GF and \$1.3 million NGF and 18 positions to fund JLARC recommendations for improving the foster care system pursuant to SB 1339. This funding: (i) establishes a Director of Foster Care Health and Safety; (ii) adds 10 additional regional foster care staff in DSS; (iii) funds a regional project manager; (iv) funds five staff for temporary assistance or control of local foster care programs; (v) provides funds for a compliance dashboard (data analyst for support) and complaint hotline; (vi) funds a minimum caseload standard of 15 cases per worker; and (vii) adds five positions for monitoring foster care services. Also directs DSS to develop a foster care recruitment and retention strategic plan, immediately review all cases of children in congregate care without a clinical need to be there, and assist local departments in finding appropriate family-based settings.	Likely no impact. The companion bill, SB 1339, includes language regarding circumstances in which the Commissioner can take over the provision of services in a locality and then require a locality to reimburse them -- more specificity from the state regarding how this would work would be helpful.

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Budget Bill Item #	Issue	Fairfax County Impact
	<u>Substance Use Disorder</u>	
311	Governor Northam's Budget: Provides \$1.6 million GF in each year for the purchase and distribution of additional REVIVE! Kits and naloxone spray used for the reversal of opioid overdose.	Likely positive, though it is unclear how this funding will be distributed throughout the state. The County's Legislative Program includes support for additional funding to address the opioid crisis.
	House: No change.	
311 #1s	Senate: Eliminates funding.	
407	Governor Northam's Budget: Includes \$3.3 million GF in FY 2020 to fund positions and outsourcing costs to address backlogs in the Department of Forensic Science's controlled substances section.	Likely positive. The County's Legislative Program includes support for additional funding to address the opioid crisis.
	House/Senate: No change.	
287	Governor Northam's Budget: Includes approximately \$256,000 GF and three positions in FY 2020 for the Office of the Chief Medical Examiner to establish the State Overdose Fatality Review Team, which will work with local and regional overdose fatality review teams to prevent overdoses resulting from the misuse, overuse, and abuse of prescribed, commercially available, or illicit substances.	Likely positive. The County's Legislative Program includes support for additional funding to address the opioid crisis. Local participation in the State Overdose Fatality Review Team may require some local resources.
	House: No change.	
287 #1s	Senate: Removes the funding and positions for the State Overdose Fatality Review Team.	
299 #1s	Senate: Directs the Board of Pharmacy to work with relevant stakeholders to determine ways to enhance public awareness of proper drug disposal methods, including existing community-based collection and disposal opportunities.	
	<u>Mental Health</u>	
316	Governor Northam's Budget: Provides \$7.9 million GF in FY 2020 for 254 clinical positions at state mental health facilities to address staff shortages and reduce the use of overtime systemwide.	Likely positive, as the Northern Virginia Mental Health Institute (NVMHI) has been struggling with staff shortages, but it is unclear how these positions will be distributed throughout the state.
	House: No change.	
316 #1s	Senate: Reduces funding by \$1.5 million GF in FY 2020.	
312	Governor Northam's Budget: Provides \$5.2 million GF in FY 2020 for the transition to community settings of approximately 100 individuals currently in state behavioral health facilities who have been determined ready for discharge, but who are not able to be moved due to extraordinary barriers.	TBD. It is not clear how this funding will be distributed throughout the state.
	House/Senate: No change.	
316	Governor Northam's Budget: Provides \$850,000 GF in FY 2020 to fund six beds in alternative settings for children transitioning from the Commonwealth Center for Children and Adolescents (CCCA) who do not need institutionalization but cannot be served in existing programs because they are high-risk with significant issues.	TBD. It is not clear where these beds will be located.
	House/Senate: No change.	

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Budget Bill Item #	Issue	Fairfax County Impact
310 #5s	Senate: Directs DBHDS to prepare a plan to "right size" the state hospital system, including appropriate capacity and distribution of capacity, and the steps to transition from the current system to the right-sized system. This is a recommendation of the Joint Subcommittee Studying Mental Health Services in the Commonwealth in the 21st Century.	TBD. In concept, this is a positive development, but details on the plan are not yet available and it is not clear how Fairfax County would be impacted.
303 316	Governor Northam's Budget: Provides approximately \$19 million GF in FY 2019 to cover anticipated, immediate reductions in federal payments to Piedmont Geriatric and Catawba hospitals. Also provides \$27 million GF in FY 2020 to replace a reduction of the same amount in federal funding for the continued operations of both hospitals. State funding is necessary as the facilities are no longer able to receive Medicaid reimbursement as a result of decertification. This cost is offset by a reduction of \$14.5 million at the DMAS previously appropriated to serve as the GF match for Medicaid-eligible services at these two facilities.	While these facilities are not located in Fairfax County, the federal decertification and loss of funding for these facilities will impact funding available for the mental health system overall, likely leading to a decrease in inpatient beds (further exacerbating the state psychiatric bed crisis). Other DBHDS programs may also be impacted.
	House: No change.	
307 #10s	Senate: Adds language requiring DMAS to notify the Department of Planning and Budget and the Chairmen of the money committees of any federal deferral of grant funds or disallowances.	
312	Governor Northam's Budget: Provides \$9 million GF in FY 2020 to expand crisis services for children and adults, including mobile crisis for children with co-occurring disorders.	Likely positive, although it is unclear how these positions will be distributed throughout the state. The County's Legislative Program includes support for crisis services.
312 #2h, 3h	House: Removes the funding provided in the Governor's budget and replaces it with \$8.8 million GF in FY 2020 to accelerate the provision of crisis services by CSBs and behavioral health authorities. STEP-VA, passed by the 2017 GA, requires that crisis services be implemented by FY 2021.	Likely positive, as this provides additional funding for STEP-VA implementation, but this funding level is lower than County staff's estimate of the cost to implement crisis services statewide. The County's Human Services Issue Paper includes support for additional STEP-VA funding.
312 #1s	Senate: Reduces by \$1 million GF in FY 2020 the funding provided in the introduced budget for the behavioral health and developmental disability crisis system, and redirects \$5 million GF to fund additional outpatient services as part of the STEP-VA initiative, bringing the total amount of FY 2020 funding for outpatient services to \$20 million. Funding of \$3 million GF remains for improving children's crisis services.	Likely positive, as this provides funding for an element of STEP-VA. The County's Human Services Issue Paper includes support for additional STEP-VA funding.
312	Governor Northam's Budget: Appropriates \$2.5 million GF in FY 2020 from the Behavioral Health and Developmental Services Trust Fund (available due to the sale of state facilities) to support employment assistance training efforts, start-up costs for a new children's Crisis Therapeutic Home (CTH), and the construction of a new REACH Crisis Home.	TBD. It is not clear how these funds will be distributed throughout the state.
	House: No change.	
312 #5s	Senate: Out of the \$2.5 million GF in FY 2020 included in the Governor's budget, designates \$750,000 to be expended for developmental disability services in the Northern Virginia region (Region 2) to address critical needs in the region for individuals with developmental disabilities. The department will report on the allocation of these funds to the Chairmen of the House Appropriations and Senate Finance Committees by September 15, 2019.	TBD. It is not clear how funds will be distributed within the Northern Virginia region, which DBHDS considers to extend to localities well beyond the traditional Northern Virginia region.

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Budget Bill Item #	Issue	Fairfax County Impact
312	Governor Northam's Budget: Provides \$2 million GF in FY 2020 to create an additional 150 permanent supportive housing units for individuals with serious mental illness.	TBD. It is not clear how these units will be distributed throughout the state or if the funding takes into account the Fair Market Rent values (typically higher in Fairfax than other parts of the state). It also is not clear if this item provides funding for necessary support services for newly housed individuals.
	House: No change.	
312 #2s	Senate: Provides an additional \$3 million GF in FY 2020 to increase funding for permanent supportive housing.	
311	Governor Northam's Budget: Provides \$1.2 million GF in FY 2020 to contract with the Virginia Mental Health Access Program to develop integrated mental health services for children.	Positive. This appropriation would likely enable the project to be implemented in Northern Virginia in FY 2020, as Inova and Children's National Hospitals are participating and offering in-kind assistance.
	House/Senate: No change.	
310 #3h, 312 #1h	House: Provides \$200,000 to the Fairfax-Falls Church CSB in funding for the Program of Assertive Community Treatment (PACT) Team. Also adds language directing DBHDS to report on the funding and cost effectiveness of the PACT program.	Positive. The Fairfax-Falls Church CSB currently has one PACT Team and has received \$700,000 annually in state funding for that PACT team since the 1990s. The actual cost of one PACT team is \$1.5 million and, of that, \$200,000 comes from Medicaid.
303 #4h, 310 #1h	House: Adds language authorizing the realignment of behavioral health services to ensure the system supports evidence-based, trauma-informed, prevention-focused and cost-effective services for individuals served across the lifespan. Language requires a plan on the changes in provider rates, new services and other programmatic or cost changes to be provided to the chairmen of the money committees by December 1, 2019. Upon approval by the 2020 GA and the federal Centers for Medicare and Medicaid, DBHDS will have the authority to implement such changes. This is a recommendation of the Joint Subcommittee Studying Mental Health Services in the Commonwealth in the 21st Century.	TBD.
303 #12s	Senate: Adds language directing the development of a plan for the realignment of Medicaid behavioral health services to ensure the system supports evidence-based, trauma-information, prevention-focused and cost-effective services for individuals served across the lifespan. The Senate budget does not authorize DBHDS to implement the plan.	TBD.
310 #3s	Senate: Adds language re-creating a public and private collaborative process in Northern Virginia to better and more comprehensively address needs within the region and share responsibility for meeting those needs.	TBD.
	<u>Part C/Early Intervention</u>	
312	Governor Northam's Budget: Provides \$459,000 GF in FY 2019 and \$661,000 GF in FY 2020 to address continued growth in the number of children served in the state's Part C Early Intervention programs.	These are required increases due to higher costs and utilization (Part C is a mandated service). The additional funding will increase program capacity.
	House/Senate: No change.	

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Budget Bill Item #	Issue	Fairfax County Impact
	<u>Disability Services</u>	
355	Governor Northam's Budget: Provides approximately \$626,000 GF in FY 2020 for 50 blind and visually impaired individuals, currently on a waitlist, to receive vocational rehabilitation services.	Likely positive, though it is unclear how this funding will be distributed throughout the state.
355 #1h, #1s	House/Senate: Eliminates funding.	
	<u>Safety Net Programs</u>	
340	Governor Northam's Budget: Provides approximately \$1.9 million NGF in FY 2020 to fund the anticipated cost of providing mandated Temporary Assistance for Needy Families (TANF) benefits.	This appropriation reflects caseload growth statewide. The TANF caseload in Fairfax County has remained relatively steady.
340, 339 #1h	House: Adjusts the TANF balance to reflect expenditures in the Governor's budget and legislation passed by the 2019 House of Delegates, and adds language directing the provision of additional information in completing the expenditure forecasts for cash assistance provided through TANF, mandatory child day care services under TANF, foster care maintenance payments, and adoption subsidy payments. Also requires the Department of Planning and Budget to convene a meeting with staff of DSS and the House Appropriations and Senate Finance Committees to review trends and assumptions used in the forecasts prior to their finalization.	No impact.
340 #3s	Senate: Adds language directing DSS to conduct a comprehensive review of TANF in meeting the needs of lower-income families, and report on a plan to the Joint Subcommittee for Health and Human Resources Oversight by October 1, 2019.	No impact.
340 #1s	Senate: Provides \$300,000 GF and \$3.2 million NGF in FY 2020 to increase TANF benefits by five percent. The last increase in benefits was a 2.5 percent increase in July 2017. The average monthly payment for a TANF family is \$314.	Positive. Fairfax County's Human Services Issue Paper includes support for increasing TANF rates.
340	Governor Northam's Budget: Extends TANF eligibility to children up to age 19 who are enrolled full time in secondary school or an equivalent level of career or technical education.	Likely no impact to the County.
	House/Senate: No change.	
291	Governor Northam's Budget: Includes \$3 million NGF from the federal TANF block grant in FY 2020 for the Federation of Virginia Food Banks to strengthen outreach to food-insecure children throughout the Commonwealth.	TBD. It is not clear how this funding will be distributed throughout the state.
291 #1h, 346 #3h	House: Transfers the funding included in the Governor's budget from the Department of Health to the Department of Social Services.	Likely no impact.
	Senate: No change.	
346 #1s	Senate: Provides \$500,000 GF each year of the biennium for Northern Virginia Family Services to expand early childhood education and adult workforce development programs.	Likely positive.
346 #2s	Senate: Provides \$2.3 million in FY 2020 from the federal TANF block grant for competitive grants to Community Action Agencies for a Two-Generation/Whole Family Pilot Project and for evaluation of the pilot project.	This is a competitive grant program, for which Fairfax County could apply.

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Budget Item #	Issue	Fairfax County Impact
	Public Education	Fairfax County Public Schools (FCPS) Impact (School Operating Fund)
	Direct Aid to Public Education	
	<p><u>Sales Tax Revenues</u> Governor Northam's Budget: Increases the sales tax revenue estimate for public education by \$13.5 million in FY 2020 to reflect additional estimated revenues from internet sales. In addition, increases the sales tax estimate by \$4.8 million in FY 2019 and \$6.1 million in FY 2020 as a result of the November 2018 education sales tax forecast. House/Senate: No change from the Governor's introduced budget.</p>	<p>Results in additional funding of \$4.7 million in FY 2020 as compared to the FY 2020 budget forecast presented on November 27, 2018, and an additional \$1.6 million in FY 2019 as compared to the FY 2019 Approved Budget.</p>
	<p><u>Salary Increase in FY 2020</u> Governor Northam's Budget: Provides \$87.6 million in FY 2020 for the state's share of an additional 2 percent salary increase for instructional and support positions, effective July 1, 2019. This increase is in addition to the 3 percent increase provided as part of the adopted biennium budget. House: Provides \$43.8 million in FY 2020 for the state's share of an additional 2% salary increase, effective January 1, 2020, with some local flexibility. Senate: No change in the amount provided in the Governor's budget; adds language to provide additional flexibility to the state support for up to 5 percent teacher salary increase.</p>	<p>Results in additional funding of \$7.9 million in FY 2020 as compared to the FY 2020 budget forecast presented on November 27, 2018. This is in addition to the \$12.2 million for the 3 percent salary increase which was included in the FY 2020 budget forecast presented on November 27, 2018.</p> <p>The net cost to FCPS for the additional 2 percent salary increase is approximately \$38.1 million.</p> <p>Results in a decrease of \$4.1 million in FY 2020 compared to the Governor's budget.</p> <p>No change from the Governor's introduced budget.</p>
136 #1s		
	<p><u>School Safety</u> Governor Northam's Budget: Includes approximately \$36 million in FY 2020 to cover the state cost of modifying staffing ratios for school counselors. House: No change from the Governor's introduced budget.</p>	<p>This funding is included as part of overall Basic Aid funding. Standards of Quality (SOQ) accounts, including Basic Aid, result in a net decrease of \$6.3 million as compared to the FY 2020 budget forecast presented on November 27, 2018.</p> <p>The state currently includes a flexibility provision allowing school divisions to allocate according to need regardless of individual school level ratio. There is no reference to eliminating this flexibility. As a result, FCPS meets the new ratio requirement systemwide without adding counselors. The ratio is expected to be lowered over a three year period, and FCPS will likely have to add counselors in FY 2021.</p>
136 #2s	<p>Senate: Decreases the amount provided in FY 2020 compared to the Governor's Budget for covering the state cost of modifying staffing ratios for school counselors by \$23.9 million, leaving only \$12 million.</p>	<p>Results in a decrease of \$2.1 million in FY 2020 compared to the Governor's Budget.</p>

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Budget Item #	Issue	Fairfax County Impact
136 #11h	<p><u>Update Lottery Proceeds</u> Governor Northam's Budget: Increases by \$39.9 million in FY 2019 and \$30 million in FY 2020 the Virginia Lottery proceeds. Of the increase, \$35 million over the biennium will boost the state's per pupil allocation. House: Increases by \$27.4 million in FY 2020 the amount for the Supplemental Lottery Per Pupil Allocation compared to the Governor's introduced budget. Senate: Restores the amounts for the Supplemental Lottery Per Pupil Allocation to the levels included in the state's 2018-2020 biennium budget, decreasing the amount by \$35 million over the biennium compared to the Governor's budget.</p>	<p>FCPS will receive an additional \$1.2 million for the supplemental lottery per pupil allocation as compared to the FY 2020 budget forecast presented on November 27, 2018. Results in an increase of \$0.9 million in FY 2020 compared to the Governor's budget. Results in a decrease of \$1.6 million in FY 2019 and a decrease of \$1.4 million in FY 2020 compared to the Governor's budget.</p>
	<p><u>At-Risk Add-on Program</u> Governor Northam's Budget: Provides \$35 million over the biennium to enhance the At-Risk program, which provides funding to support the additional costs of educating at-risk students. House: Removes the funding increase proposed by the Governor for the supplemental At-Risk Add-On program. Senate: Decreases the amount provided for the At-Risk Add-on compared to the Governor's budget by \$10.7 million in FY 2019 and \$3.6 million in FY 2020.</p>	<p>FCPS will receive a net increase of \$0.3 million (an increase of \$2.3 million in Lottery Programs offset by a \$2.0 million decrease in Incentive Programs) as compared to the FY 2020 budget forecast presented on November 27, 2018. Eliminates proposed increase in the Governor's Introduced budget resulting in a decrease of \$0.5 million in FY 2019 and a decrease of \$0.3 million in FY 2020. Results in a decrease of \$0.2 million in FY 2019 and a decrease of \$0.1 million in FY 2020 compared to the Governor's budget.</p>
	<p><u>State Special Education Regional Tuition</u> Governor Northam's Budget: Makes technical changes that reduce statewide funding for this program by \$6.1 million in FY 2019 and \$0.7 million in FY 2020. House/Senate: No change from the Governor's introduced budget.</p>	<p>Due to recent administrative changes, for the first time beginning in FY 2019, FCPS is eligible to receive funds for Special Education Regional Tuition program for students requiring intensive support needs. As a result, FCPS will receive an additional \$4.3 million in FY 2020 as compared to the FY 2020 budget forecast presented on November 27, 2018 and \$2.2 million more in FY 2019 as compared to the FY 2019 Approved Budget.</p>
	<p><u>State VPI+ Program</u> Governor Northam's Budget: Provides \$9.7 million in FY 2020 in support for the Virginia Preschool Initiative Plus (VPI+) program currently supported by federal Preschool Development Grant funds, which expire after FY 2019.</p>	<p>Results in an additional \$0.6 million for FCPS in FY 2020 as compared to the FY 2020 budget forecast presented on November 27, 2018. The County may receive some of this funding for community classrooms, depending on how the new funds are administered.</p>

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Budget Item #	Issue	Fairfax County Impact
136 #3s	<p>House: Removes funding proposed by the Governor for back-filling the federal program, which expires after FY 2019.</p> <p>Senate: Decreases the amount provided in FY 2020 by \$2.4 million in support for the VPI+ program currently supported by federal Preschool Development Grant funds, which expire after FY 2019. The decrease is based on a required local match of 25 percent for FY 2020.</p>	<p>Eliminates the support for the expired federal VPI+ program, resulting in a decrease of \$0.6 million in FY 2020.</p> <p>Results in a decrease of \$0.1 million in FY 2020 compared to the Governor's Budget.</p>
	<p>Other Items of Interest Other Lottery Accounts Governor Northam's Budget: Makes technical updates based on program participation.</p> <p>House: Makes technical adjustments in FY 2019 to the Individual Student Alternative Education Plan (ISAEP) and makes technical adjustments in FY 2020 to the K-3 Class Size Reduction initiative.</p> <p>Senate: Includes technical updates to ISAEP.</p>	<p>Due to projected increases in lottery proceeds, FCPS will receive increases of \$1.2 million in Early Reading Intervention and career and technical education offset by various decreases of \$0.2 million including K-3 Class Size and Academic Year Governor's School (funded in incentive program), resulting in a net increase of \$1 million as compared to the FY 2020 budget forecast presented on November 27, 2018.</p> <p>Includes technical updates for ISAEP in FY 2019 and K-3 class size reduction adjustments in FY 2020, both with minimum impact on FCPS.</p> <p>Includes technical updates for ISAEP in FY 2019 and FY 2020 with minimum impact on FCPS.</p>
added	<p>Retiree Health Care Credit (RHCC) Rates House: Adds \$4.3 million to pay for the cost of lowering the Virginia Retirement System (VRS) amortization period used for the RHCC rate calculation from 25 years to 20 years.</p>	<p>Includes additional funding of \$0.4 million for FCPS in FY 2020 due to the proposed rate increases from 1.2% to 1.34%. However, it would require an additional \$2.2 million in expenditures for FCPS that are currently not included in FCPS' FY 2020 proposed budget.</p>
	<p>School Construction Governor Northam's Budget: Provides one-time deposit of \$80 million in the Literary Fund, which provides aid to local school divisions for school construction.</p> <p>House: No change from the Governor's introduced budget.</p> <p>Senate: Directs a total of \$70 million towards school construction support.</p>	<p>No impact to FCPS. The Literary Fund loans are tied to the Local Composite Index (LCI), and high LCI localities typically can get better rates through other financing mechanisms.</p> <p>No impact to FCPS.</p> <p>No impact to FCPS.</p>
136 #7s	<p>Local Composite Index (LCI) Calculation Senate: Modifies, beginning in FY 2021, the calculation of the LCI to incorporate the land-use assessment value.</p>	<p>Would result in estimated revenue loss of more than \$7.6 million. Impact would be in FY 2021.</p>

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**Budget
Item #**

Issue	Fairfax County Impact
<u>Impact to the Fairfax County Public Schools' (FCPS) FY 2020 Operating Fund Budget</u>	
<p>Governor Northam's Budget: Compared to the FCPS' FY 2019 Approved Budget, Governor Northam's Budget includes \$27.2 million more in state aid and \$9.2 million in sales tax revenue for FY 2020.</p> <p>The impact of Governor Northam's Budget is reflected in the FCPS FY 2020 Proposed Budget released on January 10, 2019.</p> <p>House: Compared to the FCPS' FY 2019 Approved Budget, the House budget amendments include \$23.6 million more in state aid and \$9.2 million more in sales tax revenue for FY 2020.</p> <p>Compared to the FCPS' FY 2020 Proposed Budget, the House budget amendments include \$3.6 million less in state aid and no change in sales tax revenue.</p> <p>Senate: Compared to the FCPS' FY 2019 Approved Budget, the Senate budget amendments include \$23.5 million more in state aid and \$9.2 million more in sales tax revenue for FY 2020.</p> <p>Compared to the FCPS' FY 2020 Proposed Budget, the Senate budget amendments include \$3.7 million less in state aid and no change in sales tax revenue.</p>	

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Budget Item #	Issue	Fairfax County Impact
Transportation		
<u>Regional and Washington Metropolitan Area Transit Authority (WMATA)</u>		
453	<p>Governor Northam's Budget: Includes the regional funds provided for in HB 2313 (2013), including \$553 million for distribution of Northern Virginia Transportation Authority (NVTA) Fund Revenues over the biennium. Also includes regional funds provided to WMATA (\$255.6 million) and non-WMATA Northern Virginia jurisdictions (\$19.1 million) per HB 1539/SB 856 (2018). The Commonwealth's revised estimates for NVTA revenues are \$13.6 million 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. Through its Six Year Program, NVTA allocates approximately \$387 million (70 percent funding retained by NVTA). This funding has already been approved for projects through the recent adoption of NVTA's FY 2018-2023 Six Year Program. Over the biennium, Fairfax County should receive approximately \$74.65 million to allocate for local projects approved by the Board of Supervisors (30 percent funding returned to localities), minus the respective shares provided to Vienna and Herndon. Approximately \$28 million of this "30 percent funding" will likely be transferred to the Commonwealth's WMATA Capital Fund for the County's share of local funding for state of good repair, as required by HB 1539/SB 856.</p>
	<p>House/Senate: No change.</p>	
<u>Regional Transportation Entity Appointments</u>		
4-14.	<p>Governor Northam's Budget: Retains language permitting the Speaker to appoint non-legislative members to the NVTA, Northern Virginia Transportation Commission (NVTC), and Potomac and Rappahannock Transportation Commission (PRTC).</p>	<p>The Speaker has appointed three non-legislative members to NVTC (Jim LeMunyon, Raul "Danny" Vargas, and M. David Skiles), and one non-legislative member to NVTA (Randy Minchew).</p>
	<p>House/Senate: No change.</p>	
<u>I-66 Tolling</u>		
433	<p>House: Directs the Virginia Department of Transportation (VDOT) and the Secretary of Transportation to make changes to the tolling policies on I-66 Inside the Beltway and initiate tolling of reverse commuters when the current Eastbound widening project from the Dulles Connector Road to Ballston is completed.</p>	<p>The County opposes tolling reverse commuters, as such an action will create impacts on already-congested surrounding roadways and was not part of the original I-66 agreement.</p>
	<p>Senate: No Language</p>	

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Budget Item #	Issue	Fairfax County Impact
	<u>Other WMATA Items</u>	
445	<p>Governor Northam'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). There is no change from the previously approved budget.</p>	<p>The County supported the MSC legislation during the 2017 GA session. Utilizing this funding for the MSC could lead to slightly reduced funding for statewide transit funding (the Northern Virginia region receives a significant portion of this funding).</p>
	House/Senate: No change.	
445	<p>Governor Northam's Budget: Retains language directing VDOT to provide a loan of up to \$6.2 million each year to address any shortfall in transit funding due to FTA's withholding of Virginia's transit allocations because the MSC has not been enacted by all of the signatory parties. The amounts would be repaid once FTA releases Virginia's allocations.</p> <p>The MSC has had several meetings and has submitted the application for certification to FTA. The certification, which is currently under review, must be completed by April 15, 2019.</p>	<p>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 Virginia Railway Express (VRE).</p>
	House/Senate: No change.	
445	<p>House: No Language</p> <p>Senate: Provides \$2 million from the Department of Rail and Public Transportation (DRPT) unrestricted operating reserves for the evaluation of enhanced public transportation services from the Franconia-Springfield Metro Station to Lorton, Potomac Mills, and Marine Corps Base Quantico. The review will include assessing the feasibility of extending the Blue Line and other multimodal options, such as bus rapid transit along I-95 and U.S. Route 1.</p>	

**BUDGET PROPOSALS FOR FY 2018 - FY 2020
DURING THE 2019 GENERAL ASSEMBLY SESSION
as of February 7, 2019**

Budget Item #	Issue	Fairfax County Impact
	<u>Mass Transit</u>	
445	<p>Governor Northam's Budget: Retains \$840 million for Public Transportation Programs for the biennium, including \$181.9 million for Operating Assistance (no change), \$73.3 million for Capital Assistance (no change), and a separate allocation of \$313.9 million for WMATA operating and capital costs (as provided in HB 1539/SB 856) (no change). Retains language directing DRPT to investigate options to establish a Master Equipment Leasing Program to serve as a revolving fund for the purchase of equipment.</p> <p>House: Allows a one-year transition for mass transit providers to prepare for the new allocation methodology for state transit operations funding, pursuant to HB 1539/SB 856.</p> <p>Senate: Delays implementation of statewide prioritization for the Commonwealth Mass Transit Fund for one year, and requires that additional congestion reduction metrics, including passenger miles traveled, be included in the operating assistance allocation formula.</p>	<p>Impact currently unknown due to recent and proposed changes to capital and operating allocation processes.</p> <p>The County supports state funding to help address the reductions expected for the Fairfax Connector. However, a delay in implementation of the new prioritization formula is preferable.</p> <p>The County supports this amendment, which will help address the reduction in funds expected for the Fairfax Connector in the first year and could impact projected allocations in future years.</p>
	<u>Regional Gas Tax</u>	
443	<p>Governor Northam's Budget: Lists the amounts estimated to be generated by the regional gas tax: \$61.2 million in the first year and \$62 million in the second year for NVTC.</p> <p>House: Includes \$305.2 million for regional gas taxes. Technical amendments reflecting actual revenues generated pursuant to changes adopted in 2018 not reflected in the introduced budget.</p> <p>Senate: No change from the Governor's budget.</p>	<p>No impact. Makes information easier to find.</p> <p>No impact. The amount received by the County is dependent on actual collections of the revenue sources.</p>
	<u>Roadways</u>	
433	<p>House: Directs VDOT and the Secretary of Transportation to establish a work group to begin consideration of the long-term viability of the motor fuels tax.</p> <p>Senate: No Language</p>	<p>No current impact, but this is being evaluated nationwide, as well.</p>

**BUDGET PROPOSALS FOR FY 2018 - FY 2020
DURING THE 2019 GENERAL ASSEMBLY SESSION
as of February 7, 2019**

Budget Item #	Issue	Fairfax County Impact
	<u>Highway Maintenance</u>	
451	<p>Governor Northam's Budget: Provides \$3.97 billion for Highway System Maintenance and Operations over the biennium, a \$566 million increase over previous projections. This includes \$881.3 million for interstates (\$247.9 million increase); \$1.19 billion for primaries (\$259.6 million increase), \$1.2 billion for secondaries (\$89.6 million decrease), and \$534.8 million for Transportation Operations Services (\$151.9 million increase).</p>	Using historical estimates, approximately \$96 million more may be available for maintenance and operations within Northern Virginia.
	<p>House: Directs VDOT to increase the share of funding dedicated to the Safety Service Patrol Services by \$5 million to expand services across the Commonwealth's Interstate System, with priority given to the I-81 Corridor.</p>	Unknown at this time. The increase in funds provided for the Safety Service Patrol could be helpful, depending on how much of the additional funds are directed to I-81.
	<p>Senate: No change from Governor's budget.</p>	
	<u>Highway Construction</u>	
450	<p>Governor Northam's Budget: Provides \$5.43 billion for Highway Construction Programs over the biennium, an increase of \$660.9 million over previous projections. This includes: \$128.8 million for State of Good Repair (\$21 million increase); \$258.2 million for the High Priority Projects Program (\$50.9 million decrease); \$266 million for the Construction District Grant Program (\$43 million decrease); \$3.67 billion for Specialized State and Federal Programs (\$697.1 million increase); and, \$1.02 billion for Legacy Construction Formula Programs (\$33.9 million increase). Of the Specialized State and Federal Programs:</p> <ul style="list-style-type: none"> • \$227.4 million is for the Regional Surface Transportation Program (RSTP); • \$106.2 million is for the Highway Safety Improvement Program (HSIP); • \$159.2 million is for the Congestion Mitigation and Air Quality (CMAQ) Program; • \$200 million is for Revenue Sharing; • \$40.4 million is for the Surface Transportation Block Grant Program Set-Aside; • \$81.92 million is for the Virginia Transportation Infrastructure Bank (VTIB), including a \$75 million one-time allocation from the General Fund, which may be used for start up costs associated with the proposed I-81 Road Expansion; • \$3.5 million is for the Transportation Partnership Opportunity Fund (TPOF); • \$689.8 million represents the estimated project participation costs from localities and regional entities; and, • \$150.9 million in the second year represents the bond proceeds to be used for the Route 58 Corridor Development Program. 	<p>Many of these funds are subject to the Smart Scale prioritization process, so the impact to Fairfax County is currently unclear.</p> <p>Retains the current funding levels for Revenue Sharing (\$100 million).</p> <p>An additional \$6.3 million is projected for RSTP and an additional \$3.3 million is projected for CMAQ, which could benefit the County. HSIP and TAP funds are similar to what was allocated in previous years.</p>
	<p>House/Senate: Removes the one-time \$75 million allocation for the VTIB from the General Fund, that was potentially for start-up costs associated with the proposed I-81 Road Expansion.</p>	

**BUDGET PROPOSALS FOR FY 2018 - FY 2020
DURING THE 2019 GENERAL ASSEMBLY SESSION
as of February 7, 2019**

Budget Item #	Issue	Fairfax County Impact
434	<p>House: No Language</p> <p>Senate: Transfers \$8.5 million from the Transportation Trust Fund to the Commercial Spaceflight Fund for waterfront access improvements at the Mid-Atlantic Regional Spaceport.</p> <p>Senate: Transfers \$2.5 million from the Transportation Trust Fund to the Commonwealth Space Flight Fund for completion of the small rocket launch pad.</p>	<p>Will reduce the funds being provided for transportation construction.</p> <p>Will reduce the funds being provided for transportation construction.</p>
450	<p>Governor Northam's Budget: Retains language directing the Commonwealth Transportation Board (CTB) to review and report on the overall condition and funding needs of large and unique bridge and tunnel structures in the Commonwealth, and make recommendations on addressing funding of such projects within the State of Good Repair (SGR) program, including assessing the impact of establishing a set-aside from the State of Good Repair funding pot.</p> <p>House/Senate: No change.</p>	<p>The report, approved by the CTB in December, identifies 25 structures considered Vital Infrastructure, their conditions, and unconstrained funding needs. Given the magnitude of the identified needs, the report notes that funding those unconstrained needs through the SGR program would severely impact the ability of the program to accomplish its intended purpose, stating that a dedicated program may be needed to support vital infrastructure. VDOT has asked that this initial report serve as an introduction, with a more comprehensive report to be presented in 2019.</p>
<u>Toll Facilities</u>		
452	<p>Governor Northam's Budget: Provides \$172.1 million for toll facilities over the biennium, including \$6.4 million for Debt Service (no change); \$93.2 million for Maintenance and Operations (\$43.8 million increase) and \$72.6 million for the Revolving Fund (no change).</p> <p>House/Senate: No change.</p>	<p>The increase in funding for Maintenance and Operations appears to reflect the increase in the number of facilities in the Commonwealth.</p>
<u>Other</u>		
453	<p>House: No Language</p> <p>Senate: Directs the CTB to prioritize recreational access road funding for projects that improve handicapped access at State Park facilities.</p>	

Overview of SB 1759 (Surovell) – Undergrounding Utility Lines

Summary of SB 1759 (Surovell) as Introduced

- Provided that when the Commonwealth Transportation Board (CTB) determined it was necessary that any existing overhead electric distribution, cable, or telecommunications line be replaced with an underground line to accommodate a transportation infrastructure improvement in an area of transit-oriented development (TOD), the utility would relocate the line underground, with the CTB paying to the utility the cost of relocating or removing the line above ground.
- An electric utility could apply to recover the net costs of undergrounding a distribution line through a rate adjustment clause.
- A cable operator or telecommunications service provider could recover the net cost of undergrounding overhead cable or telecommunications lines in the same manner as it recovers other capital costs.

Summary of February 7 Draft of SB 1759

- Establishes a pilot program under which Fairfax County can request that an electric utility place underground electric utility distribution lines in TOD areas in conjunction with a transportation infrastructure improvement project, identified by the CTB as reducing congestion, improving mobility, incorporating transit systems and improving safety.
- The bill allows Fairfax County and an electric utility to enter into an agreement providing that:
 - The locality will pay to the utility its full additional costs of relocating and converting that portion of the line in the locality underground, rather than overhead that are not recoverable under applicable rates (net of relocation credits), these costs shall include associated feasibility costs, or any smaller portion of such costs as the utility and the locality may agree;
 - The locality will impose a levy on electric utility customers in the locality in an amount sufficient to cover the utility's additional costs, with the levy collected by the utility on behalf of the locality – residential utility customers will only be charged up to \$1 per month;
 - The utility will convert, operate, and maintain the agreed portion of the line underground; and,
 - Such other terms and conditions on which the parties agree.
- The bill requires that when the CTB receives the agreement, the Commissioner of Highways will be responsible for securing the necessary easements and permits for the pilot program.
- The bill is silent on whether telecommunications and cable providers must similarly underground their lines, and is also silent on a mechanism to recover costs if they do underground those lines.
- The agreement shall be deemed to satisfy the requirements of §15.2-2232 and local zoning ordinances with respect to such distribution line and any associated facilities, such as stations, substations, transition stations and locations, and switchyards or stations, that may be required.
- The pilot program terminates three years after the effective date of the bill.

Related Statutes in the Code of Virginia

- §15.2-2404 allows the governing body of any locality to request an electric utility that proposes to construct an overhead electric transmission line of 150 kilovolts or more in that locality to enter into an agreement with the locality in which:
 - The locality will impose a tax or assessment on electric utility customers in a special rate district to cover the utility's additional costs of constructing that portion of the proposed line to be

located in the locality as an *underground* rather than an overhead line – the locality would be required to set the boundaries of the special rate district within a reasonable distance of the route of that portion of the line to be placed underground pursuant to the agreement;

- The tax or assessment will be shown as a separate item on such customers' electric bills and will be collected by the utility on behalf of the locality;
 - The locality would be required to set the amount of such tax or assessment based on the assessed value of real property within such district;
 - The utility will construct, operate, and maintain the agreed portion of the line underground; and,
 - The locality will pay to the utility its full additional costs of constructing that portion of the line underground rather than overhead.
- To execute such an agreement, the owners of real property of at least 60 percent of the assessed value of real property within such a district could petition the locality to impose such tax or assessment.
 - The locality would submit the agreement to the State Corporation Commission (SCC) and the SCC may approve the agreement if it finds it to be in the public interest.
 - If the agreement is approved by the SCC, the locality will impose the tax or assessment on electric utility customers within the district, and the locality and the utility will carry out the agreement according to its terms and conditions.
 - This does not apply to lines in operation as of March 1, 2005.

Analysis of February 7 Draft of SB 1759

Undergrounding Levy: All electric utility customers within Fairfax County would pay the undergrounding levy, but residential customers would only be assessed no more than \$1 per month. The timeframe for recouping any costs of paying for the undergrounding is unclear.

Levy Oversight: Currently, the SCC reviews every request by a utility to assess rate increases and authorize any new construction or renovation – SCC staff provide detailed analysis, require extensive supporting documentation from the utilities, and are able to compare the utility cost estimates with projects across the Commonwealth. SCC proceedings are open to the public, and any interested person (individuals, businesses, homeowner's associations, localities, among others) may participate, including requesting the underlying data to support the utility's cost figures. Fairfax County has participated in multiple SCC proceedings and has frequently requested information about underlying costs. SB 1759 does not appear to contain such safeguards to protect County customers, and without them the County would be dependent on the utility's estimate of the total project cost without the ability to ensure costs are reasonable.

Initial Payment: The bill requires the County to pay for the project upfront and then recover the cost from ratepayers by adding a utility surcharge. It is not clear whether the County could receive interest on the surcharge.

Transit-Oriented Development: The Richmond Highway widening project (Mount Vernon Memorial Highway to Napper Road), which is the impetus for this legislation, contains TOD areas but the entirety of the project is not a TOD area (much of the project is actually between TODs).

Procedural Timeline Conflicts: The sequence of events contained in SB 1759 needs to be clarified. The current draft seems to require the County to enter into an agreement with a utility prior to adopting an ordinance codifying the utility levy on Fairfax County residents; however, if the County enters into an agreement and then is unable or unwilling to pass the ordinance, the County could be in breach of the agreement with the utility, as well as potentially liable to pay the entire cost of the undergrounding.

CTB Involvement: Since the agreement between the County and the utility would not include the CTB, it is unclear how the CTB would secure the necessary easements and permits for the project as required under the bill, including how that would be funded and the timeframe involved. Further, while the project envisioned by this bill is being undertaken by VDOT, County managed projects (i.e. Richmond Highway BRT) could qualify as well, in which case it is unlikely that the CTB would be interested in securing easements.

Countywide Assessment: Unlike §15.2-2404, which specifically provides that adjoining property owners to the improvement shall be taxed or assessed, SB 1759 specifies that all Fairfax County electrical customers would pay for undergrounding lines in one part of the County. Tax law typically requires all residents being taxed to receive a benefit from the tax revenues. Additionally, as written, the bill seems to require the County to impose the same levy on Northern Virginia Electric Cooperative (NOVEC) customers.

Project Schedule: The design public hearing for the Richmond Highway widening project (Mount Vernon Memorial Highway to Napper Road) is currently scheduled for March 26, 2019. If SB 1759 is enacted, it will become effective on July 1, 2019, and if the County elects to pursue undergrounding the overall project schedule would be significantly affected.

Zoning Authority: The bill states that if the County enters into an agreement with a utility, the agreement shall be deemed to satisfy the requirements of §15.2-2232 and local zoning ordinances with respect to such distribution line and any associated facilities, such as stations, substations, transition stations and locations, and switchyards or stations, that may be required. Similar language exists in other related code sections, but in those cases the SCC is also involved in the process while this proposal does not include SCC engagement.

Transmission Lines: It is important to note that SB 1759 applies only to distribution lines (smaller, more numerous lines) and not transmission lines (large lines such as the upcoming Idylwood-Tysons line).

Understanding the Impact of Virginia Tax Reform (HB 2529, SB 1372) in Response to the Federal Tax Cuts and Jobs Act of 2017

On Monday, February 11, the Virginia General Assembly enacted state tax reform in response to impacts from the Federal Tax Cuts and Jobs Act of 2017 (TCJA). The new state tax law returns (or intends to return) individual income tax revenue resulting from enactment of the TCJA back to taxpayers. With a couple of relatively minor exceptions, additional new business-related tax revenue generated for the state as a result of the TCJA is retained in the state general fund.

The TCJA was the largest federal tax reform legislation in over 30 years - impacting both individuals and businesses. Beginning in tax year 2018, federal tax changes included up to 20 modifications for individuals and up to 30 modifications for business and corporate tax returns. The estimated federal tax impact on Virginia residents and businesses amounted to a *reduction* of about \$4 billion per year in federal tax collections mainly due to a lowering of federal income tax rates. In contrast, the TCJA modified income definitions and rules that created large potential state revenue *increases* by subjecting more income to Virginia's unchanged tax rates. Without changes to Virginia tax law, estimated increases in state revenue resulting from the TCJA would have amounted to \$594 million in FY 2019, growing to \$950 million in FY 2024. Individual income tax changes under the new federal law are temporary and expire after tax year 2025. The business tax changes are permanent.

Over the years, Virginia has routinely conformed to small changes in federal income tax laws. However due to the large changes in TCJA, Virginia conformity to the new federal income definitions was a bigger than normal issue and became wrapped up in the larger Virginia tax reform response to TCJA. The enactment of HB 2529 (Hugo)/SB 1372 (Norment) conformed Virginia to most new provisions in TCJA beginning in tax year 2018, while also reforming several Virginia income tax provisions to provide tax relief.

First, Virginia will provide a one-time individual income tax refund of up to \$110 for single filers and \$220 for married filers prior to October 1, 2019, to all taxpayers with tax liability. The expected cost is \$420 million. For businesses, \$32 million in permanent tax relief is provided beginning in tax year 2018 by 1) a subtraction modification to certain corporate global intangible low-taxed income

(“GILTI”) and 2) a partial 20 percent restoration of net interest deductions eliminated in the new federal law. Finally, an additional \$80 million is reserved in the Taxpayer Relief Fund in FY 2019. In total, \$532 million is returned or reserved for taxpayers in FY 2019, equaling the estimated individual income revenue resulting from federal tax reform. The remaining \$62 million, mostly resulting from federal business provision changes, remains in the state general fund.

The bulk of the new state tax reform is effective in tax year 2019 through tax year 2025 – matching the temporary nature of the federal individual tax changes. For individuals, the Virginia standard deduction is increased from \$3,000 to \$4,500 for singles and married filing separately, and from \$6,000 to \$9,000 for married filing joint returns. New state law de-conforms from the federal \$10,000 limitation on property tax deductions and allows an individual income tax deduction for the actual amount of real and personal property taxes imposed by Virginia or any other taxing jurisdiction. New state tax law also re-imposes the “Pease” limitation for high income taxpayers. This *reduces* itemized deductions by 3 percent of the amount by which a taxpayer's adjusted gross income exceeds the threshold amount (\$261,500 for singles; \$313,800 for married filers). Finally, any individual taxpayer revenues generated from TCJA above the amount returned must be transferred to the "Taxpayer Relief Fund" for future tax relief.

The following table presents the estimated state revenue impacts from the TCJA and the corresponding enacted state tax reform. ⁱ

	Estimated Revenue Impact (\$ Mil.)					
TCJA Impact:	<u>FY 19</u>	<u>FY 20</u>	<u>FY 21</u>	<u>FY 22</u>	<u>FY 23</u>	<u>FY 24</u>
Individual Income	\$532	\$444	\$467	\$493	\$520	\$546
Business and International	<u>\$62</u>	<u>\$167</u>	<u>\$187</u>	<u>\$306</u>	<u>\$423</u>	<u>\$405</u>
Total TCJA Est. Impact	\$594	\$611	\$654	\$799	\$943	\$951
State Tax Reform:						
\$110 S/\$220M Refund	(\$420)	\$0	\$0	\$0	\$0	\$0

50% Standard Deduction Increase, Unlimited Property Tax Deduction, Deconform Pease Limitation	\$0	(\$308)	(\$204)	(\$208)	(\$212)	(\$216)
International GILTI and 20% Net Interest Deduction	(\$32)	(\$23)	(\$24)	(\$26)	(\$27)	(\$28)
Taxpayer Relief Fund	(\$80)	(\$113)	(\$238)	(\$260)	(\$281)	(\$302)
Remaining for State GF	\$62	\$167	\$187	\$306	\$423	\$405

Fiscal Analytics, Ltd.

ⁱ For a more complete description of state revenue impacts see the Virginia Department of Taxation fiscal impact statement on SB 1372.

<http://lis.virginia.gov/cgi-bin/legp604.exe?191+oth+SB1372FER161+PDF>