



County of Fairfax, Virginia

MEMORANDUM

DATE: February 11, 2020

TO: Board of Supervisors

FROM: Bryan J. Hill, County Executive

SUBJECT: 2020 Legislative Report No. 2 – Board Legislative Committee Meeting of January 31, 2020

With crossover upon us, just over three weeks remain in the 2020 General Assembly session. While most bills introduced this session have already been acted upon by their respective originating chambers, any outstanding legislation must reach the opposite chamber by midnight today, February 11, or it will not be considered for the remainder of the session. Following crossover, both houses will continue work on their individual revenue bills, as well as the state budget.

The Legislative Committee met on January 31 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 January 31, 2020:

Members Present: Legislative Chairman Walkinshaw
Chairman McKay
Supervisor Alcorn
Supervisor Foust
Supervisor Gross
Supervisor Herrity
Supervisor Lusk
Supervisor Palchik
Supervisor Smith

Specific Issues

Omnibus Transportation Funding Legislation Overview: The Committee received an update on the pending omnibus transportation legislation (HB 1414 (Filler-Corn)/SB 890 (Saslaw)) (see handout on "Supplementary Documents" pages 94-96).

Priority Principles for Reviewing Legislation

1. Adequately fund K-12 education.
2. Restore funding to the Northern Virginia Transportation Authority (NVTA) in an amount equal to what was diverted, to ensure that transportation projects continue to move forward in Northern Virginia after decades of state underfunding.
3. Build upon the successful enactment of significant transportation revenues by the 2013 General Assembly to ensure sufficient funding for transportation needs.
4. Restore the funding partnership between the state and localities through adequate state funding.
5. Preserve local government authority, particularly in taxation and land use; allow greater flexibility in the administration of government.

Specific Legislation

Fairfax County Legislative Summary: The Committee discussed the status of legislation on which the Committee had previously taken positions and discussed changing the positions on several bills. The Committee's positions on these bills are noted in the attached tracking chart (see "Supplementary Documents" on pages 1-93).

Historical Positions of the Board

SUPPORT

HB 1004 (Mullin) (House Floor)/**SB 479** (Howell) (Passed Senate) prohibits any person subject to a permanent protective order (i.e., a protective order with a maximum duration of two years) from knowingly possessing a firearm while the order is in effect, provided that for a period of 24 hours after being served with a protective order such person may continue to possess such firearm for the purposes of selling or transferring it to any person who is not otherwise prohibited by law from possessing such firearm. A violation of this provision is a Class 6 felony. The bill also provides that a court shall order a person subject to a permanent protective order to (i) within 24 hours, surrender any firearm possessed by such person to a designated local law-enforcement agency or sell or transfer any firearm possessed by such person to a dealer or to any person who is not otherwise prohibited by law from possessing such firearm and (ii) certify in writing that such person does not possess any firearms or that all firearms possessed by such person have been surrendered, sold, or transferred and file such certification with the clerk of the court that entered the protective order within 48 hours after being served with a protective order. The bill provides that any person who fails to certify in writing in accordance with this section that all firearms possessed by such person have been surrendered, sold, or transferred or that such person does not possess any firearms is guilty of a Class 1 misdemeanor. The bill provides procedures for designating a local law-enforcement agency to receive and store firearms, as well as a process to return such surrendered firearms. The bill also makes it a Class 4 felony for any person to sell, barter, give, or furnish any firearm to any person he knows is prohibited from possessing or transporting a firearm who is the subject to a permanent protective order. Support; Board has historically supported. (20106626D-H1, 20106476D-S1)

New Bills – 2020 GA

Miscellaneous

HB 598 (Murphy) (Passed House)/**SB 212** (Favola) (Passed Senate) creates an annual mixed beverage performing arts facility license that (i) may be granted to persons operating food concessions at any performing arts facility located in Fairfax County, provided that the performing arts facility (a) is occupied under a bona fide long-term lease or concession agreement, the original term of which was more than one year and (b) has a total capacity in excess of 1,400 patrons and (ii) authorizes the licensee to sell, on the dates of performances or events, alcoholic beverages for on-premises consumption. Support. (20104949D-E, 20102017D-E)

SB 34 (Surovell) (SFIN) removes the citizenship and legal presence requirements for obtaining a driver's license or special identification card. The bill requires the Department of Motor Vehicles to cancel any (i) REAL ID-compliant driver's license or special identification card and (ii) commercial driver's license or commercial learner's permit if the Department is notified by a federal agency that the individual to whom such document was issued is not in compliance with the citizenship and lawful residency requirements for such license, card, or permit. The bill has a delayed effective date of October 2, 2020, and contains technical amendments. Support. (20100564D)

Elections

HB 1210 (Tran) (HPE) requires the State Board of Elections to prescribe, and a covered locality to provide, voting and election materials in languages other than English. A county, city, or town is designated by the State Board as a covered locality if the State Board determines, in consultation with the Director of the Census, based on the 2010 American Community Survey census data and subsequent American Community Survey data in five-year increments, or comparable census data, that (i) either (a) more than five percent of the citizens of voting age of such county, city, or town are members of a single language minority and are unable to speak or understand English adequately enough to participate in the electoral process; (b) more than 10,000 of the citizens of voting age of such county, city, or town are members of a single language minority and are unable to speak or understand English adequately enough to participate in the electoral process; or (c) in the case of a county, city, or town containing all or any part of an Indian reservation, more than five percent of the American Indian citizens of voting age within the Indian reservation are members of a single language minority and are unable to speak or understand English adequately enough to participate in the electoral process and (ii) the illiteracy rate of the citizens of the language minority as a group is higher than the national illiteracy rate. The bill also allows the State Board to make available voting and election materials in any additional languages other than those required as it deems necessary and appropriate. The State Board may accept voting and election materials translated by volunteers but shall verify the accuracy of such translations prior to making the translated materials available to a county, city, or town, or any voter. Support with amendments to clarify that a covered locality/language is based on designation by federal law, clarify the materials and format required, and require that the Department of Elections upgrade VERIS to include functionality to facilitate implementation. (20103702D)

Voter Registration

HB 201 (Ayala) (HPE) provides that any person who is qualified to register to vote shall be entitled to register in person up to and including the day of the election at the office of the general registrar in the locality in which such person resides or at the polling place for the precinct in which such person resides. This bill has a delayed effective date of October 1, 2022. Support with adequate state funding for implementation. (20106843D)

Environment and Energy

HB 1192 (Lopez) (HCT)/**SB 626** (Surovell) (SACNR) directs the State Water Control Board to regulate aboveground storage tanks that measure more than 1,320 gallons in capacity and are used to contain hazardous substances other than oil. The bill directs the Board to adopt regulations that establish requirements for registration, certification, and inspection, and other requirements of tank owners, and that establish a schedule of fees. The bill authorizes the Board to undertake corrective action, or to require the owner to undertake corrective action, in the event of a discharge of a hazardous substance. The bill requires tank owners to register their tanks, pay certain registration fees, develop release response plans, upgrade certain older tanks, install containment infrastructure for certain aboveground storage tanks, notify certain parties in the event of a release of a regulated substance, and demonstrate their financial responsibility. The bill also creates the Hazardous Substance Aboveground Storage Tank Fund for the administration of the bill and provides for civil and criminal penalties for violations of requirements of the bill, with the moneys received to be deposited into the existing Virginia Environmental Emergency Response Fund. Oppose. (20105199D, 20104897D)

SB 747 (Hanger) (SACNR) limits certain transfers of nonpoint nutrient credits to those credits generated by the private sector. The bill provides that while any locality may, without the involvement of a third party, generate its own nutrient or sediment credits and request that such credits be certified by the Department of Environmental Quality, such certifications shall only be used for the purpose of determining whether the project complies with credit generation requirements. Monitor. (20103284D)

SB 1007 (Reeves) (SACNR) directs the Water Control Board to adopt regulations that require that along-term maintenance agreement for any best management practice that is a wet pond provide for inspections no more frequently than every five years. Oppose. (20105334D)

Firearms

SB 593 (Hanger) (SRSS) requires that all firearms in a licensed family day home be stored unloaded in a locked container, compartment, or cabinet. The bill also requires that, during the family day home's hours of operation, ammunition be stored separate from all firearms in a locked container, compartment, or cabinet. Support. (20101435D)

Health and Human Services

HB 650 (Hope) (HHWI)/**SB 566** (Edwards) (SEH) provides that a person who is not otherwise authorized to administer naloxone or other opioid antagonist used for overdose reversal may administer naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose, provided the administration is in good faith and absent gross negligence or willful and wanton misconduct. Support. (20104901D, 20104900D)

HB 860 (Bell) (Passed House; SEH) provides that a prescriber may authorize pursuant to a written order or standing protocol issued within the course of the prescriber's professional practice, and with the consent of the student's parents, an employee of (i) a school board, (ii) a school for students with disabilities, or (iii) an accredited private school who is trained in the administration or supervision of self-administered inhaled asthma medications to administer or supervise the self-administration of such medication to a student diagnosed with a condition requiring inhaled asthma medications when the student is believed to be experiencing or about to experience an asthmatic crisis. Such authorization shall be effective only when a licensed nurse, nurse practitioner, physician, or physician assistant is not present to perform the administration of the medication. Monitor. (20105551D-H1)

HB 902 (Sickles) (HAPP)/**SB 902** (Barker) (SEH) provides that every individual who applies for community or institutional long-term care services and supports as defined in the state plan for medical assistance services may choose to receive services in a community or institutional setting and may choose the setting and provider of long-term care services and supports from a list of approved providers. The bill also clarifies requirements related to the performance of such long-term care services and supports screenings. Monitor. (20104848D, 20104850D)

SB 570 (Mason) (SFIN) creates the State-Funded Kinship Guardianship Assistance program (the program) to facilitate child placements with relatives, including fictive kin, and ensure permanency for children in foster care. The bill sets forth eligibility criteria for the program, payment allowances to kinship guardians, and requirements for kinship guardianship assistance agreements. The bill also expands eligibility for the Federal-Funded Kinship Guardianship Assistance program by allowing payments to be made to fictive kin who receive custody of a child of whom they have been the foster parent. Support. (20105861D-S1)

SB 585 (Dunnavant) (SJUD) creates the Supported Decision-Making Act, which allows an adult with an intellectual or developmental disability to enter into an agreement with another person, called a "supporter," for the purposes of having the supporter assist the adult in making decisions to manage his affairs, giving adults who need assistance a less restrictive means of receiving such assistance than being appointed a guardian or conservator by a court. The bill further requires a guardian ad litem in a proceeding for the appointment of a guardian or conservator to consider whether a less restrictive alternative, including the use of an advance directive or durable power of attorney, is available to provide assistance to the respondent, and it requires the guardian ad litem to include in his report to the court information as to whether a supported decision-making agreement is a viable option in lieu of guardianship or conservatorship. The bill also provides that

if the respondent to a guardianship or conservatorship petition is between 17 and a half and 21 years of age and has an Individualized Education Plan (IEP), the guardian ad litem appointed to represent the respondent shall review the IEP and include the results of his review in the report required to be submitted to the court, and it requires the Superintendent of Public Instruction to prepare transitional materials, including information about supported decision-making agreements and guardianship to be provided to students and parents during the student's annual IEP meeting. The bill requires the court, upon appointment of a guardian or conservator, to inform such person of his duties and that the respondent should be encouraged to participate in decisions, act on his own behalf, and develop or maintain the capacity to manage his personal affairs if he retains any decision-making rights. Finally, the bill sets out specific language to be included in all orders of appointment of a guardian. This bill is a recommendation of the Joint Commission on Health Care. Monitor. (20103126D)

SB 678 (Mason) (SRSS) allows requests for and responses to searches of the central registry of founded complaints of child abuse and neglect maintained by the Department of Social Services to be sent electronically. Support. (20103026D)

SB 706 (Obenshain) (SRSS) changes the name of sex trafficking assessments to human trafficking assessments and allows local departments of social services conducting such human trafficking assessments to interview the alleged child victim or his siblings without the consent and outside the presence of such child's or siblings' parent, guardian, legal custodian, or other person standing in loco parentis, or school personnel. This bill is a recommendation of the Virginia State Crime Commission. Support. (20105034D)

SB 1046 (Deeds) (SEH) adds clinical social workers to the list of eligible providers that includes treating physicians and clinical psychologists who can disclose or recommend the withholding of patient records, face a malpractice review panel, and provide recommendations on involuntary temporary detention orders. Monitor. (20104401D)

Public Safety/Criminal Justice

SB 1018 (Stanley) (SJUD) allows a convicted person's sentence to be reduced by the sentencing court if the court determines such person provided substantial assistance in the furtherance of the investigation or prosecution of another person engaged in an act of grand larceny of a firearm, criminal street gang participation, or recruitment of persons for criminal street gangs. Consideration of sentence reduction can occur only upon motion of the attorney for the Commonwealth. Support. (20105189D)

Legislation Provided for Discussion

Animals

HB 1279 (O'Quinn) (HAG) increases from five to 10 the number of days an animal confined by a public or private animal shelter or releasing agency shall be kept prior to disposal of the animal unless sooner claimed by the rightful owner. The bill also increases from five to 10 the number of

additional days such animal shall be held if the owner or custodian of the shelter determines that the animal has a collar, tag, license, tattoo, or other form of identification. Oppose. (20101926D)

Environment and Energy

Clean Energy

SB 1027 (Lewis) (SACNR) directs the Department of Environmental Quality to incorporate into regulations previously adopted by the State Air Pollution Control Board certain provisions establishing a carbon dioxide cap and trade program to reduce emissions released by electric generation facilities. Such provisions are required to comply with the Regional Greenhouse Gas Initiative model rule. The bill authorizes the Director of the Department of Environmental Quality to establish, implement, and manage an auction program to sell allowances into a market-based trading program. The bill requires revenues from the sale of carbon allowances, to the extent permitted by Article X, Section 7 of the Constitution of Virginia, to be deposited in an interest-bearing account and to be distributed without further appropriation (i) to the Virginia Community Flood Preparedness Fund; (ii) to the Department of Mines, Minerals and Energy for low-income energy efficiency programs; (iii) for administrative expenses; and (iv) for statewide climate change planning and mitigation activities. The bill continues the Virginia Shoreline Resiliency Fund as the Virginia Community Flood Preparedness Fund for the purpose of creating a low-interest loan program to help inland and coastal communities that are subject to recurrent or repetitive flooding. Support. (20105571D)

Regional Greenhouse Gas Initiative

HB 110 (Ware) (HLC) provides that if the Commonwealth becomes a participant in the Regional Greenhouse Gas Initiative or another carbon dioxide cap and trade program with an open auction of allowances, the Department of Environmental Quality shall establish an allowance reserve account for any electric generation facility that operates according to a long-term contract that was executed prior to May 16, 2017, and prohibits the recovery of allowance costs. The bill provides that such a facility shall be allocated free allowances from the reserve account sufficient to cover its annual compliance obligation for the duration of the long-term contract. Support. (20101945D)

HB 1152 (Lopez) (HLC) directs the Department of Environmental Quality (DEQ) to implement the final carbon trading regulation as approved by the Air Pollution Control Board providing for the establishment of a carbon dioxide cap and trade program. The measure directs the Commonwealth to become a member of the Regional Greenhouse Gas Initiative (RGGI). Pursuant to the Commonwealth's participation in the RGGI program, the Department shall seek to sell 100 percent of all allowances issued each year through the allowance auction. The measure authorizes the Director of the DEQ to establish, implement, and manage an auction program to sell allowances into a market-based trading program consistent with the RGGI program. The measure establishes the Energy Efficiency Fund and requires that all proceeds received from the sale of allowances conducted through the RGGI program be paid into the state treasury and credited to the Fund. Not less than 50 percent of the proceeds received from the sale of allowances shall be credited to an account to support energy efficiency programs, with at least 20 percent of the proceeds being

directed to low-income energy efficiency programs. Not more than three percent of the proceeds shall be used to cover reasonable administrative expenses. The remaining funds will revert to the general fund. Support. (20101672D)

Virginia Clean Economy Act

HB 1526 (Sullivan) (HLC)/**SB 851** (McClellan) (SCL) replaces the existing voluntary renewable energy portfolio system (RPS) program with a mandatory RPS that applies to electric utilities and licensed competitive suppliers. Among other things, the measure also adopts a 2,400 megawatt energy storage deployment target for the Commonwealth, requires the State Corporation Commission to adopt regulations for implementation of the energy storage deployment target of 2,400 megawatts by 2035, establishes an energy efficiency standard under which each investor-owned incumbent electric utility is required to achieve incremental annual energy efficiency savings that start in 2021 at 0.35 percent of the average annual energy retail sales by that utility in the three preceding calendar years and increase annually until 2027 and thereafter when energy efficiency savings of at least two percent of the average annual energy retail sales by that utility in the three preceding calendar years are required, amends the net energy metering program by increasing the maximum capacity of renewable generation facilities of participating nonresidential eligible customer-generators from one to three megawatts, increases the cap on the capacity of generation from facilities from the customer's expected annual energy consumption to 150 percent of such amount, increases each utility's systemwide cap from one percent of its adjusted Virginia peak-load forecast for the previous year to 10 percent of such amount, eliminates the ability of a utility to assess standby charges, establishes the right to finance electrical generating facilities via leases and power purchase agreements, directs the State Air Pollution Control Board to report to the General Assembly by January 1, 2021, on how to achieve 100 percent carbon free electric energy generation by 2050 and whether the General Assembly should permanently repeal the ability to obtain a certificate of public convenience and necessity for electric generating units that emit carbon as a byproduct of combusting fuel to generate electricity, directs the Board to adopt regulations establishing a carbon dioxide cap and trade program to limit and reduce the total carbon dioxide emissions released by electric generation facilities, which regulations shall comply with the Regional Greenhouse Gas Initiative model rule; (xviii) directs the Board to adopt a regulation to reduce, for the period of 2031 to 2050, and establishes a shared solar program that allows customers to purchase electric power through a subscription in a shared solar facility. Support. (20105072D, 20105040D)

Virginia Energy Plan

HB 714 (Reid) (HLC) adopts findings that climate change is an urgent and pressing challenge for Virginia, that swift decarbonization and a transition to clean energy are required to meet the urgency of the challenge, and that the Commonwealth will benefit from being a leader in deploying a low-carbon energy economy. The measure states that the Commonwealth recognizes that the following objectives will advance the health, welfare, and safety of Virginians: (i) establishing sufficient supply and delivery infrastructure to enable widespread deployment of distributed energy resources; (ii) maximizing energy efficiency programs in order to produce electricity cost savings and to create jobs and revenue from the energy efficiency service sector; (iii) establishing greenhouse gas emissions reduction goals across Virginia's economy that reach net-zero emissions by 2050; (iv) requiring that pathways to net-zero greenhouse gas emissions be determined; (v)

enabling widespread integration of storage technologies into the grid and pairing such storage technologies with renewable generation; (vi) mitigating the negative impacts of climate change and the energy transition on disadvantaged communities and prioritizing investment in these communities; (vii) developing the carbon-free energy resources required to fully decarbonize the electric power supply of the Commonwealth including deployment of 30 percent renewables by 2030 and realizing 100 percent carbon-free electric power by 2040; and (viii) ensuring that decision-making is transparent and includes opportunities for full participation by the public. The measure also states that it is the policy of the Commonwealth to (a) accelerate the use and deployment of renewable energy sources such that 30 percent of Virginia's electricity will be from renewable energy sources by 2030 and 100 percent of Virginia's electricity will be from carbon-free sources by 2040; (b) promote research and development of carbon-free electric power generation technologies, including advanced nuclear and carbon capture and storage; (c) ensure the availability of affordable natural gas where established and where it enables greenhouse gas reduction; (d) promote beneficial electrification of transportation, buildings, industry, and agriculture; (e) establish greenhouse gas emissions reduction standards across all sectors of Virginia's economy that target net-zero greenhouse gas emissions by mid-century; (f) enact mandatory clean energy standards and overall strategies for reaching zero carbon in the electric power sector by 2040; (g) incorporate requirements for technical, policy, and economic analyses and assessments that identify pathways to zero carbon that maximize Virginia's economic development and create quality jobs; (h) minimize the negative impacts of climate change and the energy transition on disadvantaged communities and prioritize investment in these areas; (i) adopt residential and commercial building codes that meet or exceed the current International Building Code standards and encourage construction and retrofitting of buildings to achieve maximum energy savings; and (j) support the distributed generation of renewable electricity. The measure also requires that the Virginia Energy Plan identify actions consistent with the goals of achieving a net-zero carbon economy by 2050 and include an inventory of all greenhouse gas emissions for the four years preceding the issuance of the Plan. Support. (20104864D)

SB 94 (Favola) (Passed Senate) states that the Commonwealth Energy Policy shall include (i) establishing greenhouse gas emissions reduction standards across all sectors of Virginia's economy that target net zero carbon emissions by mid-century; (ii) enacting mandatory clean energy standards and overall strategies for reaching zero carbon in the electric power sector by 2040; (iii) incorporating requirements for technical, policy, and economic analyses and assessments that identify pathways to zero carbon that maximize Virginia's economic development and create quality jobs; and (iv) minimizing the negative impacts of climate change and the energy transition on disadvantaged communities and prioritizing investment in these areas. The measure requires the Virginia Energy Plan to be prepared in consultation with a stakeholder group that includes representatives of consumer and environmental organizations. The measure also requires that the Virginia Energy Plan identify actions over a 10-year period consistent with the goal of the Commonwealth Energy Policy to achieve, no later than 2050, a net-zero carbon energy economy for all sectors, including electricity, transportation, building, and industrial sectors. Support. (20105660D-S1)

Firearms

HB 674 (Sullivan) (Passed House) creates a procedure by which any attorney for the Commonwealth or any law-enforcement officer may apply to a general district court, circuit court, or juvenile and domestic relations district court judge or magistrate for an emergency substantial risk order to prohibit a person who poses a substantial risk of injury to himself or others from purchasing, possessing, or transporting a firearm. If an emergency substantial risk order is issued, a judge or magistrate may issue a search warrant to remove firearms from such person. An emergency substantial risk order shall expire on the fourteenth day following issuance of the order. The bill requires a court hearing in the circuit court for the jurisdiction where the order was issued within 14 days from issuance of an emergency substantial risk order to determine whether a substantial risk order should be issued. Seized firearms shall be retained by a law-enforcement agency for the duration of an emergency substantial risk order or a substantial risk order or, for a substantial risk order and with court approval, may be transferred to a third party 21 years of age or older chosen by the person from whom they were seized. The bill allows the complainant of the original warrant to file a motion for a hearing to extend the substantial risk order prior to its expiration. The court may extend the order for a period not longer than 180 days. The bill provides that persons who are subject to a substantial risk order, until such order has been dissolved by a court, are guilty of a Class 1 misdemeanor for purchasing, possessing, or transporting a firearm; are disqualified from having a concealed handgun permit; and may not be employed by a licensed firearms dealer. The bill also provides that a person who transfers a firearm to a person he knows has been served with a warrant or who is the subject of an order is guilty of a Class 4 felony. The bill creates a computerized substantial risk order registry for the entry of orders issued pursuant to provisions in the bill. Support. Support concept of substantial risk orders as set forth in SB 240. (20104741D)

SB 240 (Barker) (Passed Senate) creates a procedure by which an attorney for the Commonwealth or two law enforcement officers, supported by affidavit of supporting facts after consulting with the attorney for the Commonwealth, may apply to a general district court, circuit court, or juvenile and domestic relations district court judge or magistrate for an emergency substantial risk order to prohibit a person who poses a substantial risk of injury to himself or others from purchasing, possessing, or transporting a firearm. Upon service of an emergency substantial risk order, the person who is subject to the order shall be given the opportunity to voluntarily relinquish any firearm, though voluntary relinquishment shall not preclude a law-enforcement officer from later obtaining a search warrant to search for any firearms if a law-enforcement officer has reason to believe that the person who is subject to an emergency substantial risk order has not relinquished all firearms in his possession. An emergency substantial risk order shall expire on the fourteenth day following issuance of the order. The bill requires a court hearing in the circuit court for the jurisdiction where the order was issued within 14 days from issuance of an emergency substantial risk order to determine whether a substantial risk order should be issued. Seized firearms shall be retained by a law-enforcement agency for the duration of an emergency substantial risk order or a substantial risk order or, for a substantial risk order and with court approval, may be transferred to a third party 21 years of age or older chosen by the person from whom they were seized. The bill allows the complainant of the original warrant to file a motion for a hearing to extend the substantial risk order prior to its expiration. The court may extend the substantial risk order for a

period not longer than 180 days. The bill provides that persons who are subject to a substantial risk order, until such order has been dissolved by a court, are guilty of a Class 1 misdemeanor for purchasing, possessing, or transporting a firearm; are disqualified from having a concealed handgun permit; and may not be employed by a licensed firearms dealer. The bill also provides that a person who transfers a firearm to a person he knows has been served with a warrant or who is the subject of a substantial risk order is guilty of a Class 4 felony. The bill creates a computerized substantial risk order registry for the entry of orders issued pursuant to provisions in the bill. Support. (20105922D-ES3)

Human Services

SB 1049 (Deeds) (SEH) clarifies the role of family members and other individuals authorized to receive medical records and information about a person who is involved in the involuntary commitment process, including the family member or other person's right to receive medical records, notice of hearings, and copies of orders and to participate in hearings and the discharge planning process. Monitor. (20105346D)

SB 1050 (Deeds) (SEH) extends the maximum period of time during which a person may be involuntarily held pursuant to an emergency custody order from eight hours, or in some cases 12 hours, to 24 hours and requires the Board of Health to include in regulations governing hospitals a requirement that every hospital be licensed for and actually capable of accepting from law enforcement the transfer of custody of a person who is the subject of an emergency custody order. (20105345D)

Marijuana

Studies

HJ 130 (Heretick) (HRUL)/**HJ 132** (Herring) (HRUL)/**SJ 66** (Ebbin) (SRUL) establishes the Joint Subcommittee to Study the Development of a Framework for Regulated Adult-Use of Cannabis and Medical Cannabis (Joint Subcommittee). The bill requires the Joint Subcommittee to (i) study and provide guidance on the potential creation of a Cannabis Control Commission to oversee licensing and regulation of industrial hemp, medical cannabis, and adult-use of cannabis; (ii) provide regulatory guidance on potential tax rates and revenue forecasts for retail and wholesale products; (iii) study and make recommendations regarding the issuance of initial cultivation and retail licenses; (iv) develop and recommend a fee structure and grandfathering process for current pharmaceutical processors; (v) study and recommend potential marijuana advertising regulations; (vi) study and determine appropriate public consumption venues and personal cultivation allowances; (vii) study funding and processing requirements for expungement of criminal records and rights restoration related to marijuana decriminalization; (viii) study and recommend methods for diversifying ownership of the marijuana market; (ix) assess the California, Massachusetts, and Illinois marijuana programs and their effectiveness in transferring economic prosperity to disproportionately affected areas; (x) study the potential development of a community reinvestment fund; and (xi) review and analyze National Highway Traffic Safety Administration studies on marijuana-related impairment. Support. (20105363D, 20105549D, 20105313D)

SJ 67 (McClellan) (SRUL) redress impacts of marijuana prohibition; report. Support. (20105391D)

Decriminalization

SB 2 (Ebbin) (SJUD) decriminalizes simple marijuana possession and provides a civil penalty of no more than \$50. As an alternative to the civil penalty, a court may, upon motion of the defendant, prescribe the performance of up to 20 hours of community service. Current law imposes a maximum fine of \$500 and a maximum 30-day jail sentence for a first offense, and subsequent offenses are a Class 1 misdemeanor. The bill provides that a violation shall be charged by summons and may be executed by law enforcement when the violation is observed by law enforcement. The bill provides that the suspended sentence and substance abuse screening provisions and driver's license suspension provisions apply only to criminal violations. The bill defines marijuana to include hashish oil. The bill raises the threshold amount of marijuana subject to the offense of distribution or possession with intent to distribute from one-half ounce to one ounce. The bill contains technical amendments. (20100705D)

HB 265 (Heretick) (HCT) decriminalizes marijuana possession and provides a civil penalty of no more than \$25. Under current law, a first offense is punishable by a maximum fine of \$500 and a maximum jail sentence of 30 days, and subsequent offenses are a Class 1 misdemeanor. The bill creates a rebuttable presumption that a person who possesses no more than one-half ounce of marijuana possesses it for personal use and provides that the existing suspended sentence and substance abuse screening provisions apply only to criminal violations or to civil violations by a minor. The bill decreases from a Class 5 felony to a Class 6 felony the penalty for distribution or possession with intent to sell more than one-half ounce but not more than five pounds of marijuana. (20100927D)

HB 301 (Levine) (HCT) decriminalizes simple marijuana possession and provides a civil penalty, payable to the Literary Fund, of no more than \$100 for a first violation, \$250 for a second violation, and \$500 for a third or subsequent violation. Under current law, a first offense is punishable by a maximum fine of \$500 and a maximum 30-day jail sentence, and subsequent offenses are a Class 1 misdemeanor. The bill reduces the criminal penalties for distribution and possession with intent to sell, give, or distribute marijuana. The bill creates a rebuttable presumption that a person who possesses no more than one ounce of marijuana possesses it for personal use and provides that the suspended sentence/substance abuse screening provisions apply only to criminal violations or to civil violations by a minor. The bill also limits forfeiture of property from the sale or distribution of marijuana to quantities of more than one pound; currently there is no minimum amount. (20101961D)

HB 481 (Kory) (HCT) decriminalizes simple marijuana possession and provides a civil penalty of no more than \$50 for a first violation, \$100 for a second violation, and \$250 for a third or subsequent violation. Current law imposes a maximum fine of \$500 and a maximum 30-day jail sentence for a first offense, and subsequent offenses are a Class 1 misdemeanor. The bill provides that the suspended sentence/substance abuse screening provisions and driver's license suspension provisions apply only to criminal violations or to civil violations by a juvenile. The bill provides

that a court may suspend a driver's license for a civil violation committed by an adult. A civil violation will be treated as a conviction for prohibitions on the purchase or transport of a handgun and disqualification for a concealed handgun permit. (20103114D)

HB 972 (Herring) (HCT) decriminalizes simple marijuana possession and provides a civil penalty of no more than \$50 or, if such person is smoking, consuming, or otherwise ingesting marijuana in a public place at the time of the violation, no more than \$250. Current law imposes a maximum fine of \$500 and a maximum 30-day jail sentence for a first offense, and subsequent offenses are a Class 1 misdemeanor. The bill provides that any person who knowingly or intentionally smokes, consumes, or otherwise ingests marijuana while driving or operating a motor vehicle, engine, train, watercraft, or motorboat is guilty of a misdemeanor and shall be confined in jail not more than 30 days and fined not more than \$500, either or both, and subsequent convictions are a Class 1 misdemeanor. The bill also provides that the suspended sentence/substance abuse screening provisions and driver's license suspension provisions apply only to criminal violations or to civil violations by a juvenile. A civil violation will be treated as a conviction for prohibitions on the purchase or transport of a handgun and disqualification for a concealed handgun permit. The bill also (i) makes records relating to the arrest, criminal charge, or conviction of possession of marijuana not open to public inspection and disclosure, except in certain circumstances; (ii) prohibits employers and educational institutions from requiring an applicant for employment or admission to disclose information related to such arrest, criminal charge, or conviction; and (iii) prohibits agencies, officials, and employees of the state and local governments from requiring an applicant for a license, permit, registration, or governmental service to disclose information concerning such arrest, criminal charge, or conviction. Finally, the bill requires the Secretaries of Agriculture and Forestry, Finance, Health and Human Resources, and Public Safety and Homeland Security to convene a work group to study the impact on the Commonwealth of legalizing the sale and personal use of marijuana and report the recommendations of the work group to the General Assembly and the Governor by November 1, 2021. (20103384D)

HB 1507 (Carroll Foy) (HCT) possession of marijuana. (20105399D)

Legalization

HB 87 (Carter) (HCT) eliminates criminal penalties for possession of marijuana for persons who are 21 years of age or older. The bill also decriminalizes marijuana possession for persons under 21 years of age and provides a civil penalty of no more than \$100 for possession of (i) two and one-half ounces or less of marijuana or (ii) 12 or fewer marijuana plants and a civil penalty of no more than \$500 for possession of more than (a) two and one-half ounces of marijuana or (b) 12 marijuana plants. Under current law, a first offense is punishable by a maximum fine of \$500 and a maximum jail sentence of 30 days, and subsequent offenses are a Class 1 misdemeanor. The bill also modifies several other criminal penalties related to marijuana. The bill establishes a regulatory scheme for the regulation of marijuana cultivation facilities, marijuana manufacturing facilities, marijuana secure transporters, marijuana testing facilities, retail marijuana stores, and marijuana microbusinesses by the Board of Agriculture and Consumer Services. The bill imposes an additional tax of 10 percent on retail marijuana and retail marijuana products sold by retail marijuana stores and microbusinesses and directs the first \$20 million of such revenues, after

expenses of the Board are paid, to the Veterans Treatment Fund, established in the bill. The remaining tax receipts will be distributed to the localities in which the businesses operate, toward the state's share of Standards of Quality basic aid payments, and to the Commonwealth Mass Transit Fund. The bill also expands the legal medical uses of marijuana and tetrahydrocannabinol from only cancer and glaucoma to any use to alleviate the symptoms of any diagnosed condition or disease determined by the prescribing doctor to benefit from the use of such substance. (20100835D)

HB 269 (Heretick) (HCT) eliminates criminal penalties for possession of marijuana for persons who are 21 years of age or older. The bill also decriminalizes marijuana possession for persons under 21 years of age and provides a civil penalty of no more than \$50 for a first violation, \$100 for a second violation, and \$250 for a third or subsequent violation. Under current law, a first offense is punishable by a maximum fine of \$500 and a maximum jail sentence of 30 days, and subsequent offenses are a Class 1 misdemeanor. The bill also modifies several other criminal penalties related to marijuana. The bill establishes a regulatory scheme for the regulation of marijuana cultivation facilities, marijuana manufacturing facilities, marijuana testing facilities, and retail marijuana stores by the Board of Agriculture and Consumer Services. The bill imposes a tax on retail marijuana and retail marijuana products sold by a retail marijuana store at a rate of 9.7 percent (for a total sales tax of 15 percent) and provides that 67 percent of the revenues collected from the tax be deposited into the general fund and 33 percent of the revenues be deposited into a "Retail Marijuana Education Support Fund" to be used solely for purposes of public education. (20100185D)

Transportation

SB 758 (Marsden) (STRAN) makes several changes related to electric personal delivery devices, including changing the term used to refer to such devices to "personal delivery devices" and changing the weight limit of such devices from 50 to 200 pounds. The bill eliminates the ability of localities to regulate or prohibit the use of personal delivery devices on sidewalks, crosswalks, or roadways. The bill also changes the restriction on the transport of hazardous materials by a personal delivery device to only limit the transport of hazardous materials in a form and quantity that would pose an unreasonable risk to health, safety, or property. (20105149D)

HB 543 (Carr) (Passed House)/**SB 871** (Marsden) (Passed Senate) amends the definition of "electric power-assisted bicycle" to include three classes of such bicycles, based upon the type of motor and the maximum miles per hour that the motor is capable of propelling the bicycle. The bill also provides that electric power-assisted bicycles and operators are afforded the same rights and privileges as bicycles and operators and limits local and state regulation of the operation of such electric power-assisted bicycles to certain bicycle paths, shared-use paths, and trails. The bill requires manufacturers and distributors of electric power-assisted bicycles to include (i) on each electric power-assisted bicycle, a label indicating certain technical specifications and (ii) on each class three electric power-assisted bicycle, a miles-per-hour speedometer. The bill requires persons operating or riding on a class three electric power-assisted bicycle to wear a helmet. (20102771D, 20102647D)

Redistricting

Virginia Redistricting Commission

HB 381 (Cole, M.) (HPE) establishes the Virginia Redistricting Commission (the Commission) pursuant to Article II, Sections 6 and 6-A of the Constitution of Virginia. The Commission, tasked with establishing districts for the United States House of Representatives and for the Senate and the House of Delegates of the General Assembly, will consist of eight legislative commissioners and eight citizen commissioners. The legislative commissioners consist of four members of the Senate of Virginia and four members of the House of Delegates, with equal representation given to the political parties having the highest and next highest number of members in their respective houses. The citizen commissioners are chosen by a selection committee consisting of five retired judges of the circuit courts of Virginia, from lists submitted to the selection committee by the Speaker of the House of Delegates, the leader in the House of Delegates of the political party having the next highest number of members in the House of Delegates, the President pro tempore of the Senate of Virginia, and the leader in the Senate of the political party having the next highest number of members in the Senate. The bill contains eligibility requirements for the citizen commissioners, including restrictions on holding or having held partisan national or state public office. As part of the application process for service on the Commission, the Division of Legislative Services acts as a repository for applications submitted by interested persons and is tasked with screening out applicants who are ineligible or submit incomplete applications. The applications of the citizen candidates selected by political leadership and submitted for consideration to the selection committee are public records. The bill also directs the Division of Legislative Services to provide staff support to the Commission in the redistricting of congressional and state legislative districts. The Commission is required to submit to the General Assembly plans of districts within certain time periods, and the bill sets out criteria by which the districts are to be drawn, including equal population, racial and ethnic fairness, respect for existing political boundaries, contiguity, compactness, and communities of interest. Provisions to ensure public participation in the redistricting process are included. If efforts to establish districts fail, the Supreme Court of Virginia is responsible for establishing districts, and the bill directs the Court to enact a rule by March 1, 2021, establishing a procedure for implementing this requirement. Additionally, the bill requires the establishment of local redistricting commissions in each county, city, and town in which members of the governing body are elected from districts or wards and other than entirely at large. These commissions will each consist of four commissioners appointed by the governing body, with equal representation given to the political parties having the highest and next highest number of votes in the Commonwealth for Governor at the last preceding gubernatorial election. The bill has a contingent effective date of November 15, 2020, provided that the voters approve the amendments to Article II of the Constitution of Virginia, amending Section 6 and adding Section 6-A, at the November 2020 general election. Amend. Amend to remove provisions pertaining to the local redistricting commission. (20100230D)

HB 380 (Cole, M.) (HPE)/**HB 784** (VanValkenburg) (HPE)/**SB 236** (Barker) (SPE)/**SB 358** (Cosgrove) (SPE)/**SB 974** (Hanger) (SPE) provides for a referendum at the November 3, 2020, election to approve or reject amendments to the Constitution of Virginia establishing the Virginia Redistricting Commission and providing for the reapportionment of the Commonwealth to be done

by such Commission. If approved by the voters, the amendments would become effective on November 15, 2020. (20100229D, 20100576D, 20101035D, 20101800D, 20104334D)

HJ 34 (Cole, M.) (HPE)/**HJ 71** (VanValkenburg) (HPE)/**SJ 12** (Cosgrove) (SPE)/**SJ 18** (Barker) (SPE)/**SJ 70** (Hanger) (SPE) 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, from lists submitted to the selection committee by the Speaker of the House of Delegates, the leader in the House of Delegates of the political party having the next highest number of members in the House of Delegates, the President pro tempore of the Senate of Virginia, and the leader in the Senate of the political party having the next highest number of members in the Senate. The 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, or July 1 of that year, whichever occurs later. The measure requires certain vote thresholds for plans, depending on the type of district, in order to be submitted to the General Assembly. No amendments may be made to a plan by the General Assembly, and any plan approved by the General Assembly becomes law without the signature of the Governor. The measure requires additional plans to be submitted, or additional time to be given to submit a plan, in certain circumstances, and further provides that districts will be drawn by the Supreme Court of Virginia if such efforts fail. (20100228D, 20100575D, 20101797D, 20101031D, 20104333D)

HB 877 (Sickles) (HPE) establishes the Virginia Redistricting Commission (the Commission) pursuant to proposed amendments to Article II of the Constitution of Virginia, amending Section 6 and adding Section 6-A. The Commission, tasked with establishing districts for the United States House of Representatives and for the Senate and the House of Delegates of the General Assembly, will consist of eight legislative commissioners and eight citizen commissioners. The legislative commissioners consist of four members of the Senate of Virginia and four members of the House of Delegates, with equal representation given to the political parties having the highest and next highest number of members in their respective houses. The citizen commissioners are chosen by a selection committee consisting of five retired judges of the circuit courts of Virginia, from lists submitted to the selection committee by the Speaker of the House of Delegates, the leader in the House of Delegates of the political party having the next highest number of members in the House of Delegates, the President pro tempore of the Senate of Virginia, and the leader in the Senate of the political party having the next highest number of members in the Senate. The bill contains eligibility requirements for the citizen commissioners, including restrictions on holding or having held partisan national or state public office. As part of the application process for service on the Commission, the Division of Legislative Services acts as a repository for applications submitted by interested persons and is tasked with screening out applicants who are ineligible or submit incomplete applications. The applications of the citizen candidates selected by political leadership

and submitted for consideration to the selection committee are public records. The bill also directs the Division of Legislative Services to provide staff support to the Commission in the redistricting of congressional and state legislative districts. The Commission is required to submit to the General Assembly plans of districts within certain time periods. Provisions to ensure public participation in the redistricting process are included. If efforts to establish districts fail, the Supreme Court of Virginia is responsible for establishing districts, and the bill directs the Court to appoint a special master to draw the maps for the establishment of the districts. The bill has a contingent effective date of November 15, 2020, provided that the voters approve the amendments to Article II of the Constitution of Virginia, amending Section 6 and adding Section 6-A, at the November 2020 general election. (20100373D)

HB 1055 (Levine) (HPE) establishes the Virginia Redistricting Commission (the Commission). The Commission, tasked with establishing districts for the United States House of Representatives and for the Senate and the House of Delegates of the General Assembly, will consist of eight legislative commissioners and eight citizen commissioners. The legislative commissioners consist of four members of the Senate of Virginia and four members of the House of Delegates, with equal representation given to the political parties having the highest and next highest number of members in their respective houses. The citizen commissioners are chosen by a selection committee consisting of five retired judges of the circuit courts of Virginia, from lists submitted to the selection committee by the Speaker of the House of Delegates, the leader in the House of Delegates of the political party having the next highest number of members in the House of Delegates, the President pro tempore of the Senate of Virginia, and the leader in the Senate of the political party having the next highest number of members in the Senate. The Commission is required to submit to the General Assembly plans of districts within certain time periods, and the General Assembly may reject initial plans and provide information to the Commission regarding the reasons for rejecting such plans. The General Assembly is limited in its ability to amend plans until multiple plans have been submitted and rejected. The bill sets out criteria by which the districts are to be drawn, including equal population, racial and ethnic fairness, contiguity, and compactness. Provisions to ensure public participation in the redistricting process are included. (20101964D)

SB 203 (Lucas) (SPE) establishes the Virginia Redistricting Commission (the Commission) pursuant to Article II, Sections 6 and 6-A of the Constitution of Virginia. The Commission, tasked with establishing districts for the United States House of Representatives and for the Senate and the House of Delegates of the General Assembly, will consist of eight legislative commissioners and eight citizen commissioners. The legislative commissioners consist of four members of the Senate of Virginia and four members of the House of Delegates, with equal representation given to the political parties having the highest and next highest number of members in their respective houses. The citizen commissioners are chosen by a selection committee consisting of five retired judges of the circuit courts of Virginia, from lists submitted to the selection committee by the Speaker of the House of Delegates, the leader in the House of Delegates of the political party having the next highest number of members in the House of Delegates, the President pro tempore of the Senate of Virginia, and the leader in the Senate of the political party having the next highest number of members in the Senate. The bill contains eligibility requirements for the citizen commissioners, including restrictions on holding or having held partisan national or state public office. As part of the application process for service on the Commission, the Division of

Legislative Services acts as a repository for applications submitted by interested persons and is tasked with screening out applicants who are ineligible or submit incomplete applications. The applications of the citizen candidates selected by political leadership and submitted for consideration to the selection committee are public records. The bill also directs the Division of Legislative Services to provide staff support to the Commission in the redistricting of congressional and state legislative districts. The Commission is required to submit to the General Assembly plans of districts within certain time periods, and the bill sets out criteria by which the districts are to be drawn, including equal population, contiguity, compactness, racial and ethnic fairness, respect for existing political boundaries, and respect for existing communities of interest. The bill prohibits districts from being drawn for the purpose of favoring or disfavoring any political party, incumbent legislator or member of Congress, or other individual or entity. Provisions to ensure public participation in the redistricting process are included. If efforts to establish districts fail, the Supreme Court of Virginia is responsible for establishing districts, and the bill directs the Court to enact a rule by March 1, 2021, establishing a procedure for implementing this requirement. The bill has a contingent effective date of November 15, 2020, provided that the voters approve the amendments to Article II of the Constitution of Virginia, amending Section 6 and adding Section 6-A, at the November 2020 general election. (20102515D)

HB 758 (VanValkenburg) (HPE)/**SB 975** (Hanger) (SPE) establishes the Virginia Redistricting Commission (the Commission) pursuant to Article II, Sections 6 and 6-A of the Constitution of Virginia. The Commission, tasked with establishing districts for the United States House of Representatives and for the Senate and the House of Delegates of the General Assembly, will consist of eight legislative commissioners and eight citizen commissioners. The legislative commissioners consist of four members of the Senate of Virginia and four members of the House of Delegates, with equal representation given to the political parties having the highest and next highest number of members in their respective houses. The citizen commissioners are chosen by a selection committee consisting of five retired judges of the circuit courts of Virginia, from lists submitted to the selection committee by the Speaker of the House of Delegates, the leader in the House of Delegates of the political party having the next highest number of members in the House of Delegates, the President pro tempore of the Senate of Virginia, and the leader in the Senate of the political party having the next highest number of members in the Senate. The bill contains eligibility requirements for the citizen commissioners, including restrictions on holding or having held partisan national or state public office. As part of the application process for service on the Commission, the Division of Legislative Services acts as a repository for applications submitted by interested persons and is tasked with screening out applicants who are ineligible or submit incomplete applications. The applications of the citizen candidates selected by political leadership and submitted for consideration to the selection committee are public records. The bill also directs the Division of Legislative Services to provide staff support to the Commission in the redistricting of congressional and state legislative districts. The Commission is required to submit to the General Assembly plans of districts within certain time periods, and the bill sets out criteria by which the districts are to be drawn, including equal population, contiguity, compactness, racial and ethnic fairness, respect for existing political boundaries, and respect for existing communities of interest. The bill prohibits districts from being drawn for the purpose of favoring or disfavoring any political party, incumbent legislator or member of Congress, or other individual or entity. Provisions to ensure public participation in the redistricting process are included. If efforts to

establish districts fail, the Supreme Court of Virginia is responsible for establishing districts, and the bill directs the Court to enact rules and procedures for doing so. The rules and procedures enacted by the Court are required to allow public participation in the Court's redistricting deliberations, to provide for the Division of Legislative Services to provide staff support and technical assistance to the Court, and to ensure districts established by the Court adhere to constitutional and statutory criteria. The bill directs the Court to appoint a special master to assist in the establishment of districts and authorizes the Court to adjust the date of the primary election and various related deadlines as may be necessary to allow for the establishment of districts. The bill has a contingent effective date of November 15, 2020, provided that the voters approve the amendments to Article II of the Constitution of Virginia, amending Section 6 and adding Section 6-A, at the November 2020 general election. (20104706D, 20104335D)

HB 1256 (Price) (HPE) establishes the Virginia Redistricting Advisory Commission, an 11-person commission tasked with proposing districts for the United States House of Representatives and for the Senate and the House of Delegates of the General Assembly that adhere to certain constitutional and statutory criteria and are based on public input and that will be submitted for consideration and adoption by the General Assembly. Four of the commissioners are to be affiliated with the political party receiving the highest number of votes for Governor at the immediately preceding gubernatorial election, four are to be affiliated with the political party receiving the next highest number of votes for Governor at the immediately preceding gubernatorial election, and three are to be unaffiliated with either of those political parties. The Auditor of Public Accounts is required to adopt an application and process by which residents of the Commonwealth may apply to serve on the Commission. The Auditor also acts as a repository for applications submitted by interested persons and is tasked with screening out applicants who are ineligible or submit incomplete applications and sorting eligible applicants into applicant pools by political party affiliation. Political leadership and the Auditor of Public Accounts each select one commissioner from the narrowed-down applicant pool, and then those five commissioners select the remaining six commissioners from the same applicant pools. The Commission selects an executive director and hires its own full-time staff. Responsibilities related to preparation for the decennial Census and the redistricting process that are currently given to the Joint Reapportionment Committee are shifted to the Commission. The Commission is also tasked with maintaining current election district and precinct boundaries as part of its computer-assisted mapping and redistricting systems, both currently the responsibility of the Division of Legislative Services. The Commission is required to develop and hold hearings on preliminary maps before submitting any proposed map to the General Assembly; the bill contains deadlines for both. The General Assembly may reject initial plans developed by the Commission and provide information to the Commission regarding the reasons for rejecting such plans. The General Assembly is limited in its ability to amend plans until multiple plans have been submitted and rejected. The bill sets out criteria by which the districts are to be drawn, including equal population, contiguity, racial and ethnic fairness, and respect for existing communities of interest. The bill prohibits districts from being drawn for the purpose of favoring or disfavoring any political party, incumbent legislator or member of Congress, or other individual or entity. Provisions to ensure public participation in the redistricting process are included. (20104115D)

HB 1645 (Levine) (HPE) establishes the Virginia Citizens Redistricting Commission (the Commission), a 10-member commission responsible for proposing legislative and congressional districts following a decennial census, to be submitted to and approved by the General Assembly. A selection committee consisting of five retired judges of a circuit court in Virginia, selected by the Speaker of the House of Delegates, the minority leader in the House of Delegates, and the majority and minority leaders in the Senate from a list compiled by the Chief Justice of the Supreme Court of Virginia, 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 22 candidates. The bill requires five 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, five 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 12 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 10 Commission members, three of whom affiliate with the political party receiving the highest number of votes for governor at the immediately preceding gubernatorial election, three 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. To be submitted to the General Assembly, a proposed plan is required to receive an affirmative vote of seven of the 10 Commission members, including at least one vote from each of the political parties represented. Initial plans submitted to the General Assembly are not subject to amendment, but if submission of subsequent plans is necessary, such plans may be amended in the same manner as other bills. (20105324D)

HJ 143 (Levine) (HRUL) provides for the establishment of the Virginia Citizens Redistricting Commission (the Commission), a 10-member commission responsible for establishing legislative and congressional districts following a decennial census. A selection committee consisting of five retired judges of a circuit court in Virginia, selected by the Speaker of the House of Delegates, the minority leader in the House of Delegates, and the majority and minority leaders in the Senate from a list compiled by the Chief Justice of the Supreme Court of Virginia, 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 22 candidates. The amendment requires five 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, five 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 12 candidates to be voters who do not affiliate with either of those political parties. 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 a final list of 10 Commission members is reached consisting of three members who affiliate with the political party receiving the highest number of votes for Governor at the immediately preceding gubernatorial election, three members who affiliate with the political party receiving the next highest number of votes for Governor at the immediately preceding gubernatorial election, and four members who do not affiliate with either of those political parties. Final approval or adoption of a redistricting plan requires an affirmative vote of seven of the 10 Commission members,

including at least one vote from each of the political parties represented. The amendment also contains criteria to which the Commission is required to adhere when drawing the legislative and congressional districts, including a criterion of fairness, and imposes certain requirements on the Commission's activities to ensure accessibility by the public. (20105633D)

Role of the Supreme Court

SB 204 (Lucas) (SPE) directs the Supreme Court of Virginia to enact rules and procedures for implementing the constitutional requirement that the Court establish congressional or state legislative districts in the event districts fail to be enacted. The rules and procedures enacted by the Court are required to allow public participation in the Court's redistricting deliberations, to provide for the Division of Legislative Services to provide staff support and technical assistance to the Court, and to ensure districts established by the Court adhere to constitutional and statutory criteria. The bill directs the Court to appoint a special master to assist in the establishment of districts and authorizes the Court to adjust the date of the primary election and various related deadlines as may be necessary to allow for the establishment of districts. The bill has a contingent effective date of November 15, 2020, provided that the voters approve the amendments to Article II of the Constitution of Virginia, amending Section 6 and adding Section 6-A, at the November 2020 general election. (20101143D)

Criteria for Drawing Districts

HB 1054 (Levine) (HPE) provides criteria by which congressional and state legislative districts are to be drawn, including racial and ethnic fairness, protection of racial and language minorities to participate in the political process and elect a preferred candidate, contiguity, statewide proportionality, equal population, protection of existing political boundaries, compactness, respect for communities of interest, and avoidance of irregular or contorted perimeters and split precincts. (20105106D)

HB 1255 (Price) (HPE)/**SB 717** (McClellan) (SPE) provides criteria by which congressional and state legislative districts are to be drawn, including compactness and contiguity, racial and ethnic fairness, protection of the rights of racial and language minorities to participate and elect a preferred candidate, and consideration of existing political boundaries and communities of interest. The bill requires the most recent decennial population figures reported by the United States Bureau of the Census to be used in drawing districts, except that incarcerated persons are to be counted at their last known legal residence. The bill prohibits the use of political data when drawing districts. (20100641D, 20103882D)

SB 56 (Suetterlein) (SPE) 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. (20100803D)

SB 175 (Chase) (SPE) provides criteria for the General Assembly to observe in drawing districts, including respect for political boundaries, equal population, racial and ethnic fairness, contiguity, compactness, and communities of interest. The bill prohibits use of political data or election results

unless necessary to determine if racial or ethnic minorities can elect candidates of their choice.
(20102420D)

SB 241 (Barker) (SPE) provides criteria by which congressional and state legislative districts are to be drawn, including equal population, racial and ethnic fairness, protection of racial and language minorities to participate and elect a preferred candidate, contiguity, and compactness.
(20104257D)

Legislation Requiring Further Review

Administration of Government

HB 760 (Aird) (HCCT) provides an enforcement mechanism if a locality that is late in completing its required audit fails to give proper notification of the delayed audit. Such enforcement may include a writ of mandamus and a civil penalty of between \$500 and \$2,000. (20103611D)

HB 769 (LaRock) (HCCT) provides that any person who is the subject of an action brought by a locality for violation of an ordinance that is not codified is entitled to assert as an affirmative defense that the ordinance was not codified and therefore failed to provide adequate notice to the public of the contents of the ordinance. The bill also allows localities to codify all ordinances in an online format so as to be easily accessed by other governmental entities and the public. (20102661D)

Animals

SB 669 (Boysko) (SACNR) prohibits any person from breeding a dog or cat for the express purpose of producing offspring for (i) use in research, experimentation, or testing that is not required pursuant to federal law or regulation or (ii) sale to a manufacturer, institution of higher learning, or contract testing facility outside the United States. (20105138D)

Courts

HB 746 (Watts) (HCT) requires that prior to the custodial interrogation, defined in the bill, of a child, the child shall (i) consult with legal counsel in person, by telephone, or by video conference and (ii) have contact with his parent, guardian, legal custodian, or other person standing in loco parentis in person, by telephone, or by video conference. The bill also provides that any statement made by a child during or after a custodial interrogation that does not comply with the provisions of this section shall be inadmissible as evidence unless (a) the law-enforcement officer who conducted the custodial interrogation of the child reasonably believed the information he sought was necessary to protect life or property from an imminent threat and (b) the law-enforcement officer's questions were limited to those that were reasonably necessary to obtain that information. (20102315D)

HB 1522 (Simon) (HCT) requires that any action for the forfeiture of property used in connection with the commission of a crime be stayed until the person whose property is the subject of the forfeiture action has been found guilty of the crime authorizing the forfeiture, regardless of whether he has been sentenced. The bill provides that property may be forfeited even though no finding of guilt is made if (i) the forfeiture is ordered by the court pursuant to a plea agreement or (ii) the owner has not submitted a written demand for the return of the property within 21 days from the date the stay terminates. (20104679D)

SB 375 (Edwards) (SJUD) provides that a person claiming immunity from certain claims for making statements at a public hearing or regarding matters of public concern may file a special plea to dismiss the underlying claim. The bill further provides that, upon the filing of such a plea, discovery related to such underlying claim shall be stayed pending the entry of an order adjudicating the plea. The bill changes from discretionary to mandatory the award of attorney fees to any person who has a suit dismissed against him due to the immunity. (20102358D)

SB 408 (Hashmi) (SJUD) provides that the clerk of the appellate court to which a civil case is appealed shall provide notice of the docketing of such case to the appellee by certified mail and to the counsel for the parties by regular mail. The bill removes language allowing the clerk to provide such notice by posting it on the front door of the courtroom and instead states that notice shall be made in conformity with provisions for notice for service of process in all civil cases. (20103612D)

SB 545 (Edwards) (SJUD) provides that there shall be an appeal of right to a court of record from any order entered or judgment rendered in a general district court that alters, amends, overturns, or vacates any prior final order entered or judgment rendered on any issues previously adjudicated on the merits in the prior proceeding. The bill further provides that a party to an action in general district court may file a separate notice of appeal relating to any other final order or judgment entered in an action by filing a notice of appeal within the 10-day appeal of right time period, or within five business days after such notice of appeal is filed, whichever is later. (20102378D)

Court Fines

HB 277 (Price) (Passed House) allows courts to provide an option to any person upon whom a fine and costs have been imposed to discharge all or part of the fine or costs by earning credits for the performance of community service work during imprisonment. Under current law, credit may be earned only for the performance of community service work completed before or after imprisonment. (20106260D-H1)

HB 909 (Hayes) (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; (ii) for non-payment of certain fees owed to a local correctional facility or regional jail; and (iii) for shoplifting motor fuel. (20102919D)

SB 736 (Obenshain) (SJUD) provides that a court may permit an inmate to earn credits against any fines and court costs imposed against him by performing community service. Under current law, credits may be earned only before or after imprisonment. (20103394D)

Education and Schools

HB 257 (Mullin) (Reported from HED) eliminates the requirement that school principals report certain enumerated acts that may constitute a misdemeanor offense to law enforcement. (20102602D)

SB 327 (Lewis) (SEH) declares the Accomack County School Board and the Northampton County School Board eligible to receive the cost of competing adjustment to salaries for instructional and support positions as part of the state share of basic aid pursuant to the general appropriation act. (20104112D)

SB 729 (McClellan) (SEH) eliminates the requirement that school principals report certain enumerated acts that may constitute a misdemeanor offense to law enforcement. (20102123D)

School Buses

HB 15 (Krizek) (Reported from HED) requires the Board of Education to make regulations to require each new public school bus purchased for the transportation of students to be equipped with a seat belt consisting of a lap belt and shoulder strap or harness in every seat. The bill requires each school board to ensure that no later than July 1, 2038, each school bus that it uses for the transportation of students is equipped with a seat belt in every seat. (20100627D)

HB 75 (Kory) (HLC) authorizes Dominion Energy to implement a pilot program under which it will deploy electric school buses in participating school divisions in its service territory. The initial phase of the pilot program is limited to the deployment of 50 electric school buses at a cost of up to \$13.5 million. In each of the five years thereafter, the pilot program may be expanded by up to 200 additional electric school buses at a cost of up to \$54 million per year. The pilot program provides that the utility may use vehicle-to-grid technology to access electricity in the storage batteries of the electric school buses when they are not in use. The duration of the pilot program shall not exceed 10 years, though the utility may petition the State Corporation Commission to make it permanent. Program costs, including the incremental cost of the electric school buses, are recoverable through the utility's base rates. (20100328D)

Elections

Absentee Voting

HB 238 (Sickles) (House Floor) 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. (20101272D)

HB 242 (Sickles) (HPE) provides a process by which a qualified voter is permitted to vote by absentee ballot when an emergency either prevented him from applying for an absentee ballot by the deadline or will prevent him from voting in person on election day. The bill also provides for the Commissioner of Elections to take administrative action to facilitate absentee voting by those persons providing emergency or other services in an area in which a state of emergency has been declared. The bill contains technical amendments that consolidate current Code sections regarding emergency absentee voting. (20102154D)

HB 692 (Simonds) (HPE) provides that absentee ballots that are received after the close of polls on any election day but before the time has expired for initiating a recount and that are postmarked on or before the date of the election are to be set aside for recount purposes. In the event of a recount, the determination of the votes in the recount shall be based on such absentee ballots, in addition to votes cast in the election. During the recount, only those absentee ballots cast by voters found to be entitled to vote are counted. (20101565D)

Absentee Voting – Military/Overseas

SB 455 (Reeves) (Passed Senate) provides that absentee ballots cast by military and overseas absentee voters that are (i) received after the close of the polls on any election day but before 5:00 p.m. on the second business day before the State Board of Elections meets to ascertain the results of the election and (ii) postmarked on or before the date of such election are to be counted if the voter is found entitled to vote. The bill provides that a postmark includes any other official indicia of confirmation of mailing by the United States Postal Service or other postal or delivery service. Under current law, such ballots cast by military and overseas absentee voters would be counted in this manner regardless of the date of any postmark, but only if the absentee ballot had been requested on or before, but not sent by, the deadline for making absentee ballots available. (20102170D-E)

Precincts

HB 43 (Cole, M.) (HPE) provides that any voter who is assigned to a precinct that is split between two or more election districts and who believes he was given a ballot for the district of which he is not a qualified voter may request, prior to casting the ballot, and shall be permitted to cast a provisional ballot for the district of which he believes he is a qualified voter and for the district in which the pollbook indicates he is registered. The bill requires the ballots to be sealed in envelopes labeled with the corresponding district number and then sealed in the green envelope provided for all provisional ballots. At the meeting to determine the validity of all provisional ballots offered in the election, the electoral board shall verify in which district the voter is qualified and count that ballot. (20100823D)

SB 740 (Obenshain) (Passed Senate) requires each county and city precinct to be wholly contained within a single congressional district, Senate district, House of Delegates district, and local election district. The governing body of each county and city is required to establish its precincts immediately following the completion of the decennial redistricting by the General Assembly so that each precinct is wholly contained as required. If a governing body is unable to establish a precinct with the minimum number of registered voters without splitting the precinct between two or more congressional districts, Senate districts, House of Delegates districts, or local election districts, it is required to apply to the State Board of Elections for a waiver to administer a split precinct. The State Board is authorized to grant the waiver or to direct the establishment of a precinct with less than the minimum number of registered voters as permitted by current law. (20106352D-S1)

Voter Identification

HB 19 (Lindsey) (HPE) removes the requirement that voters show a form of identification containing a photograph in order to be allowed to vote. The bill requires a voter to show either his voter registration confirmation documents; his valid Virginia driver's license, his valid United States passport, or any other identification issued by the Commonwealth, one of its political subdivisions, or the United States; any valid student identification card issued by any institution of higher education located in the Commonwealth or any private school located in the Commonwealth; any valid employee identification card containing a photograph of the voter and issued by an employer of the voter in the ordinary course of the employer's business; or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter. The bill adds language regarding identification requirements for certain voters pursuant to the federal Help America Vote Act of 2002. (20100460D)

HB 190 (Levine) (HPE) removes the requirement that voters show a form of identification containing a photograph in order to be allowed to vote. The bill requires a voter to show one of the following: his voter registration confirmation documents; his valid Virginia driver's license, his valid United States passport, or any other identification issued by the Commonwealth, one of its political subdivisions, or the United States; any valid student identification card issued by any institution of higher education located in the Commonwealth or any private school located in the Commonwealth; any valid employee identification card containing a photograph of the voter and issued by an employer of the voter in the ordinary course of the employer's business; or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter. A voter who does not show one of the required forms of identification when offering to vote is required to sign a statement that he is the named registered voter he claims to be in order to be permitted to cast a ballot. Such statement is signed subject to felony penalties for making false statements, punishable as a Class 5 felony. A voter who does not show one of the required forms of identification and does not complete or sign the statement shall be offered a provisional ballot according to the provisions of current law. The bill adds language regarding identification requirements for certain voters pursuant to the federal Help America Vote Act of 2002. (20103802D)

HB 213 (Sullivan) (HPE) 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. (20101656D)

HB 878 (Sickles) (HPE) permits a voter who does not show one of the required forms of identification when offering to vote to sign a statement that he is the named registered voter he claims to be in order to be permitted to cast a ballot. Such statement is signed subject to felony penalties for making false statements, punishable as a Class 5 felony. A voter who does not show one of the required forms of identification and does not complete or sign the statement shall be offered a provisional ballot according to the provisions of current law. The bill adds language

regarding identification requirements for certain voters subject to the federal Help America Vote Act of 2002. (20100376D)

SB 65 (Locke) (Reported from SPE) removes the requirement that voters show a form of identification containing a photograph in order to be allowed to vote. The bill requires a voter to show either his voter registration confirmation documents; his valid Virginia driver's license, his valid United States passport, or any other identification issued by the Commonwealth, one of its political subdivisions, or the United States; any valid student identification card issued by any institution of higher education located in the Commonwealth or any private school located in the Commonwealth; any valid employee identification card containing a photograph of the voter and issued by an employer of the voter in the ordinary course of the employer's business; or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter. The bill adds language regarding identification requirements for certain voters pursuant to the federal Help America Vote Act of 2002. (20106752D-S1)

Voter Registration

SB 92 (Marsden) (SFIN) permits a person who is otherwise qualified to register to vote and is 16 years of age or older, but who will not be 18 years of age on or before the day of the next general election, to preregister to vote. The preregistration does not entitle such a person to vote in any election except as already permitted by law. The bill requires the Department of Elections to maintain a record of all preregistered voters in the Virginia voter registration system, which shall automatically register a person who is preregistered upon that person reaching 18 years or age or becoming eligible for advance registration as already permitted by law, whichever comes first. The bill requires the Department to provide to the general registrars voter confirmation documents for such voters. (20100922D)

SB 219 (Marsden) (SFIN) provides for the automatic electronic transmission by the Department of Motor Vehicles to the Department of Elections of certain information for any person coming into an office of the Department of Motor Vehicles or accessing its website in order to (i) apply for, replace, or renew a driver's license; (ii) apply for, replace, or renew a special identification card; or (iii) change an address on an existing driver's license or special identification card if the person indicates that he is a United States citizen and is 17 years of age or older and, at the time of the transaction, does not decline to have his information transmitted to the Department of Elections for voter registration purposes. The option to decline to have his information so transmitted shall be presented at the time of one of the specified transactions with the Department of Motor Vehicles and shall be accompanied by a warning that intentionally making a materially false statement during the transaction is punishable under Virginia law as a felony. Upon receipt of the information collected to ensure that the person meets all voter registration eligibility requirements, the Department of Elections is required to determine whether the person is already registered to vote. If the person is not already registered to vote, the Department of Elections is required to transmit the information to the appropriate general registrar. The bill repeals the requirement that the Department of Motor Vehicles offer, accept, receive, and send voter registration applications. (20107035D-S1)

SB 666 (Boysko) (Reported from SPE) requires notice of a denial of an application for voter registration to be provided by the general registrar to the applicant within five days of the denial. Such notice may be made by all available means, including by telephone and email. The bill requires the registration application to request that the applicant provide his telephone number and email address. If the general registrar is able to reach the applicant by telephone, any missing information may be provided and corrections may be made by the applicant by telephone. The bill contains technical amendments. (20101350D)

Miscellaneous

HB 761 (VanValkenburg) (HPE) requires the governing body of any county, city, or town to submit, prior to enacting or seeking to administer any voting qualification or prerequisite to voting, or any standard, practice, or procedure with respect to voting, that is a covered practice, such qualification, prerequisite, standard, practice, or procedure by either (i) instituting an action in the Court of Appeals for a declaratory judgment that such qualification, prerequisite, standard, practice, or procedure neither has the purpose nor will have the effect of denying or abridging the right to vote on account of race or color or membership in a language minority group or (ii) submitting such qualification, prerequisite, standard, practice, or procedure to the Office of the Attorney General. No qualification, prerequisite, standard, practice, or procedure that is a covered practice shall be given effect until (a) the circuit court has entered such judgment, (b) the Attorney General has not interposed an objection within 60 days of the governing body's submission, or (c) upon good cause shown and to facilitate an expedited approval within 60 days of the governing body's submission, the Attorney General has affirmatively indicated that no such objection will be made. The bill is modeled after the Section 5 preclearance requirement of the Voting Rights Act of 1965, as amended. The bill defines "covered practice" as any change to the method of election in a locality, any change to jurisdiction boundaries, any change to election districts or wards, or any change that reduces, consolidates, or relocates voting locations. (20102058D)

HJ 23 (Ayala) (HRUL) requests the Department of Elections to conduct a study to (i) determine the kinds of blockchain technology that could be used to secure voter records and election results, (ii) determine the costs and benefits of using such technology as compared to traditional registration and election security measures, and (iii) make recommendations on whether and how to implement blockchain technology in practices affecting the security of voter records and election results. (20102047D)

SB 442 (Edwards) (Passed Senate) reorganizes sections related to polling place activities and makes related technical amendments. This bill is a recommendation of the Virginia Code Commission. (20100021D)

SB 443 (Edwards) (Passed Senate) reorganizes sections related to provisional voting and makes related technical amendments. This bill is a recommendation of the Virginia Code Commission. (20100022D)

SB 444 (Edwards) (Passed Senate) reorganizes sections related to election recounts. The bill makes technical amendments and is a recommendation of the Code Commission. (20100033D)

SB 555 (Spruill) (Reported from SPE) repeals several Acts of Assembly that implemented and enforced a state poll tax and provided for separate registration records on the basis of race. (20102509D)

Employment Issues and Grievances

HB 46 (Carter) (HLC) requires an employer whose employee has filed a claim under the Virginia Workers' Compensation Act to advise the employee whether the employer intends to accept or deny the claim or is unable to make such a determination because it lacks sufficient information from the employee. If the employer is unable to make such a determination because it lacks sufficient information from the employee, the employer shall so state and identify the needed additional information. If the employer intends to deny the claim, it shall provide the reasons. (20100826D)

SB 426 (Saslaw) (SCL) authorizes an employer, pursuant to an agreement between the employer and a labor union or labor organization, to require as a condition of employment any employee who is not a member of such labor union or labor organization and is a member of a collective bargaining unit, where the labor union or labor organization is the exclusive representative of the members of the collective bargaining unit, to pay a fair share fee to compensate the labor union or labor organization for the costs of representing the nonmember employee. The bill defines a "fair share fee" as the pro rata share of the portion of a labor union's or labor organization's dues attributable to activities stemming from its duty to represent all employees in a collective bargaining unit without regard to membership in the labor union or labor organization, including (i) the cost of all activities germane to collective bargaining, administration, and enforcement of collective bargaining agreements; (ii) representation of employees before public bodies in matters that are germane to either collective bargaining agreements or employer-employee relations; (iii) representation of employees during grievance procedures; and (iv) labor union or labor organization governance and administration. Under the bill, a fair share fee does not include the cost of any political activities, lobbying, organizing, charity, donations, or community service activities undertaken by the labor union or labor organization, and in no case will the fair share fee exceed 60 percent of dues required of a similarly situated member of such labor union or labor organization. (20100668D)

SB 427 (Saslaw) (SCL) prohibits an employer from discharging, taking other retaliatory personnel action, or otherwise discriminating against an employee solely on the basis that such employee has filed for or has been issued an emergency protective order or a preliminary protective order against the employer or another employee of such employer. The bill establishes an administrative process for an employee that believes he has been discharged or discriminated against in violation against such prohibition. (20101732D)

SB 770 (Boysko) (SFIN) requires the Virginia Employment Commission to establish and administer a paid family and medical leave program with benefits beginning January 1, 2023.

Under the program, benefits are paid to eligible employees for family and medical leave. Funding for the program is provided through premiums assessed to employers and employees beginning in 2022. The amount of a benefit is 80 percent of the employee's average weekly wage, not to exceed 80 percent of the state weekly wage, which amount is required to be adjusted annually to reflect changes in the statewide average weekly wage. The measure caps the duration of paid leave at 12 weeks in any application year. The bill provides self-employed individuals the option of participating in the program. (20104823D)

Collective Bargaining

HB 582 (Guzman) (Reported from HAPP) repeals the existing prohibition on collective bargaining by public employees. The bill creates the Public Employee Relations Board, which will determine appropriate bargaining units and provide for certification and decertification elections for exclusive bargaining representatives of state employees and local government employees. The measure requires public employers and employee organizations that are exclusive bargaining representatives to meet at reasonable times to negotiate in good faith with respect to wages, hours, and other terms and conditions of employment. The measure repeals a provision enacted in 2013 that declares that, in any procedure providing for the designation, selection, or authorization of a labor organization to represent employees, the right of an individual employee to vote by secret ballot is a fundamental right that shall be guaranteed from infringement. (20106939D-H1)

SB 939 (Saslaw) (SCL) permits counties, cities, and towns to adopt local ordinances authorizing them to (i) recognize any labor union or other employee association as a bargaining agent of any public officers or employees, including public school employees, and (ii) collectively bargain or enter into any collective bargaining contract with any such union or association or its agents with respect to any matter relating to them or their employment. (20102021D)

SB 1022 (Boysko) (SCL) repeals the existing prohibition on collective bargaining by public employees. The bill creates the Public Employee Relations Board, which will determine appropriate bargaining units and provide for certification and decertification elections for exclusive bargaining representatives of state employees and local government employees. The measure requires public employers and employee organizations that are exclusive bargaining representatives to meet at reasonable times to negotiate in good faith with respect to wages, hours, and other terms and conditions of employment. The measure repeals a provision enacted in 2013 that declares that, in any procedure providing for the designation, selection, or authorization of a labor organization to represent employees, the right of an individual employee to vote by secret ballot is a fundamental right that shall be guaranteed from infringement. (20104615D)

Environment

HB 504 (Hope) (Passed House) adds the preservation of mature trees, both as a stormwater management tool and as a means of providing other benefits, to the list of activities that the State Water Resources Board is directed to encourage and promote as it adopts criteria for local

governments to use as they consider development in Chesapeake Bay Preservation Areas. (20102168D-E)

HB 1136 (Lopez) (HAG) directs the Department of Environmental Quality (DEQ) to publish and update annually a Virginia Nonfederally Managed Hazardous Waste Site Inventory, consisting of a list of sites of which DEQ is aware that meet certain criteria regarding the presence of hazardous wastes or other hazardous substances but are not listed on the federal National Priorities List. The bill authorizes DEQ to identify by regulation other categories of waste site to add to the inventory. The bill requires an owner of an inactive nonfederally managed hazardous waste site, defined in the bill, to notify DEQ of its existence. A violation of the notification requirement is subject to a civil penalty of not more than \$5,000 per day. (20101647D)

HB 1205 (Tran) (Reported from HAG) decreases from 24 hours to eight hours the time frame for any person who unlawfully discharges any deleterious substance into state waters to give notice to the Director of the Department of Environmental Quality (DEQ) or the local coordinator of emergency services. The bill also requires DEQ to give the reported discharge information to the Virginia Department of Health, local newspapers, television stations, and radio stations, and disseminate via commonly used social media platforms and email notification lists within eight hours of receipt of such information. Current law only requires certain of these disclosures and only when the Virginia Department of Health determines that the discharge may be detrimental to the public health or the State Water Control Board determines that the discharge may impair beneficial uses of state waters. The bill also requires the Department of Environmental Quality, if the Virginia Department of Health determines that the discharge may be detrimental to the public health, to provide information regarding such determination to the same recipients within eight hours of receipt of such determination. (20106881D-H1)

HB 1314 (Hodges) (HAG) directs the Secretary of Public Safety and Homeland Security to designate a Chief Resiliency Officer. The Chief Resiliency Officer, who shall hold no other position, shall serve as the primary coordinator of resilience and adaptation initiatives in Virginia and as the primary point of contact regarding issues related to resilience and recurrent flooding. The bill adds the Chief Resiliency Officer as a member of the Secure and Resilient Commonwealth Panel. (20104821D)

HB 1329 (Kory) (Reported from HAG) directs the State Water Control Board, when developing criteria for use by localities in addressing Resource Protection Areas (RPAs) under the Chesapeake Bay Preservation Act, to require that any local ordinance addressing permitted modifications of the buffer area include specific penalties for the removal of trees from an RPA without the prior approval of the locality. (20106882D-H1)

HB 1364 (Hodges) (HAG) directs the State Water Control Board, in promulgating regulations that establish criteria for use by local governments to determine the ecological and geographic extent of Chesapeake Bay Preservation Areas, to provide that any owner of land in a Resource Protection Area may improve such area using native plants and mixtures of organic material. The bill requires that such criteria provide that prior to implementation of such improvement, a

landowner obtain a water quality impact assessment and an improvement plan with a professional stamp from a qualified landscape architect, engineer, or other relevant professional. The bill also directs the Board to approve any improvement project that has a net positive benefit to water quality. (20103134D)

SJ 38 (Cosgrove) (SRUL) directs the Joint Commission on Technology and Science (JCOTS) to study the safety, quality of life, and economic consequences of weather and climate-related events on coastal areas in Virginia. In conducting its study, JCOTS shall examine (i) the negative impacts of weather, and geological and climate-related events, including displacement, economic loss, and damage to health or infrastructure; (ii) the area or areas and the number of citizens affected by such impacts; (iii) the frequency or probability and the time dimensions, including near-term, medium-term, and long-term probabilities of such impacts; (iv) alternative actions available to remedy or mitigate such impacts and their expected cost; (v) the degree of certainty that each of these impacts and alternative actions may reliably be known; and (vi) the technical resources available, either in state or otherwise, to effect such alternative actions and improve our knowledge of their effectiveness and cost. (20105279D)

Gaming

SB 960 (Ruff) (SFIN) authorizes the manufacture, distribution, operation, hosting, and playing of dominant skill video games, defined in the bill, in the Commonwealth, to be regulated by the Virginia Lottery Board. The bill specifies the licensing requirements for the manufacture, distribution, operation, and hosting of dominant skill video games and imposes criminal and civil penalties for violations of the law and regulations related to dominant skill video games. The bill imposes a 20 percent tax on all gross profits generated from the play of dominant skill video games and the sale of fills, defined in the bill, by distributor licensees to operator licensees and provides for how the tax proceeds are disbursed. 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. (20104736D)

Freedom of Information Act

SB 1051 (Deeds) (SGL) provides that all records of grand juries held before January 1, 1901, and all records sealed by law or by order of a court entered before January 1, 1901, shall be open for public access irrespective of who or what agency has custody of such records. The bill also provides that any images of records created prior to January 1, 1901, shall be in the public domain and that neither the Commonwealth nor its political subdivisions, nor any agency thereof, shall charge a fee or require an agency, organization, or entity to request permission to publish or display such records. (20105260D)

Health and Human Services

HB 580 (Guzman) (HHWI) expands the definition of "abused or neglected child" to include any child whose parents, or other person responsible for his care, create or inflict, threaten to create or inflict, or allow to be created or inflicted upon such child a physical or mental injury on the basis of the child's gender identity or sexual orientation. (20102121D)

HB 809 (Delaney) (HHWI) requires a local department of social services to conduct an investigation or family assessment when, among other things, a report or complaint of child abuse or neglect is received in which the alleged abuser (i) is the child's relative by blood, marriage, or adoption; (ii) is the child's caretaker or has supervisory control over such child; or (iii) resides or is regularly present in the same household as the child. The bill also amends the definition of "abused or neglected child" to accommodate this directive. Under current law, local departments are only required to conduct an investigation or family assessment when the alleged abuser is the child's parent or other caretaker. (20103251D)

HB 1452 (Hope) (HHWI)/**SB 738** (Deeds) (SFIN) clarifies that a person can be subject to a temporary detention order for observation and treatment related to intoxication, upon a finding that (i) probable cause exists to believe the person is incapable of making or communicating an informed decision regarding treatment due to intoxication and (ii) that observation, testing, or treatment is necessary within the next 24 hours to prevent injury, disability, death, or other harm to the individual resulting from such intoxication. The bill also provides for the tolling of an emergency custody order for the period during which the person who is the subject of the emergency custody order is also subject to a temporary detention order for observation and treatment. (20105329D, 20106084D-S1)

SB 668 (Boysko) (SRSS) requires certain child care providers and employees or volunteers thereof to submit to background checks that include a criminal history record information check and sex offender registry check in any state in which the applicant has resided in the preceding five years. (20102503D)

SB 739 (Deeds) (Reported from SEH) adds information about the (i) total number of licensed beds, (ii) total number of staffed beds, (iii) current bed utilization, (iv) change in bed utilization since the most recent update, (v) number of beds actually available, (vi) number of requests for admission received since the most recent update, (vii) number of individuals admitted since the most recent update, and (viii) number of requests for admission denied since the most recent update and the reason for each such denial to the list of information that must be submitted to the acute psychiatric bed registry (the registry) daily by each public and private inpatient psychiatric facility and every public and private residential crisis stabilization unit in the Commonwealth. The bill also directs the Department of Behavioral Health and Developmental Services to create a work group to evaluate the purpose, structure, and effectiveness of the registry and make recommendations for statutory, budgetary, or other actions necessary to redefine the purpose of the registry and improve its structure and effectiveness. The work group shall report its findings, conclusions, and recommendations to the Governor and the Chairmen of the Senate Committee on Education and Health, House Committee on Health, Welfare and

Institutions, and the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the Twenty-First Century by November 1, 2020. (20106120D-S1)

SB 903 (Vogel) (Passed Senate) requires the Board of Health to amend regulations governing hospitals to require each hospital that provides emergency treatment to an individual experiencing a substance use-related emergency to (i) complete a comprehensive assessment to identify appropriate medical interventions necessary for the treatment of the individual; (ii) complete a comprehensive behavioral health assessment to determine whether additional treatment may be appropriate; (iii) initiate pharmacotherapy for treatment of drug or alcohol dependence, where appropriate; and (iv) provide the patient with naloxone or other opioid antagonist used for overdose reversal. Such regulations shall also require each hospital that provides emergency treatment to an individual experiencing a substance use-related emergency to establish and implement a protocol for connecting such patients receiving emergency treatment with appropriate community-based providers of behavioral health services upon discharge. (20106163D-S1)

Mandatory Outpatient Treatment

HB 699 (Hope) (HHWI) clarifies the types of evidence that may be considered by a court in determining whether continued mandatory outpatient treatment is warranted; clarifies the criteria that a court is required to consider when reviewing or determining whether to rescind or continue a mandatory outpatient order or order for mandatory outpatient treatment following inpatient treatment; provides that if a person who is the subject of a mandatory outpatient treatment order or order authorizing discharge to mandatory outpatient treatment following inpatient treatment files a petition for rescission of the order, the court shall appoint an examiner to personally examine the person to determine whether he meets the criteria for inpatient admission or mandatory outpatient treatment; limits the frequency with which a person who is the subject of a mandatory outpatient treatment order or order authorizing discharge to mandatory outpatient treatment following inpatient treatment may petition for review of such order to no more than once during each 90-day period following entry of such order; and makes clear that a mandatory outpatient treatment order or order authorizing discharge to mandatory outpatient treatment following inpatient treatment remains in full force and effect unless rescinded by the court and that revocation of a person's agreement to abide by a mandatory outpatient treatment plan or discharge plan that has been approved by the court shall not rescind the mandatory outpatient treatment order or order authorizing discharge to mandatory outpatient treatment following inpatient treatment. (20104876D)

HB 702 (Hope) (HHWI) clarifies that a community services board must make efforts to assist a person with complying with the provisions of a mandatory outpatient treatment order or order authorizing discharge to mandatory outpatient treatment following inpatient treatment and that only in cases in which a person fails to comply with a mandatory outpatient treatment or order authorizing discharge to mandatory outpatient treatment following inpatient treatment despite efforts of the community services board to assist the person may the community services board petition for review of the mandatory outpatient order or order authorizing discharge to mandatory outpatient treatment following inpatient treatment. (20102364D)

Vaping

HB 1185 (Lopez) (HFIN) limits the sale of (i) flavored nicotine vapor products, including mint and menthol but not tobacco flavors, and (ii) high-nicotine vapor products above 30 mg strength to retail establishments that sell to persons 21 years of age or older and have proven age restriction processes. The bill requires such retail establishments to prove valid identification checks at the door upon entry and again before any transaction is processed and to maintain required age verification documentation for every transaction. The bill also prohibits all direct-to-consumer online sales that are intended to deliver nicotine vapor products and prohibits the sale of nicotine vapor products with additives other than traditional e-liquid ingredients (e.g., propylene glycol, vegetable glycerin, flavoring) that alter the performance characteristics of nicotine (e.g., benzoic acid). The bill further requires a person selling a tobacco product, nicotine vapor product, or alternative nicotine product to obtain identification as proof of a buyer's age in any circumstance. Under current law, such identification is not required from an individual who the person has reason to believe is at least 21 years of age or who the person knows is at least 21 years of age. (20104944D)

HB 1283 (Hope) (HFIN) prohibits any person from selling any tobacco product at retail (i) without first obtaining a permit from the Department of Taxation and (ii) at a location within 1,000 feet of a youth-oriented facility, defined in the bill. The bill prohibits Internet sales of tobacco products, except to a permit-holding retailer, and prohibits the sale of tobacco products from vending machines. The bill imposes civil penalties of up to \$1,500 for selling tobacco products without a permit and up to \$2,000 for selling tobacco products to persons under age 21. Permits would be subject to annual renewal and subject to revocation for violations of federal, state, or local laws related to tobacco products. The bill imposes recordkeeping requirements and makes it a Class 1 misdemeanor to engage in fraud or misrepresentation in connection with an application for a permit. The bill updates, for the purpose of the crime of selling or distributing tobacco products to a person younger than 21 years of age, the definition of "tobacco products" by including in such definition products currently defined as "nicotine vapor products" or "alternative nicotine vapor products." The bill also removes provisions prohibiting the attempt to purchase, purchase, or possess tobacco products by persons younger than 21 years of age. The bill provides that the punishment of a retail establishment that sells, gives, or furnishes a tobacco product to a person younger than 21 years of age or to a person who does not demonstrate that such person is at least 21 years of age is a civil penalty of \$500 for a first offense, a civil penalty of \$1,000 for a second offense, and a civil penalty of \$2,500 and a suspension or revocation of such establishment's distributor's license for a third or subsequent offense, regardless of the type of tobacco product. Under current law, such penalties apply only to the sale, distribution, or purchase of a bidi and do not require a suspension or revocation of the establishment's distributor's license, while violations involving all other products are punishable by a civil penalty of \$100 for a first offense, a civil penalty of \$200 for a second offense, and a civil penalty of \$500 for a third or subsequent offense. The bill also removes the exception allowing the sale, giving, or furnishing of any tobacco product, nicotine vapor product, or alternative nicotine vapor product to active-duty military personnel who are 18 years of age or older. Finally, the bill requires agents of the Virginia Alcoholic Beverage and Control Authority to conduct a minimum

number of two compliance checks each year on any retailer selling tobacco products and to use a person younger than 21 years of age to conduct such checks. (20105166D)

HB 1365 (Leftwich) (HCT) prohibits the manufacture, sale, or distribution of any imitation nicotine vapor product, defined in the bill as any (i) counterfeit nicotine vapor product, also defined in the bill, or (ii) any liquid nicotine or nicotine vapor product that was not manufactured, prepared, compounded, or processed by a person registered with the U.S. Food and Drug Administration (FDA). The bill makes a first violation a Class 1 misdemeanor and a second or subsequent offense a Class 6 felony, provided that the accused was at liberty between each conviction and it is admitted, or found by the jury or judge before whom the person is tried, that the accused was previously convicted of a violation. (20101170D)

HB 1570 (VanValkenburg) (HHWI) provides an exception to the law prohibiting possession of tobacco products, nicotine vapor products, or alternative nicotine products by a person less than 21 years of age when such possession is part of a scientific study being conducted by an organization for the purpose of medical research to further efforts in cigarette and tobacco use prevention and cessation and tobacco product regulation, provided that such medical research has been approved by an institutional review board pursuant to applicable federal regulations or by a research review committee. (20104330D)

Housing

HB 854 (Murphy) (HRUL) directs the Department of Housing and Community Development and the Virginia Housing and Development Authority to convene a stakeholder advisory group to (i) determine the quantity and quality of affordable housing across the Commonwealth, (ii) conduct a review of current programs and policies to determine the effectiveness of current housing policy efforts, (iii) develop an informed projection of future housing needs in the Commonwealth and determine the order of priority of those needs, and (iv) make recommendations for the improvement of housing policy in the Commonwealth. (20104978D)

SB 708 (McClellan) (Reported from SGL) requires that any housing authority required to submit an application to the U.S. Department of Housing and Urban Development to demolish, liquidate, or otherwise dispose of a housing project serve a notice of intent to demolish, liquidate, or otherwise dispose of such housing project, containing specified information, at least 12 months prior to any application submission date to (i) the Virginia Department of Housing and Community Development, (ii) the clerk of the city or county in which the housing project is located, (iii) any agency that would be responsible for administering tenant-based rental assistance to persons who would otherwise be displaced from the housing project, and (iv) each tenant residing in the housing project. The bill requires the authority to also serve such notice on any prospective tenant who is offered a rental agreement subsequent to the initial notice. During the 12-month period subsequent to the initial notice of intent to demolish, liquidate, or otherwise dispose of a housing project, the housing authority is prohibited from (a) increasing rent for any tenant above the amount authorized by any federal assistance program applicable to the housing project; (b) changing the terms of the rental agreement for any tenant, except as permitted under the existing rental agreement; or (c) evicting a tenant or demanding possession of any dwelling

unit in the housing project, except for a lease violation or violation of law that threatens the health and safety of the building residents. (20105098D)

SB 905 (Stanley) (SGL) permits a tenant, where there is a violation of the landlord's duty to maintain fit and habitable premises, to have the condition remedied by a third party. In such a case, provided that the tenant has given the landlord documentation of the repair by a third party and an itemized bill reflecting the actual and reasonable costs of the repair, the tenant may deduct such costs from subsequent periodic rent payments until they are recuperated. (20104774D)

Land Use

HB 505 (Knight) (House Floor) provides that once the circuit court issues an allowance of a writ of certiorari in response to a petition from a party aggrieved by a board of zoning appeals decision, the board of zoning appeals shall have 21 days to respond. (20102600D-E)

HB 554 (VanValkenburg) (HCCT) authorizes a locality to disapprove an application submitted for an administrative review-eligible project or for any zoning approval required for a standard process project that proposes to locate a new structure, or to co-locate a wireless facility, in an area where all cable and public utility facilities are required to be placed underground by a date certain or encouraged to be undergrounded as part of a transportation improvement project or rezoning proceeding as set forth in objectives contained in a comprehensive plan, on grounds that an applicant has not given written notice to adjacent landowners at least 15 days before it applies to locate a new structure in the area. (20102447D)

HB 665 (Mullin) (HLC) requires the State Corporation Commission (SCC), prior to approving the construction of any electrical transmission lines of 138 kilovolts or more, to determine that the corridor or route chosen for the line will avoid any adverse impact on the scenic assets, historic resources, and environment of the area concerned. If the SCC determines that no route or corridor exists that can avoid any such adverse impact, the SCC is directed to choose the corridor or route that minimizes such adverse impacts to the greatest extent reasonably practicable. Currently, the SCC is required to determine that such a line's corridor or route will reasonably minimize adverse impact on the scenic assets, historic districts, and environment of the area concerned. (20102992D)

HB 831 (Carroll Foy) (HLC) declares that it is the policy of the Commonwealth that easements be used to provide communications services, that such use is in the public interest, and that such use of the easements where no new poles are erected does not constitute a change in the physical use of the easement or interfere with, impair, or take any vested or other rights of the owner or occupier of the servient estate, or place any additional burden on the servient estate. The measure further provides that the installation and operation of communications services within any such electric easements are merely changes in the manner, purpose, or degree of the granted use as appropriate to accommodate a new technology, and absent any express prohibition contained in the easement itself, will be deemed, as a matter of law, to be a permitted use within the scope of every easement for the location and use of electric utility facilities. The measure limits the damages that may be recovered in any trespass action arising from such use of an easement to

the lesser of actual damages based on any reduction in the value of the land as a result of the existence, installation, construction, maintenance, modification, operation, repair, or replacement of communications facilities, or \$2,000 per tract of land. (20106174D-H1)

HB 1068 (Kory) (HTECH) provides that if a public service company has acquired a prescriptive easement pursuant to which it has the right to poles and wires to provide electric service, its rights under that prescriptive easement shall be deemed to include the right to grant to a provider of broadband or other telecommunications services the rights to attach its wires and facilities to the public service company's poles and to enter upon the right-of-way to install and maintain the wires and facilities, without the approval of the owner of the servient tract of land. (20102905D)

SB 302 (Stanley) (SCL) provides that any utility easement, granted before, on, or after July 1, 2020, whether granted publicly or privately, by statute, local ordinance, deed, or other recorded instrument, or by prescription, shall be deemed to include the laying, hanging, and maintenance of fiber optic cable. The bill further provides that any utility easement shall also be deemed to include access over private or public lands to permit the grantee to have physical access to such cable, unless the instrument granting the easement was recorded prior to July 1, 2020, and specifically states otherwise. (20100783D)

SB 673 (Mason) (Passed Senate) prohibits any person from constructing a well in a ground water management area for nonagricultural irrigation purposes except in the surficial aquifer. The bill authorizes the State Water Control Board (the Board) to adopt regulations to develop a general permit for the regulation of irrigation withdrawals from the surficial aquifer greater than 300,000 gallons in any one month. The bill directs the Board to promulgate regulations establishing criteria for determining whether the quantity or quality of the ground water in a surficial aquifer is adequate to meet a proposed beneficial use. (20105741D-S1)

SB 674 (Mason) (Passed Senate) authorizes the Secretary of Natural Resources, the Secretary of Agriculture and Forestry, or any agency within those secretariats, or the Virginia Outdoors Foundation to enter into an agreement, with certain provisions, with the owner or operator of construction projects to accomplish forest mitigation, as defined in the bill. The bill provides that no such agreement shall (i) include any waiver of liability for environmental damage caused by the construction project or (ii) guarantee regulatory approval for a construction project by any state agency. (20106282D-S1)

SB 792 (Lewis) (SJUD) allows a 501(c)(4) social welfare organization to obtain a land use permit from the Department of Transportation to use rights-of-way to operate a wholesale open-access fiber network. (20103864D)

SB 794 (Lewis) (SCL) declares that it is policy of the Commonwealth that (i) existing easements for the location and use of electric facilities be used to provide or expand broadband services; (ii) such use of existing easements to provide or expand broadband services is in the public interest; (iii) the use of such existing easements for the provision of broadband services, where no additional poles are erected, does not constitute a change in the physical use of the easement, interfere with or impair any vested rights of the owner or occupier of the servient estate, or place

any additional burden on the servient estate; and (iv) the installation and operation of broadband services within an existing electric easement are merely changes in the manner, purpose, or degree of the granted use as appropriate to accommodate a new technology. The measure also establishes that in the absence of any express prohibition on the installation and operation of broadband services in an existing electric easement, the installation and operation of broadband services within the existing electric easement shall be deemed as a matter of law to be permitted uses within the scope of every easement for the location and use of electricity facilities. The measure also limits the damages that a landowner may be awarded in any trespass action against a public utility arising from the installation, maintenance, or operation of any utility poles, wires, conduit, or other infrastructure or fiber optic cabling to the lesser of actual damages or \$2,000 per landowner bringing a claim. (20104980D)

Monuments

HB 1537 (McQuinn) (HCCT) provides that a locality may remove, relocate, or alter any monument or memorial for war veterans located in its public space, regardless of when erected. Current law makes it unlawful to disturb or interfere with such monuments or memorials or to prevent citizens from taking proper measures and exercising proper means for the protection, preservation, and care of such monuments or memorials. (20102770D)

SB 183 (Locke) (SLG) provides that a locality may remove, relocate, or alter any monument or memorial for war veterans located in its public space, regardless of when erected. Current law makes it unlawful to disturb or interfere with such monuments or memorials or to prevent citizens from taking proper measures and exercising proper means for the protection, preservation, and care of such monuments or memorials. (20101204D)

SB 560 (Spruill) (SLG) provides that a locality may remove, relocate, or alter any monument or memorial for war veterans located in its public space, regardless of when erected. Current law makes it unlawful to disturb or interfere with such monuments or memorials or to prevent citizens from taking proper measures and exercising proper means for the protection, preservation, and care of such monuments or memorials. (20102772D)

SB 620 (Deeds) (SLG) removes a prohibition on (i) disturbing or interfering with any war monument or memorial erected by a locality or (ii) preventing citizens from maintaining such monument or memorial. The bill authorizes a locality to alter, move, or remove any monument or memorial from the locality's public property and removes certain criminal and civil penalties for such. (20104349D)

Opioids

HB 605 (Brewer) (HCT) 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). (20103238D)

SB 667 (Boysko) (SJUD) provides that no individual shall be subject to arrest or 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 if (i) such individual (a) seeks or obtains emergency medical attention for himself, if he is experiencing an overdose, or for another individual, if such other individual is experiencing an overdose, or (b) is experiencing an overdose and another individual seeks or obtains emergency medical attention for him; (ii) such individual remains at the scene of the overdose or at any location to which he or the individual requiring emergency medical attention has been transported; (iii) such individual identifies himself to the law-enforcement officer who responds; and (iv) the evidence for a prosecution of one of the enumerated offenses would have been obtained only as a result of an individual seeking or obtaining emergency medical attention. Current law provides an affirmative defense to such offenses only when an individual seeks or obtains emergency medical attention for himself, if he is experiencing an overdose, or for another individual, if such other individual is experiencing an overdose. (20104169D)

Procurement and Contracts

HB 847 (Runion) (HCT)/**SB 195** (Cosgrove) (SJUD)/**SB 607** (Norment) (SJUD) 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 completion of the work on the project, and provides that no action may be brought by a public body on a warranty or guaranty 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 guaranty. 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 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 guaranties, or (ii) discovery of the defect or breach of warranty that gave rise to the action. The bill contains technical amendments. (20102838D, 20102791D, 20102689D)

HB 1300 (Hurst) (HCT) provides that no action may be brought by a public body on any construction, architectural, or engineering contract, including construction management and design-build contracts, unless such action is brought within five years after completion of the work on the project, and provides that no action may be brought by a public body on a warranty or guaranty 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 guaranty. The bill also limits the time frame during which a public body may bring an action against a surety on a performance bond to within one year after 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 guaranties, or (ii) discovery of the defect or breach of warranty that gave rise to the action. The bill contains technical amendments. (20105008D)

Public Safety/Criminal Justice

HB 1035 (Simon) (HCT) prohibits the Compensation Board, when determining staffing and funding levels for offices of attorneys for the Commonwealth, from (i) considering the number of charges brought or the number of convictions obtained by such attorney for the Commonwealth; (ii) relying on standards devised or recommended by the attorney for the Commonwealth, law-enforcement agencies, or professional associations representing attorneys for the Commonwealth or law-enforcement officers; or (iii) using measures that increase if an attorney for the Commonwealth (a) elects to prosecute a more serious charge, (b) elects to prosecute additional charges from a single arrest or criminal incident, (c) obtains convictions rather than dismissing charges or offering reduced charges, or (d) proceeds with prosecution rather than diversion. The bill also requires attorneys for the Commonwealth to pay all fees collected by them in consideration of the performance of official duties or functions into the state treasury, instead of only half of such fees. The bill requires the State Treasurer to pay to the treasuries of the respective counties and cities of the attorneys for the Commonwealth a proportion of half of all such fees collected by all attorneys for the Commonwealth, as determined by each county or city's crime rate, criminal incident rate, or arrest rate. Finally, the bill changes the fees collected by attorneys for the Commonwealth on trials of felony indictments from \$40 on each count to \$120 for each trial of a Class 1 or Class 2 felony indictment, or other felony that carries a possible penalty of life in prison, except robbery, and \$40 for each trial on robbery and all other felony indictments regardless of the number of counts. The bill contains technical amendments. (20102861D)

SB 798 (Morrissey) (SJUD) specifies that a person is guilty of an offense of driving or operating a motor vehicle (i) after his driver's license has been revoked for certain offenses; (ii) in violation of the terms of a restricted license; (iii) without an ignition interlock system if one is required; or (iv) if the person's license had been restricted, suspended, or revoked for certain driving under the influence offenses, with a blood alcohol content of 0.02 percent or more, only if such person was driving or operating the motor vehicle on a highway, as defined in Title 46.2, Motor Vehicles. (20100954D)

SB 844 (Mason) (SJUD) expands the crime of computer trespass to provide that the prohibited actions that constitute computer trespass are criminalized if done through intentionally deceptive means and without authority and specifies that a computer hardware or software provider, an interactive computer service, or a telecommunications or cable operator does not have to provide notice of its activities to a computer user that a reasonable computer user should expect may occur. (20101866D)

SB 999 (Chase) (SJUD) makes several changes to the process and procedures afforded to law-enforcement officers under the Law-Enforcement Officers Procedural Guarantee Act, clarifying

several existing rights and setting forth specific procedures for the questioning of officers and the conduct of a disciplinary hearing. (20104805D)

Driver's License Suspension – Non-Driving Related Offenses

SB 512 (Edwards) (SJUD) 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 this bill have a delayed effective date of September 1, 2020. (20101874D)

SB 513 (Edwards) (SJUD) 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; (ii) for non-payment of certain fees owed to a local correctional facility or regional jail; and (iii) for shoplifting motor fuel. (20102914D)

SB 711 (McClellan) (SJUD) eliminates the mandatory minimum term of confinement in jail of 10 days for a third or subsequent conviction of driving on a suspended license. (20104841D)

Schools and Law Enforcement

SB 3 (McClellan) (SJUD) 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. (20100173D)

Transportation

HB 1427 (Krizek) (HTRAN) authorizes a private vendor operating a video monitoring system for a school division for the purpose of recording those illegally passing stopped school buses to impose and collect an administrative fee to recover the cost of collecting the civil penalty to be paid by the operator of the vehicle. The bill contains technical amendments. (20102272D)

HB 1439 (Jones) (HTRAN) adopts several initiatives related to transportation and safety, including: (i) making it illegal to possess an open container of alcohol in a motor vehicle, (ii) requiring all passengers in a vehicle to wear safety belts and making failure to wear a safety belt a primary offense, (iii) prohibiting the use of handheld personal communication devices, (iv) establishing a speed monitoring program in highway safety corridors that uses a vehicle sensor to take a picture of a vehicle traveling more than 10 miles over the speed limit, subjecting the driver to a monetary fine, and (v) allowing localities to lower the speed limit below 25 miles per hour in business and residential districts. The Commissioner of the Department of Motor Vehicles will establish an advisory committee to oversee education and enforcement of policies such as the seatbelt and hands-free provisions. The bill also changes the vehicle inspection safety program to only require inspections of salvage vehicles that have been rebuilt for highway use,

converted electric vehicles, and off-road motorcycles that have been converted to on-road use. The bill contains numerous technical amendments. (20104140D)

HB 1442 (Jones) (HTRAN) authorizes law-enforcement officers to operate handheld photo speed monitoring devices, defined in the bill, in or around school crossing zones and highway work zones for the purpose of recording images of vehicles that are traveling at speeds of at least 12 miles per hour above the posted school crossing zone or highway work zone speed limit within such school crossing zone or highway work zone when such highway work zone is indicated by conspicuously placed signs displaying the maximum speed limit and the use of such handheld photo speed monitoring device. The bill provides that the operator of a vehicle shall be liable for a monetary civil penalty, not to exceed \$125, if such vehicle is found to be traveling at speeds of at least 12 miles per hour above the posted highway work zone speed limit by the handheld photo speed monitoring device. The bill provides that if the summons for a violation is issued by mail the violation shall not be reported on the driver's operating record or to the driver's insurance agency, but if the violation is personally issued by an officer at the time of the violation, such violation shall be part of the driver's record and used for insurance purposes. The bill provides that the civil penalty will be paid to the locality in which the violation occurred. (20102488D)

SB 125 (Suetterlein) (STRAN) abolishes the state motor vehicle safety inspection program. (20103748D)

SB 907 (Lucas) (STRAN) adopts several initiatives related to transportation and safety, including: (i) making it illegal to possess an open container of alcohol in a motor vehicle, (ii) requiring all passengers in a vehicle to wear safety belts and making failure to wear a safety belt a primary offense, (iii) prohibiting the use of handheld personal communication devices, (iv) establishing a speed monitoring program in highway safety corridors that uses a vehicle sensor to take a picture of a vehicle traveling more than 10 miles over the speed limit, subjecting the driver to a monetary fine, and (v) allowing localities to lower the speed limit below 25 miles per hour in business and residential districts. The Commissioner of the Department of Motor Vehicles will establish an advisory committee to oversee education and enforcement of policies such as the seatbelt and hands-free provisions. The bill also changes the vehicle inspection safety program to only require inspections of salvage vehicles that have been rebuilt for highway use, converted electric vehicles, and off-road motorcycles that have been converted to on-road use. The bill contains numerous technical amendments. (20104138D)

SB 911 (Hashmi) (STRAN) prohibits a person from parking a vehicle not capable of receiving an electric charge in a space reserved for charging electric vehicles. A violation is subject to a civil penalty of \$500, and the vehicle may be towed or impounded. (20103753D)

SB 1038 (Lucas) (STRAN) creates the Hampton Roads Transportation District Regional Transit Program to develop, maintain, and improve a regional network of transit routes and related infrastructure, rolling stock, and support facilities. The program would be funded by an additional regional motor vehicle fuels sales tax at a rate of 1.9 percent of the wholesale cost of

unleaded gasoline and 0.9 percent of the wholesale cost of diesel fuel. The moneys would be deposited into the Hampton Roads Regional Transit Fund, created by the bill. (20105538D)

Distracted Driving

HB 675 (Robinson) (HTRAN) clarifies that the prohibition on the use of a wireless communications device by the holder of a provisional driver's license applies whether or not the device is being used for communication purposes. The bill exempts the use of applications for solely navigation purposes and global positioning systems provided that the driver does not enter information into or manually manipulate the device or system while operating the vehicle. (20101547D)

HB 874 (Bourne) (HTRAN) prohibits any person from holding a handheld personal communications device while driving a motor vehicle. Current law prohibits (i) the reading of any email or text message and manually entering letters or text in such a device as a means of communicating and (ii) holding a personal communications device while driving in a work zone. The bill expands the exemptions to include handheld personal communications devices that are being held and used (a) as an amateur radio or a citizens band radio or (b) for official Department of Transportation or traffic incident management services. This bill has a delayed effective date of January 1, 2021. (20101920D)

SB 160 (Surovell) (Passed Senate) prohibits any person from holding a handheld personal communications device while driving a motor vehicle. Current law prohibits (i) the reading of any email or text message and manually entering letters or text in such a device as a means of communicating and (ii) holding a personal communications device while driving in a work zone. The bill expands the exemptions to include handheld personal communications devices that are being held and used (a) as an amateur radio or a citizens band radio or (b) for official Department of Transportation or traffic incident management services. This bill has a delayed effective date of January 1, 2021. (20106310D-S1)

SB 437 (Surovell) (Passed Senate) provides that a person who operates a motor vehicle in a careless or distracted manner and is the proximate cause of serious physical injury to a vulnerable road user, defined in the bill as a pedestrian or a person operating a bicycle, electric wheel chair, electric bicycle, wheelchair, skateboard, skates, motorized skateboard or scooter, or animal-drawn vehicle or riding an animal, is guilty of a Class 1 misdemeanor. The bill also prohibits the driver of a motor vehicle from crossing into a bicycle lane to pass or attempt to pass another vehicle, except in certain circumstances. (20100562D)

SB 932 (Kiggans) (Passed Senate) adds school crossing zones and school property to the locations in which a driver is prohibited from holding a handheld personal communications device in his hand while driving a motor vehicle, with certain exceptions. The bill provides that a violation is punishable by a mandatory fine of \$250. Current law prohibits (i) 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 and (ii) the holding of a handheld personal communication device in a highway work zone, with the same exceptions. (20104574D-E)

Peer-to-Peer Vehicles

SB 735 (Newman) (SCL) establishes insurance, taxation, recordkeeping, disclosure, and safety recall requirements for peer-to-peer vehicle sharing platforms, defined in the bill. (20105109D)

Undergrounding

SB 782 (Saslaw) (Passed Senate) specifies that one of the two projects that may be included in the pilot program for the undergrounding of electric transmission lines shall be for the relocation or conversion of an existing 230-kilovolt overhead line to an underground line. The measure provides that such a project may be approved if the estimated additional cost of placing the line, in whole or in part, underground does not exceed \$40 million or, if greater than \$40 million, the cost does not exceed 2.5 times the costs of placing the same line overhead, which costs are borne by all of the utility's ratepayers through a rate adjustment clause. Currently the cost of such a project is ineligible if it exceeds 2.5 times the cost of placing the same line overhead. The measure provides that such a project may be approved for participation in the pilot program if its primary need is related to the economic development priorities and the comprehensive plan of the governing body of the locality in which at least a portion of line will be placed. The measure exempts a project that satisfies the criteria for participation in the pilot project from the requirement that the State Corporation Commission find that the transmission line is needed. The measure adds that the pilot program is created to further understanding of the benefits of undergrounding existing electric transmission lines to promote economic development. (20102023D)

Workers' Compensation

HB 617 (Guzman) (HAPP) provides that a physical injury, including the condition of carpal tunnel syndrome, that results from repetitive motion shall be treated as an injury by accident for purposes of the Virginia Workers' Compensation Act. The bill also removes a provision that declares carpal tunnel syndrome to be an ordinary disease of life. (20100192D)

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

Miscellaneous

HB 154 (Kilgore) (Passed House; SCL) conforms Virginia's law regarding credits to insurers for reinsurance ceded to approved assuming insurers to the provisions of the Credit for Reinsurance Model Law of the National Association of Insurance Commissioners. The bill eliminates the reinsurance collateral requirements for assuming insurers that are domiciled in or have their head office in a reciprocal jurisdiction, which is defined in the bill. Under the bill, such assuming insurers are required to maintain a minimum capital and surplus, maintain a minimal solvency and capital ration, and provide notice to the State Corporation Commission in the event of noncompliance of any requirements. The bill requires the Commission to create and publish a list of reciprocal jurisdictions and assuming insurers. (20104676D-H1)

HB 166 (Knight) (House Floor) provides that if a locality has submitted a timely notice request related to a planning or zoning matter to a newspaper of general circulation and the newspaper fails to publish the notice, a locality shall be deemed to have met public hearing notice requirements so long as notice of the agenda, including the item intended for publication in the newspaper, was published on the locality's website at least three weeks before the hearing. (20103028D-E)

HB 172 (Krizek) (Reported from HAPP) creates the Virginia State Police Electronic Summons System Fund, which is funded by a \$5 fee required by the bill to be assessed as court costs in each criminal or traffic case in which the Virginia State Police issued the summons, ticket, or citation; executed the warrant; or made the arrest. The bill directs that the Fund be used for the purposes of funding software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system. Under current law, localities may charge a fee of up to \$5 for each criminal or traffic case to be used for such purposes. (20103771D)

HB 319 (Levine) (HPE)/**SB 516** (Edwards) (SPE) provides for the preparation of adjusted population data for redistricting and reapportionment purposes to reflect the reallocation of persons incarcerated in federal, state, and local correctional facilities. The bill provides that a person incarcerated in a correctional facility whose legal residence prior to entering custody was located within the Commonwealth will be deemed to reside at such residence, and a person incarcerated in a correctional facility whose legal residence prior to entering custody was located outside of the Commonwealth or whose legal residence prior to entering custody cannot be determined will not be included in the population count for the locality in which the facility is located; instead, such persons shall be allocated to a state unit not tied to a specific determined geographic location in the same manner as other state residents with an unknown address are allocated. Under the current residence criteria of the U.S. Bureau of the Census, incarcerated persons are counted at the facility in which they are incarcerated. The bill directs the Division of Legislative Services to prepare the adjusted population data, and the General Assembly and local governing bodies are required to use this data as the basis for reapportioning and drawing new districts. The Director of the Department of Corrections and the Board of Corrections are required to provide to the Division certain information about each person incarcerated who was incarcerated in a state or local correctional facility on the day the decennial census is taken, April 1 of a year ending in zero, for these purposes. The Division is directed to request such information from each agency operating a federal correctional facility in the Commonwealth, and persons incarcerated in a federal correctional facility for whom a record is not received shall be deemed to have a legal residence prior to entering custody that cannot be determined. (20102052D, 20102409D)

HB 1254 (Price) (HPE) provides for the preparation of adjusted population data for redistricting and reapportionment purposes to reflect the reallocation of persons incarcerated in state and local correctional facilities. The bill provides that a person incarcerated in a state or local correctional facility whose legal residence prior to entering custody was located within the Commonwealth will be deemed to reside at such residence, and a person incarcerated in a state or local correctional facility whose legal residence prior to entering custody was located outside of the Commonwealth or whose legal residence prior to entering custody cannot be determined will be

deemed to reside at the location of the facility in which he is incarcerated. Under the U.S. Census Bureau's current residence criteria, incarcerated persons are counted at the facility in which they are incarcerated. The bill directs the Division of Legislative Services to prepare the adjusted population data, and the General Assembly and local governing bodies are required to use this data as the basis for reapportioning and drawing new districts. The Director of the Department of Corrections and the Board of Corrections are required to provide to the Division certain information about each person incarcerated who was incarcerated in a state or local correctional facility on the day the decennial census is taken, April 1 of a year ending in zero, for these purposes. (20100640D)

HB 1407 (Ward) (Reported from HFIN) prohibits an employer from classifying an individual as an independent contractor if he is an employee. An individual shall be considered an employee of the party that pays the remuneration for purposes of Titles 40.1 (Labor and Employment), 58.1 (Taxation), 60.2 (Unemployment Compensation), and 65.2 (Workers' Compensation) unless and until it is shown to the satisfaction of the Department of Taxation that such individual is an independent contractor under Internal Revenue Service guidelines. Violators are subject to civil penalties and debarment from public contracts. The bill has a delayed effective date of January 1, 2021. (20105144D)

SJ 35 (Edwards) (SRUL) establishes a joint subcommittee to study the Commonwealth's requirements related to barrier crimes and criminal history records checks. The resolution directs the joint subcommittee to, in conducting its study, develop recommendations related to (i) whether statutory provisions related to criminal history records checks, barrier crimes, and barrier crime exceptions should be reorganized and consolidated into a central location in the Code of Virginia; (ii) whether certain crimes should be removed from the list of barrier crimes; (iii) whether barrier crime exceptions and waiver processes should be broadened; (iv) whether the required amount of time that must lapse after conviction of certain barrier crimes should be shortened; and (v) other changes that could be made to criminal history records check and barrier crimes requirements that would improve the organization, effectiveness, and fairness of such provisions. (20102494D)

Administration of Government

HB 106 (Cole, M.) (Passed House) provides that an ordinance that requires buildings to have visible numbering may include provisions for a civil penalty not to exceed \$100 for a violation that has not been corrected within 15 days of notice of such violation. Civil penalties assessed under this provision shall be paid into the treasury of the locality where the violation occurred. (20100850D)

HB 150 (Samirah) (House Floor) allows certain localities to impose a civil penalty not exceeding \$1,000 per month on owners of derelict residential property that have not submitted a required plan to renovate or demolish the derelict structure. (20101974D)

HB 420 (Price) (HAPP) directs the Department of Emergency Management (the Department) to ensure that the model school crisis and emergency management plan developed by the Board of

Education in consultation with the Department is designed to include and reach individuals with limited English proficiency, disabilities, and other special needs. The bill also directs the Department to develop an emergency response plan to (i) address the needs of such individuals in the event of a disaster, including the provision of competent interpretation services and translated documents, and (ii) assist and coordinate with local agencies in developing similar emergency response plans for such individuals. The bill requires that every local and interjurisdictional emergency management agency include in its emergency operations plan provisions to ensure that adequate and timely emergency relief assistance, including competent interpretation services and translated documents, is provided to such individuals. The bill requires the governing body of each locality that is required to establish an alert and warning plan to ensure that such plan provides adequate and timely warnings for such individuals. The bill contains technical amendments. (20100642D)

HB 515 (Bulova) (House Floor) requires a county operating under the urban county executive form of government (Fairfax County) to designate an additional seat on the board of social services for a qualified citizen of each city to which the county is contractually obligated to provide social services. (20103041D)

HB 1213 (Heretick) (HCT) permits localities to appoint and train local government employees to enforce local ordinances by issuing summonses for violations of ordinances that are within the purview of the employee's employment. (20102237D)

Affordable Housing

HJ 2 (Bourne) (HRUL) provides that the General Assembly may authorize a locality to fully or partially exempt affordable housing, as such term may be defined by statute, from real property taxation. (20100429D)

Courts

HB 127 (Miyares) (HCT) provides that a bystander who witnesses, live and in-person, an event during which the intentional or negligent infliction of injury to or death of a victim occurs may recover damages for resulting emotional distress, proven by a preponderance of the evidence, with or without a physical impact or physical injury to the bystander, if (i) the bystander is related to the victim or (ii) although not related to the victim, the bystander is in close proximity to the victim at the time the event occurs and is aware that such event is causing injury to or the death of the victim. (20101772D)

HB 266 (Heretick) (HCT) eliminates the accrual of interest on any fine or costs imposed in a criminal case or in a case involving a traffic infraction. The bill provides that any such fine or costs that have accrued interest prior to July 1, 2020, shall cease to accrue interest on July 1, 2020, and such accrued interest may be waived by any court. A person who owes fines and costs on which interest has accrued may move any court in which he owes fines and costs to waive the interest that accrued on such fines and costs and shall have such interest waived for any period of incarceration. (20100931D)

HB 1605 (Hope) (HCT)/**SB 553** (Ruff) (SJUD) creates the Uniform Partition of Heirs Property Act to preserve the right of a cotenant to sell his interest in inherited real estate while ensuring that the other cotenants will have the necessary due process, including notice, appraisal, and right of first refusal, to prevent a forced sale. If the other cotenants do not exercise their right to purchase property from the seller, the court must order a partition in kind if feasible, and if not, a commercially reasonable sale for fair market value. The provisions of the bill apply to partition actions filed on or after July 1, 2020. (20105499D, 20103964D)

HB 1725 (Campbell, J.) (House Floor) provides that a judicial assistant serving a circuit court judge and whose position is funded in whole or in part by a county or city shall serve at the pleasure and under the sole management and supervision of the presiding judge of the circuit court. (20105510D)

SB 401 (Hashmi) (SJUD) allows for the award of reasonable attorney fees and costs to any person who has a subpoena against him quashed in an action for statements made at a public hearing before the governing body of a locality or other local entity when he is immune from liability for such statements. Current law provides for the award of attorney fees and costs upon the dismissal of such an action. (20100737D)

SB 684 (Mason) (SJUD) responds to the holding in *Paugh v. Henrico Area Mental Health and Developmental Services*, Record No. 121562 (2013), in which the Supreme Court of Virginia held that on appeal by trial de novo in circuit court of an order of involuntary commitment by a district court, upon the circuit court's finding that the appellant no longer meets the criteria for involuntary commitment, the proper remedy is dismissal of the Commonwealth's petition for involuntary commitment, thereby rendering the original commitment order a nullity. As such, because the original petition would in effect never have existed, forfeiture of the right to possess a firearm as required by § 18.2-308.1:3 upon involuntary commitment would no longer be in effect. Section 18.2-308.1:3 requires that a person who has been involuntarily committed and seeks to have his firearm rights restored petition a district court for restoration of his firearm rights. The ruling in *Paugh*, by requiring dismissal of the original petition for commitment, removes that requirement even though on the date of the original commitment hearing the person did meet the criteria for commitment and was, in fact, involuntarily committed. The bill provides that notwithstanding the outcome of any appeal (trial de novo on the petition for commitment) taken pursuant to § 37.2-821, the appellant shall be required to seek restoration of his firearm rights. The bill also provides that upon a finding by the circuit court that the appellant no longer meets the criteria for involuntary commitment or mandatory outpatient treatment, the court shall reverse the order of the district court but shall not dismiss the Commonwealth's petition. As a consequence of these changes, a person who is involuntarily committed would be required to petition for restoration of his firearm rights notwithstanding the reversal of the commitment order by a circuit court. (20104751D)

Specialty Dockets

SB 499 (Reeves) (Passed Senate) provides that any veterans docket authorized and established as a local specialty docket in accordance with the Rules of Supreme Court of Virginia shall be deemed a "Veterans Treatment Court Program," as that term is used under federal law or by any other entity, for the purposes of applying for, qualifying for, or receiving any federal grants, other federal money, or money from any other entity designated to assist or fund such state programs. The bill contains an emergency clause. (20103355D)

SB 618 (Deeds) (SJUD) provides that any court may refer a defendant to a local specialty docket if such specialty docket exists within that jurisdiction. The bill provides that a court that has received a referral shall have jurisdiction over the defendant for any matter that does not dispose of a charge or defense for the duration of the referral and shall enter an order making a recommendation for disposing the matter, including any proposed findings of fact, at the end of the referral or any other time as necessary. (20104266D)

SB 818 (Morrissey) (SJUD) establishes, by the Behavioral Health Docket Act (the Act), behavioral health courts as specialized court dockets within the existing structure of Virginia's court system, offering judicial monitoring of intensive treatment and supervision of offenders who have mental illness and co-occurring substance abuse issues. The bill establishes a state behavioral health docket advisory committee and requires localities intending to establish such dockets to establish local behavioral health docket advisory committees. The bill gives the Supreme Court of Virginia administrative oversight of the implementation of the Act. The Act is modeled on the Drug Treatment Court Act (§ 18.2-254.1). (20103858D)

SB 819 (Morrissey) (SJUD) provides that any jurisdiction or jurisdictions intending or proposing to establish a drug treatment court shall not be denied permission under the Code of Virginia to establish such court solely on the basis of funding such court. The bill also provides that a drug treatment court shall be available to every defendant irrespective of the jurisdiction. (20103860D)

Early Childhood Care

SB 599 (Hanger) (SRUL) 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. (20104233D)

Education and Schools

HB 256 (Mullin) (House Floor) provides that a student at any elementary or secondary school is not guilty of disorderly conduct in a public place if the disorderly conduct occurred on school property or a school bus. (20105154D-H1)

SJ 28 (Reeves) (SRUL) requires the Joint Legislative Audit and Review Commission to study the feasibility of adjusting the composite index of local ability to pay by (i) reviewing current statutory, constitutional, and budgetary provisions governing the calculation of Standards of Quality costs and funding; (ii) examining the components of the composite index of local ability to pay; (iii) evaluating other states' public school funding formulas; (iv) hearing local concerns and seeking input from various state and national experts, as applicable; and (v) determining the feasibility of reducing the local share under the Local Composite Index (LCI) in school divisions in which the locality is determined to have above-average fiscal stress or high fiscal stress by the Virginia Commission on Local Government in its most recent "Report on the Comparative Revenue Capacity, Revenue Effort, and Fiscal Stress of Virginia Counties and Cities." (20102344D)

HJ 41 (Scott) (HRUL) directs the Joint Legislative Audit and Review Commission to study teacher salaries and benefits in the Commonwealth, including the regional competitiveness of such salaries and benefits, by analyzing the relationship between (i) salaries and benefits provided to teachers in the Commonwealth, states adjoining the Commonwealth, and the District of Columbia and (ii) the recruitment and retention of teachers in each such state and the District of Columbia. (20102006D)

Elections

HB 108 (Lindsey) (HRUL) designates Election Day, the Tuesday after the first Monday in November, as a state holiday and removes Lee-Jackson Day as a state holiday. (20101370D)

HB 202 (Tran) (HPE) requires the additional training for officers of elections occurring after a change in an election law or regulation to take place not less than three days prior to the first election occurring after the law or regulation has taken effect. Under current law, such training is required to take place not later than three days prior to the November general election following the enactment of the law or regulation. (20103596D)

HB 1643 (Ayala) (HPE)/**HB 1678** (Lindsey) (HPE) extends from 7:00 p.m. to 8:00 p.m. the time at which polls close on election day. The bill aligns candidate filing deadlines and party nomination deadlines with the closing of polls. (20105493D, 20102034D)

SB 131 (Chase) (SPE) provides that any candidate for a constitutional office who has been nominated by a political party or in a primary election shall be identified on the ballot by the name of his political party. Currently, only candidates for federal, statewide, and General Assembly offices nominated by a political party or in a primary election are so identified. (20102423D)

Absentee Voting

HB 220 (Krizek) (HAPP) requires the envelope provided to an absentee voter for the return of the absentee ballot to include prepaid postage. (20100609D)

SB 46 (Spruill) (Passed Senate) removes the requirement that a person applying for an absentee ballot provide supporting information regarding the reason he is eligible for an absentee ballot. The applicant will still be required to provide the reason he will be absent or unable vote at his polling place on the day of the election. (20100471D)

Environment

SB 704 (Mason) (SACNR) requires any operator of at least 50 acres of cropland in the Chesapeake Bay watershed to submit a nutrient management plan for such cropland by July 1, 2026, to the Department of Conservation and Recreation (DCR). DCR shall review such plans and provide technical assistance, and the operator shall have an affirmative defense if he has applied for cost-share funding and is waiting to receive such funds. The bill requires any person who owns 20 or more bovines in the watershed, beginning July 1, 2026, to install stream exclusion practices that satisfy regulations adopted by the Department of Environmental Quality (DEQ). The person shall have an affirmative defense if he has applied for cost-share funding and is waiting to receive such funds, or if his installed stream exclusion practices were damaged or destroyed. The bill authorizes DCR and DEQ to adopt regulations to carry out its provisions. The bill provides that if the Secretary of Natural Resources determines that sufficient numbers of stream exclusion practices or nutrient management plans have been put in place to satisfy the Commonwealth's commitments in the Chesapeake Bay Total Maximum Daily Load Phase III Watershed Implementation Plan, he shall, on or before December 31, 2025, recommend that all or part of the bill be repealed. (20105196D)

Environmental Justice

SB 406 (Hashmi) (Reported from SGL) establishes the Virginia Environmental Justice Act to promote the fair treatment and meaningful involvement of all people regardless of race, color, national origin, income, faith, or disability with respect to the development, implementation, and enforcement of environmental laws and policies. Under the bill, state agencies are required to examine any new regulation or policy or amendment to an existing regulation or policy involving state action or funds in relation to its impact on environmental justice prior to adoption of the regulation or policy. The bill requires the Governor's Secretaries to develop a policy or strategy to promote environmental justice in ways that are tailored to the specific authority, mission, and programs under their Secretariat no later than January 1, 2021. (20107107D-S1)

SB 883 (Locke) (Passed Senate) establishes the Virginia Council on Environmental Justice, consisting of 24 members, to advise the Governor and provide recommendations intended to protect vulnerable communities from disproportionate impacts of pollution and provide such communities meaningful involvement in the decision-making process. The bill provides that 18 members of the Council are appointed by the Governor and six are specified Cabinet Secretaries. The bill has an expiration date of July 1, 2023. (20106392D-S1)

Firearms

HB 78 (Kory) (HPS) prohibits a person who has been convicted of a misdemeanor violation of assault and battery of a family or household member from possessing or transporting a firearm. A person who violates this provision is guilty of a Class 1 misdemeanor. The bill provides for a process by which a person convicted of such crime may petition the circuit court for a reinstatement of his right to possess or transport a firearm. (20100165D)

HB 425 (Simon) (HPS) requires any dealer who sells, trades, or transfers more than two firearms to an individual in a single transaction to report such transaction to the Department of State Police. The bill also provides that the State Police shall maintain multiple firearms transaction records for 12 months. Current law states that State Police shall maintain multiple handgun transaction records for 12 months. (20100289D)

HB 427 (Simon) (HPS) creates a Class 5 felony for any person who manufactures, imports, sells, transfers, or possesses any firearm that, after removal of all parts other than a major component, defined in the bill, is not detectable as a firearm by the types of detection devices, including X-ray machines, commonly used at airports for security screening. The bill updates language regarding the types of detection devices that are used at airports for detecting plastic firearms. (20101586D)

HB 600 (Hope) (HPS) requires that during the hours of operation of a family day home, all firearms be stored unloaded in a locked container, compartment, or cabinet and that ammunition be stored in a separate locked container, compartment, or cabinet. (20102002D)

HB 900 (Levine) (HPS) prohibits a person who has been convicted of stalking, sexual battery, assault and battery of a family or household member, brandishing a firearm, or two or more convictions of assault and battery from possessing or transporting a firearm. A person who violates this provision is guilty of a Class 1 misdemeanor or, upon a third or subsequent conviction of this or certain other firearms offenses, is guilty of a Class 6 felony. (20104904D)

HB 961 (Levine) (HPS) expands the definition of "assault firearm" and prohibits any person from importing, selling, transferring, manufacturing, purchasing, possessing, or transporting an assault firearm. A violation is a Class 6 felony. The bill prohibits a dealer from selling, renting, trading, or transferring from his inventory an assault firearm to any person. The bill also prohibits a person from carrying a shotgun with a magazine that will hold more than seven rounds of the longest ammunition for which it is chambered in a public place; under existing law, this prohibition applies only in certain localities. The bill makes it a Class 6 felony to import, sell, transfer, manufacture, purchase, possess, or transport large-capacity firearm magazines, silencers, and trigger activators, all defined in the bill. Any person who legally owns an assault firearm, large-capacity firearm magazine, silencer, or trigger activator on July 1, 2020, may retain possession until January 1, 2021. During that time, such person shall (i) render the assault firearm, large-capacity firearm magazine, silencer, or trigger activator inoperable; (ii) remove the assault firearm, large-capacity firearm magazine, silencer, or trigger activator from the Commonwealth; (iii) transfer the assault firearm, large-capacity firearm magazine, silencer, or

trigger activator to a person outside the Commonwealth who is not prohibited from possessing it; or (iv) surrender the assault firearm, large-capacity firearm magazine, silencer, or trigger activator to a state or local law-enforcement agency. The bill further states that any person who legally owns an assault firearm on July 1, 2020, may retain possession of such assault firearm after January 1, 2021, if such person has obtained a permit from the Department of State Police to possess an assault firearm in accordance with procedures established in the bill. A person issued such permit may possess an assault firearm only under the following conditions: (a) while in his home or on his property or while on the property of another who has provided prior permission, provided that the person has the landowner's written permission on his person while on such property; (b) while at a shooting range, shooting gallery, or other area designated for the purpose of target shooting or the target range of a public or private club or organization whose members have organized for the purpose of practicing shooting targets or competing in target shooting matches; (c) while engaged in lawful hunting; or (d) while surrendering the assault firearm to a state or local law-enforcement agency. A person issued such permit may also transport an assault firearm between any of those locations, provided that such assault firearm is unloaded and secured within a closed container while being transported. The bill also provides that failure to display the permit and a photo identification upon demand by a law-enforcement officer shall be punishable by a \$25 civil penalty, which shall be paid into the state treasury. The bill also requires the Department of State Police to enter the name and description of a person issued a permit in the Virginia Criminal Information Network (VCIN) so that the permit's existence and current status will be made known to the law-enforcement personnel accessing VCIN for investigative purposes. (20104855D)

HB 1447 (Sickles) (HPS) provides that it is a Class 1 misdemeanor for a person under the influence of alcohol or illegal drugs to carry a loaded firearm on or about his person in a public place and that a person found guilty of such act is ineligible to apply for a concealed handgun permit for a period of five years. Current law provides that such prohibition applies only to persons permitted to carry a concealed handgun. (20102163D)

SB 14 (Saslaw) (SJUD) prohibits the manufacture, importation, sale or offer to sell, possession, transfer, or transportation of a trigger activator, defined in the bill as (i) a device designed to be attached to a semi-automatic firearm, which allows the firearm to discharge two or more shots in a burst by activating the device, including a bump-fire device or a binary trigger, but does not convert the semi-automatic firearm into a machine gun or (ii) a manual or power-driven trigger activating device designed so that when attached to a semi-automatic firearm it increases the rate of fire of that firearm, including a trigger crank, but does not convert the semiautomatic firearm into a machinegun. A violation is punishable as a Class 6 felony. (20100506D)

SB 71 (Lucas) (SJUD) adds public, private, or religious preschools and child day centers that are not operated at the residence of the provider or of any of the children to the list of schools where possessing a firearm on school property or on a school bus is prohibited. Under current law, the list of such schools only includes public, private, or religious elementary, middle, or high schools. (20101206D)

SB 173 (Hanger) (Passed Senate) allows the holder of a valid concealed handgun permit to possess a stun weapon on school property while in a motor vehicle in a parking lot, traffic circle, or other means of vehicular ingress or egress to the school. (20101379D-E)

SB 248 (Favola) (SFIN) establishes the Virginia Gun Violence Intervention and Prevention Fund to be administered by the Department of Criminal Justice Services for the purpose of supporting gun violence intervention and prevention programs, including street outreach, hospital-based violence intervention, and group violence intervention programs. (20106494D-S1)

SB 263 (Bell) (Passed Senate) removes the option for concealed handgun permit applicants to demonstrate competence with a handgun by completing an electronic, video, or online course conducted by a state-certified or National Rifle Association-certified firearms instructor. The bill does not affect any in-person means of satisfying the requirement to demonstrate competence with a handgun under current law. (20102385D-E)

SB 353 (Bell) (SJUD) prohibits the operation of an outdoor shooting range, defined in the bill, within 500 yards of any property zoned for residential use unless the Range Design Criteria developed by the U.S. Department of Energy, Office of Health, Safety and Security have been met. The bill provides that any person who violates the provisions of this section is subject to a civil penalty of not less than \$1,000 nor more than \$100,000 for the initial violation and \$5,000 per day for each day of violation thereafter. (20102617D)

SB 436 (Surovell) (SJUD) creates the Virginia Voluntary Do Not Sell Firearms List (the List) that prohibits the possession, transportation, and sale of firearms to any person who voluntarily registers himself to be enrolled into the List. The List shall be maintained and updated by the Department of State Police. The bill makes it a Class 3 misdemeanor for any person enrolled into the List to purchase, possess, or transport a firearm. The bill disqualifies any person enrolled into the List from obtaining a concealed handgun permit and prohibits such person from being employed by a firearms dealer. The bill also makes it a Class 1 misdemeanor for any person who sells, barter, gives, or furnishes, or has in his possession or under his control with the intent of selling, bartering, giving, or furnishing, any firearm to any person he knows is enrolled into the List. The bill has a delayed effective date of July 1, 2021. (20100159D)

SB 476 (Chase) (SGL) provides that the risk management plan established by the Division of Risk Management shall include coverage for any claim made by or on behalf of any person who is injured or killed upon any buildings, grounds, or properties owned or leased by a public elementary or secondary school or institution of higher education as a result of the criminal act of a third party if an armed security officer was not present on the premises and the carrying of a concealed handgun on such buildings, grounds, or properties was prohibited by regulation. The bill also provides that, in addition to providing for the actual damages arising from the person's injury or death, the coverage shall include an additional amount of \$350,000. (20104934D)

SB 490 (Favola) (SJUD) prohibits a person who has been convicted of stalking, sexual battery, or assault and battery of a family or household member from purchasing, possessing, or transporting a firearm. A person who violates this provision is guilty of a Class 1 misdemeanor.

The bill provides for a process by which a person convicted of such crime may petition the circuit court for a reinstatement of his right to possess or transport a firearm and the factors a court shall consider in determining such reinstatement. (20104748D)

SB 543 (Edwards) (SJUD) requires the Department of State Police to perform a criminal history record information check on the prospective purchaser or transferee prior to the completion of any firearms transaction at a firearms show held in the Commonwealth. Current law requires the Department of State Police to be available at every firearms show held in the Commonwealth to perform criminal history record information checks but does not require such checks to be performed unless requested by a party involved in the transaction. (20101849D)

Protective Orders and Firearms

HJ 43 (Sullivan) (HRUL) directs the Department of Criminal Justice Services to study the enforcement of the law prohibiting individuals subject to permanent protective orders for family abuse from possessing firearms while such order is in effect. (20103875D)

Health and Human Services

SB 128 (Suetterlein) (SEH) 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 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. (20100802D)

SB 482 (Favola) (Passed Senate) creates the Developmental Disabilities Mortality Review Committee to review the death of any person with a developmental disability who was receiving services from a provider licensed by the Department of Behavioral Health and Developmental Disabilities or in a training center or other state facility at the time of his death to ensure that the deaths of such persons are reviewed and analyzed in a systematic way. (20104862D)

SB 734 (Deeds) (SRUL) directs the Secretaries of Education and Health and Human Resources to establish a work group to study the current process for approval of residential psychiatric services for children and adolescents and requires the work group to report its findings and

recommendations to the Chairmen of the House Committee on Appropriations, the Senate Committee on Finance, and the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century by December 1, 2020. (20104744D)

SB 930 (Stuart) (SJUD) directs the Virginia Fusion Intelligence Center to (i) establish a 24-hour-a-day, seven-day-a-week toll-free Mental Health Crisis Intervention Hotline (the Hotline) to receive anonymous tips regarding individuals suspected to be in need of mental health treatment to facilitate mental health treatment, crisis intervention, and prevention of tragedies and (ii) develop and implement policies and procedures for referring tips received through the Hotline to state or local law enforcement, as may be appropriate, in a timely manner for follow-up and investigation. (20104477D)

Land Use

SB 360 (Cosgrove) (Passed Senate) provides that a locality may require a subdivider or developer to install reasonable and necessary sewerage and water facilities located on or outside the property limits of the land owned or controlled by the subdivider or developer that is necessitated or required, at least in part, by the utility needs of the development or subdivision, including reasonably anticipated capacity, extensions, or maintenance considerations of a utility service plan for the service area. Such subdivider or developer is entitled to reimbursement of its costs by any subsequent subdivider or developer that utilizes the installed sewerage or water facility, except for those costs associated with the installing developer's pro rata share. (20106122D-S1)

SB 24 (Petersen) (Passed Senate) adds horseback riding or stabling to the definition of "agritourism activity." Agritourism activities have limited liability for the inherent risks of the activity under certain conditions. (20100596D-E)

SB 28 (Petersen) (SJUD) 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. (20100603D)

SB 314 (Stanley) (Passed Senate) removes the requirement that in order for a wall build on residential property to be grandfathered as a valid nonconforming use, the residential property owner must have been informed by a local official that such wall required no permit. (20103346D)

Procurement and Contracts

SB 487 (Bell) (Passed Senate) increases from four to five the number of times that a public body may renew a one-year term contract for architectural or professional engineering services related to multiple construction projects. The bill also adds an alternative option for public bodies to instead choose one five-year term contract for such services with no option for renewals. The bill increases the aggregate limit for architectural and engineering services contracts for localities

for projects performed in a one-year contract term from \$6 million to \$10 million. The bill also increases the aggregate limit for architectural and engineering services contracts for environmental location, design, and inspection work regarding highways and bridges by the Commissioner of Highways for projects performed in an initial two-year term contract from \$5 million to \$10 million. (20105815D-S1)

Public Safety/Criminal Justice

HB 470 (Mullin) (HCT) allows an employee of a local department of social services (local department) to petition a court on behalf of an incapacitated person for a preliminary protective order in cases of family abuse or non-family abuse. If the court finds by a preponderance of the evidence that the person is an incapacitated person and lacks the capacity to file such petition for himself, the court shall grant a guardian ad litem to represent the interests of the incapacitated person and may issue an order granting the preliminary protective order if other conditions required for the issuance of a preliminary protective order are met. The bill allows the employee of a local department who filed the petition to testify on behalf of the incapacitated person at any hearing for the preliminary protective order and at the full hearing on the petition. At the full hearing on the petition, the court may issue a protective order for a specified period of time, up to a maximum of two years, if the court finds by a preponderance of the evidence that the employee of a local department who filed the petition has proven the allegation of abuse or that the incapacitated person has been subjected to an act of violence, force, or threat. (20100646D)

HB 551 (Ward) (HPS) changes the name of "juvenile correctional centers" to "juvenile community correctional centers." The bill further provides that any juvenile community correctional center established after July 1, 2020, shall (i) be located within a locality in which at least five percent of all juvenile commitments occur statewide, using an average of the rate of commitments of three consecutive years, and (ii) be designed to confine 30 juveniles or fewer. The bill also states that the Department shall place children at the juvenile community correctional center located closest to their primary residence and within one hour of such residence via motor vehicle and within one and one-half hours of such residence via public transportation. If such placement is not available, the Department shall use an alternative placement that is closest to the juvenile's primary residence, such as a local juvenile detention center. Under current law, the Department may place such children at such facilities as are available. (20101567D)

SB 148 (Stuart) (SJUD) provides that the provisions regarding driving or operating a motor vehicle, engine, or train while intoxicated and the provisions regarding operating a motor vehicle by a person under the age of 21 after illegally consuming alcohol shall not apply to any person driving or operating a motor vehicle on his own residential property or the curtilage thereof. (20101417D)

Taxation

HB 1268 (Helmer) (HPE) provides for a referendum at the November 3, 2020, election to approve or reject a personal property tax exemption for a motor vehicle that is owned and used

primarily by or for a veteran of the armed forces of the United States or the Virginia National Guard who has a one hundred percent service-connected, permanent, and total disability. (20102109D)

SB 446 (Reeves) (SFIN) provides for a referendum at the November 3, 2020, election to approve or reject a personal property tax exemption for a motor vehicle that is owned and used primarily by or for a veteran of the armed forces of the United States or the Virginia National Guard who has a one hundred percent service-connected, permanent, and total disability. (220107037D-S1)

HJ 103 (Helmer) (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. (20101916D)

SJ 58 (Morrissey) (SFIN) 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. (20107038D-S1)

Transportation

HB 561 (Brewer) (HTRAN) adds primary evacuation routes to the factors that must be considered by the Commonwealth Transportation Board in the statewide prioritization process, commonly known as SMART SCALE. (20103235D)

HB 1635 (Lopez) (HTRAN)/**SB 995** (Surovell) (STRAN) repeals enactments adopted in 2018 as part of the Washington Metropolitan Area Transit Authority (WMATA) funding bills related to bidders, offers, contractors, and subcontractors to WMATA projects located in the Commonwealth participating with labor organizations. (20105970D, 20105402D)

SB 230 (Petersen) (Passed Senate) provides that, for purposes of the grantor's tax and regional transportation improvement fee (the regional WMATA capital fee), the grantor and grantee may arrange that the grantee pay all or a portion of the tax or fee. Current law requires the grantor to pay the tax or fee. (20102139D)

SB 452 (Edwards) (SFIN) imposes an additional 2.1 percent wholesale gas tax to any county or city outside of the Northern Virginia or Hampton Roads regions or the Interstate 81 Corridor, where such a tax is already imposed. The revenues will be returned to the transportation district in which the revenues are generated via the construction district grant program.

SB 596 (Hanger) (SFIN) imposes an additional 2.1 percent wholesale gas tax to any county or city outside of the Northern Virginia or Hampton Roads regions or the Interstate 81 Corridor, where such a tax is already imposed. The revenues will be returned to the transportation district in which the revenues are generated via the construction district grant program. The bill also requires the Secretary of Transportation to develop a plan to ensure a fair, equitable, and sustainable mode of highway-use taxation. (20103287D)

SB 692 (Obenshain) (SFIN) limits the application of the additional motor vehicle fuels sales tax imposed under current law in all counties and cities in Planning Districts 3, 4, 5, 6, and 7 to those counties or cities in Planning District 3, 4, 5, 6, or 7 in which a portion of Interstate 81 is located. (20100662D)

Undergrounding

HB 576 (Keam) (Reported from HLC) specifies that one of the two projects that may be included in the pilot program for the undergrounding of electric transmission lines shall be for the relocation or conversion of an existing 230-kilovolt overhead line to an underground line. The measure provides that such a project may be approved if the estimated additional cost of placing the line, in whole or in part, underground does not exceed \$40 million or, if greater than \$40 million, the cost does not exceed 2.5 times the costs of placing the same line overhead, which costs are borne by all of the utility's ratepayers through a rate adjustment clause. Currently the cost of such a project is ineligible if it exceeds 2.5 times the cost of placing the same line overhead. The measure provides that such a project may be approved for participation in the pilot program if its primary need is related to the economic development priorities and the comprehensive plan of the governing body of the locality in which at least a portion of line will be placed. The measure exempts a project that satisfies the criteria for participation in the pilot project from the requirement that the State Corporation Commission find that the transmission line is needed. The measure adds that the pilot program is created to further understanding of the benefits of undergrounding existing electric transmission lines to promote economic development. (20102639D)

SB 784 (Saslaw) (SCL) requires that any transmission line of 230 kilovolts or less that is proposed to connect to a proposed new substation that has received local final development plan approval be placed underground if (i) such line would extend from an existing substation that will be powered by a transmission line of 230 kilovolts or less, (ii) such line received a certificate of public convenience and necessity from the Commission to be placed underground prior to December 31, 2018; (iii) the portion of such line between the existing substation and the proposed new substation is not more than 4,500 linear feet; and (iv) the total cost of undergrounding the proposed relocated transmission line does not exceed \$40 million. The bill requires that existing overhead transmission lines that meet such criteria be replaced and relocated with a new underground transmission line and that the location of the new underground transmission line be consistent with the comprehensive plan and the economic development priorities of the governing body of the locality in which the new underground transmission line is to be placed. The bill has an expiration date of December 31, 2021. (20102022D)

Legislation Provided for Information

HB 394 (Ward) (HGL) establishes the position of Director of Diversity, Equity, and Inclusion (the Director), to be appointed by the Governor. The Director is empowered to (i) develop a sustainable framework to promote inclusive practices across state government; (ii) implement a measurable, strategic plan to address systemic inequities in state government practices; and (iii) facilitate methods to turn feedback and suggestions from state employees, external stakeholders, and community leaders into concrete equity policy. (20102312D)

SB 17 (Ebbin) (Passed Senate) repeals the statutory prohibitions on same-sex marriages and civil unions or other arrangements between persons of the same sex purporting to bestow the privileges and obligations of marriage. These prohibitions are no longer valid due to the United States Supreme Court decision in *Obergefell v. Hodges*, 576 U.S. ____ (June 26, 2015). (20105902D-S1)

SB 62 (Suetterlein) (Passed Senate) eliminates the requirement that the race of married parties be included in marriage records, divorce reports, and annulment reports filed with the State Registrar. The bill also removes the requirement that the State Registrar include race data in the compilation and posting of marriage, divorce, and annulment data. (20105900D-S1)

SB 188 (Peake) (SRUL) requires legislation with a negative local fiscal impact to be filed no later than the December 15 immediately preceding the first day of a regular session of the General Assembly. If a standing committee of the General Assembly to which a bill is referred that was not introduced by December 15 determines that a bill has a negative local fiscal impact, the bill shall be rereferred to the House or Senate Committee on Rules as appropriate. If the Committee on Rules determines that there is a negative local fiscal impact, the bill shall be ruled out of order. The bill also requires the Commission on Local Government to work with the Virginia Association of Counties and the Virginia Municipal League to develop processes and procedures for a review of fiscal impact of legislation. (20104186D)

SB 292 (Deeds) (Passed Senate) authorizes a member of a board of zoning appeals to be appointed to also serve as an officer of election. (20101853D)

SB 335 (Stuart) (Reported from SFIN) requires the Board of Game and Inland Fisheries to waive fees to obtain a hunting or fishing license for active duty military personnel and veterans. (20106153D-S1)

SB 465 (Reeves) (Passed Senate) expands the scope of permitted in-kind donations by a locality to include the provision of in-kind resources for contract management services for capital projects; assistance in preparing requests for information, bids, or proposals; and budgeting services to any association or other organization furnishing voluntary firefighting services or a nonprofit or volunteer emergency medical services agency. (20102326D)

Administration of Government

HB 321 (Levine) (HTECH) adds to current provisions regarding meetings that a public body may conduct through electronic communication means a meeting for which on or before the day of a meeting a member of the public body holding the meeting notifies the chair of the public body that such member is unable to attend the meeting due to a serious medical condition of an immediate family member. The bill also clarifies that participation in an electronic meeting by a member of a public body due to an inability to attend because of a personal matter is limited each calendar year to either two meetings or 10 percent of the meetings held that calendar year, whichever is greater. (20104275D)

Campaign Finance

SB 57 (Suetterlein) (Passed Senate) requires candidates for local and constitutional offices to file campaign finance reports by computer or electronic means. Under current law, only candidates for local and constitutional offices in localities with a population exceeding 70,000 are required to file campaign finance reports electronically. (20100810D)

SB 166 (Saslaw) (SPE) amends the current laws regarding the disbursement of surplus funds at the dissolution of a campaign or political committee so that such restrictions would apply throughout the life of a campaign or political committee. Such restrictions include the prohibition against the conversion of any money, securities, or like intangible personal property that has been contributed to a campaign or political committee to the personal use of any person. (20100595D)

SB 217 (Suetterlein) (Passed Senate) requires any single contribution of \$1,000 or more that is knowingly received or reported by a candidate for statewide office or the General Assembly during the period beginning January 1 and ending on the day immediately before the first day of a regular session of the General Assembly to be reported to and received by the State Board of Elections by the end of the following day. The bill requires these contributions to also be reported on the first regular report following the date of the contribution. (20106179D-S1)

Courts

HB 100 (Lindsey) (House Floor) allows the court and counsel for either party in a criminal case to (i) ask potential jurors any relevant question to ascertain whether the juror can sit impartially in either the guilt or sentencing phase of the case and (ii) inform any potential juror as to the potential range of punishments to ascertain if the person or juror can sit impartially in the sentencing phase of the case. (20106547D-H1)

HB 305 (Hope) (Passed House) increases from \$2 to \$5 the fee that the circuit court clerk is required to charge for lodging, indexing, and preserving a will. (20102664D)

HB 306 (Hope) (Passed House) increases by \$2 the fees for the recording and indexing of certain documents. The bill further increases from \$1.50 to \$3.50 the portion of the recording and

indexing fee collected by circuit court clerks that is designated for use in preserving the permanent records of the circuit courts. (20102666D)

HB 477 (Guzman) (House Floor) increases from age 14 to age 16 the minimum age at which a juvenile must be tried as an adult in circuit court for murder or aggravated malicious wounding or for certain charges requiring notice of intent to try such juvenile as an adult by the attorney for the Commonwealth. 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 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. (20106147D-H1)

HB 995 (Lindsey) (House Floor) increases from \$500 to \$1,000 the threshold amount of money taken or value of goods or chattel taken at which the crime rises from petit larceny to grand larceny. The bill increases the threshold by the same amount for the classification of certain property crimes. (20106688D-H1)

SB 133 (Stuart) (SJUD) allows a court to defer and dismiss a criminal case where the defendant has been diagnosed with autism or an intellectual disability. (20101156D)

SB 491 (Surovell) (SJUD) removes provisions requiring (i) jail officers to ascertain the citizenship of any inmate taken into custody at a jail, (ii) probation and parole officers to inquire as to the citizenship status of an individual convicted of a felony in circuit court and referred to such officers, and (iii) officers in charge of correctional facilities to inquire as to the citizenship of any person committed to a correctional facility, and therefore such information is not required to be reported to the Central Criminal Records Exchange of the Department of State Police. The bill also removes the mandatory duty of the clerk of a court committing a convicted alien to a correctional facility to furnish related court records to a United States immigration officer and the requirement that an intake officer report to the Bureau of Immigration and Customs Enforcement of the U.S. Department of Homeland Security any juvenile detained on an allegation that the juvenile, believed to be in the United States illegally, committed a violent felony. (20104908D)

Discovery

HB 873 (Bourne) (HCT) establishes requirements and procedures for discovery by an accused and by the Commonwealth in a criminal case. The bill requires a party requesting discovery to request that the other party voluntarily comply with such request prior to filing any motion before a judge. Upon receiving a negative or unsatisfactory response, or upon the passage of seven days following the receipt of the request without response, the party requesting discovery may file a motion for discovery with the court. The bill details information that is subject to discovery and provides a mechanism for redaction of certain personal identifying information. The bill also creates a procedure whereby the parties may conduct depositions of witnesses prior to trial and use statements obtained during such depositions for impeachment at trial as a prior inconsistent

statement. The bill creates a procedure for either party to move the court to enter a protection order with regard to discovery and, if granted, the court may order any condition limiting, but not preventing, disclosure, so long as the condition is necessary to the orderly adjudication of the case or to the fair administration of justice. Finally, the bill (i) makes it a Class 6 felony for any person to willfully omit or misrepresent evidence or information required to be disclosed to the accused, (ii) makes it a Class 1 misdemeanor for any person to willfully omit or misrepresent any other evidence of information required to be disclosed, and (iii) grants the court the ability to impose additional remedies it deems just if a party fails to comply with any of the requirements. (20101904D)

HB 1153 (Lopez) (HCT)/**HB 1444** (Cole, J.) (HCT) requires the attorney for the Commonwealth, upon written notice by an accused to the court and to the attorney for the Commonwealth, to permit the accused to inspect and copy or photograph (i) any relevant written or recorded statements or confessions made by the accused and the substance of any oral statements or confessions made by the accused to any law-enforcement officer; (ii) any relevant written reports of autopsies, ballistic tests, fingerprint analyses, handwriting analyses, blood, urine, and breath tests, and other scientific reports and written reports of a physical or mental examination of the accused or the alleged victim; (iii) any books, papers, documents, tangible objects, buildings, or places, or copies or portions thereof, that are within the possession, custody, or control of the Commonwealth; (iv) any relevant police reports, as defined in the bill; and (v) all relevant statements, as defined in the bill, of any non-expert witness whom the Commonwealth is required to designate on a witness list. The bill also provides that if the accused files a written notice the accused shall (a) permit the Commonwealth to inspect, copy, or photograph any written reports of autopsy examinations, ballistic tests, fingerprint, blood, urine, and breath analyses, and other scientific tests that are within the possession, custody, or control of the accused and that the accused intends to introduce in evidence at the trial or sentencing; (b) disclose whether he intends to introduce evidence to establish an alibi; and (c) if he intends to rely upon a defense of insanity, permit the Commonwealth to inspect, copy, or photograph any written reports of physical or mental examination of the accused made in connection with the case. The bill provides that for good cause a party may withhold or redact certain information from such disclosures and the opposing party may file a motion to compel disclosure or to remove any restriction. The accused's duty to provide discovery shall be in addition to any duty to provide reciprocal discovery pursuant to Rule 3A:11 of the Rules of Supreme Court of Virginia. The bill also provides that a person who was convicted of a felony or who was adjudicated delinquent by a circuit court of an offense that would be a felony if committed by an adult may petition for a writ of actual innocence based on previously unknown, untested, or unavailable biological evidence or nonbiological evidence regardless of the type of plea he entered at trial. Under current law, such person may petition for either writ if he entered a plea of not guilty, and any person, regardless of the type of plea he entered at trial, may petition for writ based on biological evidence if he is sentenced to death or convicted or adjudicated delinquent of murder or a felony for which the maximum punishment is imprisonment for life. The bill also eliminates the provision that limits a petitioner to only one writ of actual innocence based on nonbiological evidence for any conviction. Finally, the bill clarifies that the Attorney General may join a petition for a writ of actual innocence filed in connection with an adjudication of delinquency. (20101673D, 20101558D)

SB 775 (Edwards) (SJUD) establishes requirements and procedures for discovery by an accused and by the Commonwealth in a criminal case. The bill requires a party requesting discovery to request that the other party voluntarily comply with such request prior to filing any motion before a judge. Upon receiving a negative or unsatisfactory response, or upon the passage of seven days following the receipt of the request without response, the party requesting discovery may file a motion for discovery with the court. The bill details information that is subject to discovery and provides a mechanism for redaction of certain personal identifying information. The bill also creates a procedure whereby the parties may conduct depositions of witnesses prior to trial and use statements obtained during such depositions for impeachment at trial as a prior inconsistent statement. The bill creates a procedure for either party to move the court to enter a protection order with regard to discovery and, if granted, the court may order any condition limiting, but not preventing, disclosure, so long as the condition is necessary to the orderly adjudication of the case or to the fair administration of justice. Finally, the bill (i) makes it a Class 6 felony for any person to willfully omit or misrepresent evidence or information required to be disclosed to the accused, (ii) makes it a Class 1 misdemeanor for any person to willfully omit or misrepresent any other evidence of information required to be disclosed, and (iii) grants the court the ability to impose additional remedies it deems just if a party fails to comply with any of the requirements. (20102987D)

Expungement

HB 31 (Lindsey) (HCT) allows a person to petition for expungement of convictions and deferred disposition dismissals for marijuana possession, underage alcohol possession, and using a false ID to obtain alcohol when the offense occurred prior to the person's twenty-first birthday; all court costs, fines, and restitution have been satisfied; and five years have elapsed since the date of completion of all terms of sentencing and probation. (20100625D)

HB 91 (Cole, M.) (HCT) allows a person convicted of certain offenses, or charged with such offenses which charges were deferred and dismissed, who was under 21 years of age at the time of the offense, and who has successfully completed all terms of probation to file a petition for expungement after at least seven years have passed since (i) the date of dismissal of the charge; (ii) the date of conviction, if no active sentence of incarceration was imposed; or (iii) the date of completion of an active sentence of incarceration, if an active term of incarceration was imposed as a result of the conviction. Any conviction that is expunged will be considered a prior conviction for purposes of prosecution of any subsequent offense for which the prior conviction statutorily enhances punishment. Convictions for violent felony offenses and offenses for which registration with the Sex Offender and Crimes Against Minors Registry is required are not eligible for expungement under the bill. (20102579D)

HB 102 (Lindsey) (HCT) allows a person to petition for expungement of convictions and deferred disposition dismissals for simple larceny or concealment of goods or merchandise when (i) the goods or merchandise consisted of food or medically necessary supplies, (ii) the offense occurred prior to the person's twenty-first birthday, and (iii) five years have passed since the date of completion of all terms of sentencing and probation. (20101397D)

HB 254 (Simon) (HCT) allows a person to petition for expungement of a deferred disposition dismissal for underage alcohol possession or using a false ID to obtain alcohol when the offense occurred prior to the person's twenty-first birthday, all court costs and fines and orders of restitution have been satisfied, and the person seeking the expungement is at least 21 years of age and has no other alcohol-related convictions. The bill provides that any person seeking expungement of an alcohol-related charge shall be assessed a \$150 fee, which shall be paid into the state treasury and credited to the Department of State Police. (20101845D)

HB 255 (Simon) (HCT) allows a person to petition for expungement of convictions and deferred disposition dismissals for marijuana possession, underage alcohol possession, and using a false ID to obtain alcohol when the offense occurred prior to the person's twenty-first birthday; all court costs, fines, and restitution have been paid; and five years have elapsed since the date of completion of all terms of sentencing and probation. The bill provides that any person seeking expungement of a marijuana possession or alcohol-related charge shall be assessed a \$150 fee, which shall be paid into the state treasury and credited to the Department of State Police. (20101847D)

HB 267 (Heretick) (HCT) provides that a court that enters a nolle prosequi for a criminal charge or dismisses such charge for any reason may, upon motion of the person charged, enter an order requiring the expungement of the police and court records relating to the charge. (20102962D)

HB 268 (Heretick) (HCT) allows any person who was a victim of human trafficking at the time of an offense that led to a criminal charge or conviction of certain crimes to petition the court to vacate such conviction and expunge the police and court records related to such conviction or to expunge the police and court records related to such charge. The bill provides that there is a rebuttable presumption that a person's participation in an offense was a result of having been a victim of human trafficking if there is official documentation, defined in the bill, of the petitioner's status as a victim of human trafficking at the time of the offense. (20103429D)

HB 293 (Scott) (HCT) provides that a court that takes a nolle prosequi or enters a judgment acquitting a person of a criminal charge shall, upon motion of the person, enter an order requiring the expungement of the police and court records relating to the charge. Currently, such a person may file a separate petition for the expungement of such records; however, except in certain cases involving misdemeanor charges, the person is not entitled to an order of expungement, and the court hearing the petition must find that the continued existence and possible dissemination of such records causes or may cause circumstances that constitute a manifest injustice to such person before such an order will be entered. (20102010D)

HB 294 (Scott) (HCT) allows a person convicted of a misdemeanor to file a petition requesting expungement of the police and court records relating to the conviction if (i) such person has been free from any term of incarceration, probation, and post-release supervision imposed as a result of such conviction for at least two years and (ii) such person has no pending criminal proceeding. The bill also requires the court to grant such petition for expungement of police and court records if such petition is for a misdemeanor arrest, charge, or conviction. Currently, except in certain cases, the person is not entitled to an order of expungement, and the court hearing the petition

must find that the continued existence and possible dissemination of such records causes or may cause circumstances that constitute a manifest injustice to such person before such an order will be entered. (20102009D)

HB 320 (Levine) (HCT) allows a person who has been convicted of (i) a felony or misdemeanor offense that has been decriminalized or otherwise made lawful or (ii) a felony offense that has been statutorily reduced to a misdemeanor offense since the conviction of such person to file a petition requesting (a) expungement of the police records and the court records relating to any misdemeanor or felony charge that has been decriminalized or otherwise made lawful or (b) reclassification of the police records and the court records relating to a felony offense that has been statutorily reduced to a misdemeanor offense. The bill requires the court to enter an order reclassifying the offense, in the case of a felony offense that has been statutorily reduced to a misdemeanor offense, or requiring the expungement of the police and court records of an offense that has been decriminalized or otherwise made lawful, if the court finds that the offense for which the person was convicted has since been decriminalized or otherwise made lawful, or has been statutorily reduced from a felony to a misdemeanor offense. (20101963D)

SB 118 (Peake) (SJUD) allows a person to petition for expungement of a deferred disposition dismissal for underage alcohol possession or using a false ID to obtain alcohol when the offense occurred prior to the person's twenty-first birthday, all court costs and fines and orders of restitution have been satisfied, and the person seeking the expungement is at least 21 years of age and has no other alcohol-related convictions. The bill provides that any person seeking expungement of an alcohol-related charge shall be assessed a \$150 fee, which shall be paid into the state treasury and credited to the Department of State Police. (20104018D)

SB 223 (Favola) (SJUD) provides for the expungement of juvenile records for offenses that would be felony larceny if committed by an adult. Under current law, juvenile records of all delinquent acts that would be a felony if committed by an adult are retained. (20103104D)

SB 287 (Deeds) (SJUD) provides that a court shall enter an order of destruction for police and court records, in the absence of good cause shown to the contrary by the Commonwealth, for a deferred disposition dismissal of (i) underage alcohol possession when one year has passed since the date of dismissal and all court costs and fines and all orders of restitution have been satisfied or (ii) possession of marijuana when three years have passed since the date of dismissal and all court costs and fines and all orders of restitution have been satisfied. The bill also provides that any person who has received such deferred disposition dismissals may file a petition with the court that disposed of such charge for an order of destruction at any time provided that all court costs and fines and all orders of restitution have been satisfied. This bill is a recommendation of the Virginia Criminal Justice Conference. (20104300D)

SB 306 (Stanley) (SJUD) provides that a court shall enter an order of destruction for police and court records, in the absence of good cause shown to the contrary by the Commonwealth, for a deferred disposition dismissal of (i) underage alcohol possession when one year has passed since the date of dismissal and all court costs and fines and all orders of restitution have been satisfied or (ii) possession of marijuana when three years have passed since the date of dismissal and all

court costs and fines and all orders of restitution have been satisfied. The bill also provides that any person who has received such deferred disposition dismissals may file a petition with the court that disposed of such charge for an order of destruction at any time provided that all court costs and fines and all orders of restitution have been satisfied. This bill is a recommendation of the Virginia Criminal Justice Conference. (20100961D)

SB 309 (Stanley) (SJUD) provides that a court, upon such plea if the facts found by the court would justify a finding of guilt, without entering a judgment of guilt and with the consent of the accused, may defer further proceedings and place him on probation subject to terms and conditions for a first offense misdemeanor larceny provided such person has not previously been convicted of any felony or had a prior deferred disposition for the same offense. This bill is a recommendation of the Virginia Criminal Justice Conference. (20100965D)

SB 517 (McDougle) (SJUD) allows a person to petition for expungement of convictions and deferred disposition dismissals for marijuana possession, underage alcohol possession, and using a false ID to obtain alcohol when the offense occurred prior to the person's twenty-first birthday, all court costs, fines, and restitution have been paid, and five years have elapsed since the date of completion of all terms of sentencing and probation. The bill provides that any person seeking expungement of a marijuana possession or alcohol-related charge shall be assessed a \$150 fee, which shall be paid into the state treasury and credited to the Department of State Police. (20101476D)

SB 608 (Norment) (SJUD) allows a person to petition for the expungement of the police and court records relating to such person's conviction for misdemeanors and certain felonies if he has been granted a simple pardon for the crime. Under current law, police and court records relating to convictions are only expunged if a person received an absolute pardon for a crime he did not commit. (20103840D)

SB 808 (Morrissey) (SJUD) allows a person convicted of a criminal offense to file a petition requesting expungement of the police and court records relating to the conviction if such person (i) has been free from any term of incarceration, probation, and postrelease supervision imposed as a result of such conviction for (a) at least eight years for a misdemeanor offense or (b) at least 12 years for a felony offense, (ii) has no subsequent convictions other than traffic infractions, and (iii) has no pending criminal proceeding. (20103819D)

Elections

HB 241 (Sickles) (HPE) removes the requirement that a person who is in fear for his personal safety from another person who has threatened or stalked him must provide evidence that he has filed a complaint with a magistrate or law-enforcement official against such other person in order to be granted protected voter status. The bill does not eliminate the requirement that he submit a signed written statement that he is in fear for his personal safety for him to be granted protected voter status. (20101468D)

HB 540 (Carr) (HPE) directs the Department of Elections to employ a Director of Operations, who will be responsible for managing the day-to-day operations at the Department and ensuring (i) fulfillment of the Department's mission and responsibilities; (ii) compliance with state and federal election laws and regulations; and (iii) compliance with the Department's business, administrative, and financial policies. The bill provides that the Director of Operations position is a full-time classified position subject to the Virginia Personnel Act. This bill is a recommendation of the Joint Legislative Audit and Review Commission. (20102246D)

HB 541 (Carr) (HPE) provides that the Governor shall appoint only a Commissioner of Elections and shall not appoint any other persons to the Department of Elections. This bill is a recommendation of the Joint Legislative Audit and Review Commission. (20104008D)

HB 1103 (Hudson) (HPE) provides that elections for local governing bodies may be conducted by ranked choice voting, which the bill defines as the method of casting and tabulating votes in which (i) voters rank candidates in order of preference, (ii) tabulation proceeds in rounds in each of which either a candidate or candidates are elected or the last-place candidate is defeated, (iii) votes for voters' next-ranked candidates are transferred from elected or defeated candidates, and (iv) tabulation ends when the number of candidates elected equals the number of offices to be filled. The bill allows any local governing body to decide to conduct such election by ranked choice voting and requires any such decision to be made in consultation with the local electoral board and general registrar and by a majority vote of the governing body. The bill authorizes the State Board of Elections to promulgate regulations for the proper and efficient administration of elections determined by ranked choice voting. The bill provides that any costs incurred by the Department of Elections related to technological changes necessary for the implementation of ranked choice voting pursuant to the bill shall be charged to the localities exercising the option to proceed with ranked choice voting. The bill has a delayed effective date of July 1, 2021, and sunsets on July 1, 2031. (20101509D)

HB 1285 (Wilt) (HPE) provides that if a member of a local electoral board ceases to be a qualified voter of the county or city for which he was appointed, his office is vacated and such vacancy is to be filled as provided by law. (20100224D)

HB 1362 (Aird) (HPE) provides for a certification program to be conducted by the State Board of Elections for the general registrars. The bill requires each general registrar to complete the certification program and receive his certification within the 12 months following initial appointment or any subsequent reappointment; failure to do so shall result in removal from office. The State Board is required to develop a training curriculum for the certification program and standards for completing the program and maintaining certification, including required hours of training. No fees shall be charged to a general registrar for any required training as part of the certification program. (20102712D)

SB 126 (Suetterlein) (SPE) removes the power of incumbent officeholders in some cases to insist on a primary as the method of nominating political party candidates and removes the power of General Assembly incumbents seeking reelection to determine the method of nomination. These provisions of law were held to be unconstitutional by the United States Court of Appeals for the

Fourth Circuit in *6th Cong. Dist. Republican Comm. v. Alcorn*, 913 F.3d 393 (January 9, 2019). The bill does not affect the current power of duly constituted authorities of the political party to determine the method of nominating party candidates. (20101816D)

SB 469 (Reeves) (Passed Senate) provides that the name of any person who does not file his written statement of qualification or statement of economic interests by the relevant deadline, or by the end of an extension period if an extension of the deadline has been granted by the State Board, shall not be printed on the primary election ballot. (20102330D)

Absentee Voting

HB 207 (VanValkenburg) (Passed House) 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. The bill also provides for a special application by which any registered voter may apply to receive absentee ballots for all elections in which he is eligible to vote. A voter on the permanent absentee voter list remains on the list until the voter requests in writing to be removed from the list, the voter's registration is canceled or placed on inactive status pursuant to law, or an absentee ballot sent to the voter is returned as undeliverable. (20102060D-E)

HB 239 (Sickles) (Passed House) extends the deadline for a voter to apply for an absentee ballot that is to be cast by mail from the seventh day prior to the election to the eleventh day prior to the election. The bill also adjusts the deadline for applications for multiple elections for uniformed and overseas voters and for emergency applications and absentee ballots for persons incapacitated or hospitalized. (20101270D)

HB 872 (Bourne) (HPE) adds to the list of exceptions to the requirement that first-time voters who registered to vote by mail must vote in person those voters who are entitled under current law to vote by absentee ballot because they are confined while awaiting trial or for having been convicted of a misdemeanor. (20101730D)

State Board of Elections

HB 236 (Sickles) (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 is given to each of the political parties having the highest and next highest number of votes in the Commonwealth at the preceding gubernatorial election, with three Board members being of the party of the Governor. Terms are initially staggered. The bill provides that a Commissioner of Elections, who acts as the principal administrative officer of the Department of Elections, shall be appointed by the Governor. Persons engaging in certain partisan activities, persons related to persons engaging in certain partisan activities, and persons related to members of the State Board are prohibited from serving as the Commissioner of Elections. (20100375D)

HB 539 (Carr) (HPE) requires that the State Board of Elections' supervision of the work of the local electoral boards and general registrars ensure that major risks to election integrity are identified and assessed and addressed as necessary to promote election uniformity, legality, and purity. The bill authorizes the State Board to develop and implement a certification program for general registrars to ensure that the general registrars are sufficiently trained to effectively administer elections. This bill is a recommendation of the Joint Legislative Audit and Review Commission. (20102244D)

Environment and Energy

HB 389 (Miyares) (HAG) establishes the Hurricane and Flooding Risk Reduction and Bond Rating Protection Act of 2020, which establishes the Commonwealth of Virginia as a nonfederal sponsor of hurricane and flooding risk reduction projects. There is also established the Virginia Hurricane and Flood Risk Reduction Authority (the Authority) and a board of directors (the Board) of the Authority. The Board shall exercise for the Governor executive authority over all phases of hurricane and flood risk reduction programs, including investigations, construction, operations, and maintenance. The Authority shall be established to fulfill the directives of the Board. The Authority shall be hosted by a department of the Commonwealth as designated by the Governor. That department shall provide support to the Authority, including budgeting, work facilities, administrative management, logistics, human resources, legal, contracts, and information resources. The Joint Legislative Audit and Review Commission (JLARC) shall consult with Louisiana's Legislative Fiscal Office to assess the increased state and local tax flows in Louisiana that resulted from post-Katrina federal spending, including spending for civil works storm and flooding risk reduction projects. The bill requires JLARC to report to the General Assembly no later than November 1, 2020, on the results of its initial assessment. (20100851D)

HB 520 (Bulova) (Passed House) directs the Department of Environmental Quality (DEQ) to convene a stakeholder advisory group for the purpose of studying the planting or preservation of trees as a land cover type and as a stormwater best management practice (BMP). The bill provides that the stakeholder group shall be composed of development and construction industry representatives, environmental technical experts, local government representatives, and others and that technical assistance shall be provided to DEQ by the Department of Forestry and the Department of Conservation and Recreation. The bill directs DEQ to report the findings of the stakeholder group by November 1, 2020, and to include a recommendation as to whether the planting or preservation of trees shall be deemed a creditable land cover type or BMP and, if so, how much credit shall be given for its optional use. (20106166D-H1)

HB 573 (Keam) (HLC) requires each incumbent electric utility to select for dedication to its community solar development pilot program one or more eligible generating facilities that are located within a low-income community as a condition for the utility's selection for dedication to its program any eligible generating facility that is located outside a low-income community. The bill requires the costs of the selected facilities in low-income communities to equal or exceed the costs of the eligible generating facility that is located outside a low-income community. These requirements apply to facilities selected on or after July 1, 2020. The bill defines a low-income community as a census tract that is designated in 2019 or thereafter as a qualified census

tract for purposes of the Low-Income Housing Tax Credit. Such census tracts are required to have 50 percent of households with incomes below 60 percent of the area median gross income or have a poverty rate of 25 percent or more. (20100585D)

HB 656 (Heretick) (HAG)/**SB 875** (Marsden) (SCL) authorizes a locality to include in its zoning ordinance provisions to incorporate generally accepted national standards for the use of solar panels and battery technologies for solar photovoltaic (electric energy) projects. The bill contains an enactment clause that applies such generally accepted national standards to any such projects in the Commonwealth, notwithstanding any other provision of law, general or special. (20102660D, 20102705D)

HB 751 (Jones) (HAPP)/**SB 320** (Lewis) (SFIN) continues the Virginia Shoreline Resiliency Fund as the Virginia Community Flood Preparedness Fund for the purpose of creating a low-interest loan program to help inland and coastal communities that are subject to recurrent flooding. Moneys from the Fund may be used to mitigate future flood damage, with priority given to projects that implement community-scale mitigation activities or use nature-based solutions. Any locality using moneys from the Fund to provide loans may also forgive the principal of such loans, with the total amount of loans forgiven by all localities not to exceed 30 percent of the total amount appropriated to the Fund in that fiscal year. (20106847D-H1, 20106966D-S1)

HB 882 (Bulova) (Passed House) directs the State Water Control Board to adopt regulations providing reciprocity with only those state, regional, or national certification programs that verify and certify nutrient removal best management practices. (20106106D-H1)

HB 1310 (Webert) (HAG) requires the Department of Environmental Quality to establish a process whereby if private contractors and agencies of the Commonwealth or its contractors that receive a general construction permit from the Department shall be disposing excess non-agricultural fill as part of its work, the contractor or agency shall disclose such fact to all localities where such fill shall be disposed. The disclosure shall include information regarding the source of the material to be disposed, the contents of the material, and the location of the disposal. In addition, all landowners adjacent to the location where the material is to be disposed shall receive the same information. (20104870D)

HB 1352 (Gooditis) (Reported from HAG) prohibits the disposal of solid waste in an unpermitted facility and provides that the presence of unpermitted solid waste on a person's property is prima facie evidence that the person allowed solid waste to be disposed of on his property without a permit. The bill adds open dumps to the types of site that the Department of Environmental Quality is authorized to require to be cleaned up and provides that the party responsible for such cleanup shall include any party who caused the site to become an open dump or caused the improper management of waste at the site. The bill includes technical amendments. (20102922D)

HB 1366 (Hodges) (HAG) directs the Commissioner of Health and the Director of the Department of Environmental Quality to develop a program to remediate septic systems in

recurrently flooded areas of Resource Protection Areas by allowing owners of septic systems located in portions of Resource Protection Areas that are subject to recurrent flooding to add soil over the septic system tank and to the septic system drainfield to improve septic system drainfield absorption and protect the public health and safety. (20104816D)

HB 1609 (Mugler) (HAG) provides that when a publicly owned wastewater treatment works conducts land-disturbing activities in order to construct or expand a facility, it may comply with the water quality requirements associated with such land-disturbing activities by generating and using point source nutrient credits through the operation of its existing treatment facilities. The bill requires the treatment works to notify the Department of Environmental Quality of its plan and to adopt a ratio of 10 point source nitrogen credits for each point source phosphorus credit used. The bill contains technical amendments. (20105450D)

HJ 47 (Sickles) (HRUL) directs the Joint Commission on Technology and Science (JCOTS) to study the safety, quality of life, and economic consequences of weather and climate-related events on coastal areas in Virginia. In conducting its study, JCOTS shall examine (i) the negative impacts of weather, and geological and climate-related events, including displacement, economic loss, and damage to health or infrastructure; (ii) the area or areas and the number of citizens affected by such impacts; (iii) the frequency or probability and the time dimensions, including near-term, medium-term, and long-term probabilities of such impacts; (iv) alternative actions available to remedy or mitigate such impacts and their expected cost; (v) the degree of certainty that each of these impacts and alternative actions may reliably be known; and (vi) the technical resources available, either in state or otherwise, to effect such alternative actions and improve our knowledge of their effectiveness and cost. (20104996D)

SB 769 (Reeves) (SACNR) directs the Department of Environmental Quality (DEQ) to give deference to findings of fact by a presiding officer explicitly based on the evidence presented in any formal proceeding. The bill directs DEQ to include in its case decision the factual and legal basis for any decision that rejects a recommendation from the hearing officer or presiding officer. The bill requires a court hearing any decision on review in which a hearing officer has made a recommendation to DEQ on a factual issue to defer to such recommendation. A violation on account of gross negligence is a Class 1 misdemeanor. The bill also directs a court, hearing any decision on review for a formal proceeding initiated prior to July 1, 2020, in which DEQ rejected a recommendation from a hearing officer or presiding officer and for which a final adjudication has not been rendered, to remand the proceeding to establish the findings of fact by a presiding officer explicitly based on the evidence presented at the hearing and to establish the factual and legal basis for the decision prior to rendering such final adjudication. (20104943D)

Firearms

SB 207 (Petersen) (Passed Senate) removes the requirement that a sworn law-enforcement officer be employed in a full-time capacity at the time of his retirement to purchase his service handgun. (20101711D)

Health and Human Services

SB 501 (Reeves) (SFIN) allows home studies for purposes of adoption or foster care placements to be conducted by any person who has completed the home study training program established by regulations of the Board of Social Services. Under current law, such home studies must be conducted by a local board of social services or licensed child-placing agency. (20103296D)

HB 586 (Guzman) (Reported from HHWI) directs the Commissioner of Health to convene a work group to study the occurrence of perfluorooctanoic acid (PFOA), perfluorooctane sulfonate (PFOS), and other perfluoroalkyl and polyfluoroalkyl substances (PFAS) in the Commonwealth's public drinking water and to develop recommendations for specific maximum contaminant levels for PFOA, PFOS, and other PFAS for inclusion in regulations of the Board of Health applicable to waterworks. (20106820D-H1)

HB 687 (Aird) (HHWI) directs the Department of Health to adopt regulations governing the certification and practice of doulas and to develop and make available on its website a registry of certified doulas. (20102733D)

HB 728 (Hope) (HHWI) directs the Secretaries of Education and Health and Human Resources to establish a work group to study the current process for approval of residential psychiatric services for children and adolescents and requires the work group to report its findings and recommendations to the Chairmen of the House Committee on Appropriations, the Senate Committee on Finance, and the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century by December 1, 2020. (20103288D)

HB 737 (Watts) (HAPP) requires regulations establishing the staffing and care standards in nursing homes to require a minimum number of hours of direct care services to each resident per 24-hour period, which minimum increases in specified phases from 3.5 hours to 4.1 hours. (20102533D)

HB 826 (Carroll Foy) (HHWI) directs the Board of Medical Assistance Services to amend the state plan for medical assistance services to include a provision for the payment of medical assistance for antepartum, intrapartum, and postpartum services provided to a pregnant person by a perinatal birth worker who has education and training in the provision of culturally sensitive care, including services for labor and delivery support and at least four visits during the antenatal period and at least seven visits during the postpartum period. The bill also directs the Department of Medical Assistance Services to conduct a rate study to determine appropriate reimbursement rates for services provided to Medicaid recipients by perinatal birth workers, including doulas and community health workers, and to report its findings to the Governor and the General Assembly by December 1, 2020. (20104932D)

HB 887 (Filler-Corn) (HHWI) provides that the beneficiary of an ABLE savings trust account may appoint a survivor. In the event of the beneficiary's death, the survivor becomes the new beneficiary of the account if he is eligible under federal law to be a beneficiary of an ABLE savings trust account. The bill provides that if the survivor is ineligible, then any proceeds

remaining in the account are distributed to the survivor and the account is closed. Under current law, if the beneficiary of an ABLE savings trust account dies, his state of residence becomes a creditor of the account and may seek payment under federal law for Medicaid benefits provided to the beneficiary while he was alive. The bill prohibits the Commonwealth from seeking estate recovery or payment from the proceeds of the deceased beneficiary's account for benefits provided to him. (20102066D)

HB 1209 (Tran) (HAPP) establishes the Office of New Americans within the Department of Social Services, as well as an advisory board, to assist immigrant integration within the Commonwealth on an economic, social, and cultural level. The Office shall provide (i) advice and assistance regarding the citizenship application process; (ii) assistance with securing employment, housing, and services for which such persons may be eligible; (iii) information to localities and immigration service organizations about state programs that help such persons find and secure employment, housing, and services for which they may be eligible; and (iv) information to localities and immigration service organizations regarding health epidemics and unlawful predatory actions, such as human trafficking, gang recruitment, and fraudulent financial and other schemes, to which communities of such persons may be especially vulnerable. The Advisory Board shall report to the Director of the Office, who will submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the Board no later than the first day of each regular session of the General Assembly. The bill renames the Office of Newcomer Services as the Division of Newcomer Services and establishes the division as a subdivision of the Office of New Americans. (20106907D-H1)

SB 991 (Hashmi) (SRSS) establishes the Office of New Americans within the Department of Social Services, as well as an advisory board, to assist immigrant integration within the Commonwealth on an economic, social, and cultural level. The Office shall provide (i) advice and assistance regarding the citizenship application process; (ii) assistance with securing employment, housing, and services for which such persons may be eligible; (iii) information to localities and immigration service organizations about state programs that help such persons find and secure employment, housing, and services for which they may be eligible; and (iv) information to localities and immigration service organizations regarding health epidemics and unlawful predatory actions, such as human trafficking, gang recruitment, and fraudulent financial and other schemes, to which communities of such persons may be especially vulnerable. The Advisory Board shall report to the Director of the Office, who will submit to the Governor and the General Assembly an annual executive summary of the interim activity and work of the Board no later than the first day of each regular session of the General Assembly. The bill renames the Office of Newcomer Services as the Division of Newcomer Services and establishes the division as a subdivision of the Office of New Americans. (20105427D)

HB 1387 (Leftwich) (HHWI) adds to the list of medical care facilities for which a certificate of public need is required any facility that has common ownership with an affiliated licensed hospital located within 35 miles of the facility and that includes, as part of the facility, a dedicated emergency department as defined in 42 C.F.R. § 489.24(b) that is subject to the requirements of the federal Emergency Medical Treatment and Active Labor Act. (20104028D)

HB 1719 (McQuinn) (HRUL) directs the Commissioner of Health to establish a work group to develop a plan for the licensure of prescribed pediatric extended care centers in the Commonwealth. The work group shall report the plan to the Governor and the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by November 1, 2020. (20105454D)

SB 425 (DeSteph) (SRSS) directs the Board of Social Services (the Board) to promulgate regulations by July 1, 2021, governing audio-visual recording of residents in assisted living facilities and requires the Department of Social Services to convene a workgroup of stakeholders to make recommendations on such regulations. The workgroup shall report its recommendations to the Board and the General Assembly by December 1, 2020. (20102643D)

SB 656 (Boysko) (Passed Senate) provides that a health care provider who has been notified that a person to whom he has provided services is committed to a local or regional correctional facility must disclose to the person in charge of the facility any information necessary and appropriate for the continuity of care of the person committed. The bill also provides protection from civil liability for such health care provider, absent bad faith or malicious intent. (20106615D-S1)

SB 675 (Mason) (Passed Senate) repeals the sunset and contingency expiration of the requirement that the following individuals undergo fingerprint-based national criminal history background checks: (i) applicants for employment by, employees of, applicants to serve as volunteers with, and volunteers with any licensed family day system, child day center exempt from licensure due to its operation by a religious institution, registered family day home, or family day home approved by a family day system; (ii) applicants for licensure as a family day system, registration as a family day home, or approval as a family day home by a family day system, as well as agents of such applicants and any adult living in such family day home; and (iii) individuals who apply for or enter into a contract with the Department of Social Services under which a child day center, family day home, or child day program will provide child care services funded by the Child Care and Development Block Grant Act, as well as the applicant's current or prospective employees and volunteers, agents, and any adult living in the child day center or family day home. (20102501D)

SB 686 (Mason) (SRSS) requires the Board of Social Services to amend its regulations governing assisted living facility individualized service plans to require (i) that individualized service plans be reviewed and updated (a) at least once every 12 months or (b) sooner if modifications to the plan are needed due to a significant change in the resident's condition; and (ii) that any deviation from the individualized service plan (a) be documented in writing or electronically, (b) include a description of the circumstances warranting deviation and the date such deviation will occur, (c) certify that notice of such deviation was provided to the resident or his legal representative, (d) be included in the resident's file, and (e) in the case of deviations that are made due to a significant change in the resident's condition, be signed by an authorized representative of the assisted living facility and the resident or his legal representative. (20104983D)

SB 715 (McClellan) (SFIN) requires the Board of Social Services to provide monthly payments for feminine hygiene products in the amount of \$10 to each female who is at least 10 years of age but not older than 55 years of age and is considered part of the Temporary Assistance for Needy Families (TANF) public assistance unit. The bill also allows such payments to be made to females who are younger than 10 years of age or older than 55 years of age upon written certification by a licensed physician that the female has a need for feminine hygiene products. (20104304D)

SB 937 (Surovell) (SEH) directs the Virginia Community College System (VCCS) to establish and administer a two-year Temporary Assistance for Needy Families (TANF) Scholarship Pilot Program, beginning in 2020, 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. (20105208D)

SB 1033 (Locke) (SRSS) changes the term "juvenile correctional centers and facilities" to "juvenile community correctional centers and facilities." The bill further provides that any juvenile community correctional center established after July 1, 2020, shall (i) be located within a locality in which at least five percent of all juvenile commitments occur statewide, using an average of the rate of commitments of the three most recent consecutive years, and (ii) be designed to confine 30 juveniles or fewer. The bill also states that the Department of Juvenile Justice shall place children at the juvenile community correctional center located closest to their primary residence and within one hour of such residence via motor vehicle and within one and one-half hours of such residence via public transportation. If such placement is not available, the Department shall use an alternative placement that is closest to the juvenile's primary residence, such as a local juvenile detention center. Under current law, the Department may place such children at such facilities as are available. (20104653D)

SB 1034 (Chafin) (SRUL) directs the Department of Education to review and revise the Guidelines for Conducting Functional Behavioral Assessment and Developing Positive Behavior Intervention Supports and Strategies to align with research-based behavior science and best practices for functional behavior analysis. The bill also requires the Department to review and revise the content of the in-depth training provided to local school divisions on conducting functional behavioral analysis and developing quality behavior intervention plans. (20104702D)

Geriatric and Terminally Ill Prisoners

SB 493 (Bell) (Passed Senate) provides that any person serving a sentence imposed upon a conviction for a felony offense, other than a Class 1 felony, who is terminally ill or permanently physically disabled is eligible for consideration by the Parole Board for conditional release. The bill also provides that any person serving such sentence (i) who is 65 years of age or older and has served at least five years of the sentence imposed or (ii) who is 60 years of age or older and

has served at least 10 years of the sentence imposed is eligible for consideration by the Parole Board for conditional release without the need to petition the Parole Board. (20102904D-E)

SB 624 (Spruill) (Reported from SFIN) allows any person serving a sentence imposed upon a conviction for a felony offense, other than a Class 1 felony, who (i) is 55 years of age or older and has served at least 15 years of the sentence imposed or (ii) is 50 years of age or older and has served at least 20 years of the sentence imposed, to petition the Parole Board for conditional release. (20105021D)

Land Use

HB 1655 (Orrock) (HCCT) provides that, in any instance in which a parcel of real estate is (i) located within an undeveloped common area in a subdivision, (ii) located in a subdivision with a homeowners' association that has been previously dissolved, and (iii) tax delinquent, a locality may choose to offer for sale such tax delinquent property in whole or in part to adjacent property owners prior to any public auction of the tax delinquent property. The locality may waive any liens associated with the property in order to facilitate the sale and may further waive payment of any past taxes, penalties, and interest with regard to any new owner. (20104419D)

SB 647 (Boysko) (Passed Senate) provides for the transition of certain existing development approvals when a subject property shifts from one jurisdiction to another due to annexation, boundary adjustment, or other cause. The bill contains a grandfather clause for certain existing provisions. (20103043D)

Public Safety/Criminal Justice

HB 1150 (Lopez) (HCT) removes provisions requiring (i) jail officers to ascertain the citizenship of any inmate taken into custody at a jail, (ii) probation and parole officers to inquire as to the citizenship status of an individual convicted of a felony in circuit court and referred to such officers, and (iii) officers in charge of correctional facilities to inquire as to the citizenship of any person committed to a correctional facility, and therefore such information is not required to be reported to the Central Criminal Records Exchange of the Department of State Police. The bill also removes the mandatory duty of the clerk of a court committing a convicted alien to a correctional facility to furnish related court records to a United States immigration officer and the requirement that an intake officer report to the Bureau of Immigration and Customs Enforcement of the U.S. Department of Homeland Security any juvenile detained on an allegation that the juvenile, believed to be in the United States illegally, committed a violent felony. (20101666D)

Hate Crimes

HB 276 (Sullivan) (Passed House) includes within the definition of "hate crime" a criminal act committed against a person because of sexual orientation or gender identification and requires the reporting of the commission of such crime to the State Police. (20106263D-H1)

SB 179 (Favola) (SFIN) adds gender, disability, gender identity, and sexual orientation to the categories of victims whose intentional selection for a hate crime involving assault, assault and battery, or trespass for the purpose of damaging another's property results in a higher criminal penalty for the offense. The bill also adds gender, disability, gender identity, and sexual orientation to the categories of hate crimes that are to be reported to the central repository of information regarding hate crimes maintained by the Virginia State Police. The bill provides that a person who is subjected to acts of intimidation or harassment, violence directed against his person, or vandalism to his real or personal property, where such acts are motivated by gender, disability, gender identity, or sexual orientation, may bring a civil action to recover his damages. The bill also provides that no provider or user of an interactive computer service on the Internet shall be liable for any action voluntarily taken by it in good faith to restrict access to material that the provider or user considers to be intended to incite hatred on the basis of gender, disability, gender identity, or sexual orientation. (20105706D-S1)

Transportation

HB 465 (Keam) (Passed House) extends from January 1, 2020, to October 1, 2020, the prohibition on offering motorized skateboards or scooters, bicycles, or electric power-assisted bicycles for hire in any locality that has not enacted any licensing ordinance, regulation, or other action regulating such business. The bill clarifies that localities are authorized to create or amend such ordinances, regulations, or actions even after any such business is operating in the locality and exercise authority otherwise authorized by law. The bill contains an emergency clause. (20103293D)

HB 511 (Bulova) (Passed House) authorizes any agency of state government to locate and operate a retail fee-based electric vehicle charging station on property the agency controls. The bill exempts state agencies from being considered a public utility solely because of the sale of electric vehicle charging service or the ownership or operation of an electric vehicle charging station and further exempts such service from constituting the retail sale of electricity. Currently state-operated charging stations may be operated by the Department of Conservation and Recreation, Department of General Services, Department of Motor Vehicles, Department of Transportation, and public institutions of higher education. (20100946D-E)

HB 772 (LaRock) (HTRAN) transfers enforcement and oversight authority of the Virginia Highway Corporation Act of 1988 from the State Corporation Commission to the Department of Transportation. (20101613D)

HB 1560 (Brewer) (HTRAN) directs the Virginia Department of Transportation (the Department), in consultation with the Department of Emergency Management, to develop, maintain, and make publicly available a map of primary evacuation routes in the Commonwealth. The bill requires the Department to review the transportation infrastructure along such routes and submit a report with such findings and any recommended improvements to the General Assembly at least once every five years. (20104515D)

SB 1011 (McDougle) (STRAN) authorizes a resident administrator of the Virginia Department of Transportation to approve modifications to the Department's design standards in certain situations. (20105282D)

HB 1726 (Askew) (HFIN) raises additional revenues for the Hampton Roads Transportation Fund by levying a regional grantors tax and a regional transient occupancy tax, and a tax on transportation network providers of transportation for compensation originating or terminating in a locality in Planning District 23. The bill also the existing regional gas tax to 3.1 percent per gallon of gasoline or diesel fuel and indexes the tax rate annually beginning July 1, 2021. The bill establishes a tax on Transportation Network Providers, with allocation of the revenues to transit across the Commonwealth. The bill provides that the new revenues generated shall be used operate a regional system of inter-jurisdictional, high-frequency bus service in the region. (20105233D)

HJ 73 (Delaney) (HRUL) requests the Commonwealth Transportation Board to study safety, congestion, and tolling concerns on Interstate 66 and to develop and adopt an Interstate 66 Corridor Improvement Plan. (20103256D)

SB 623 (Deeds) (STRAN) authorizes the Department of State Police and local law-enforcement agencies to operate handheld photo speed monitoring devices, defined in the bill, in or around highway work zones for the purpose of recording images of vehicles that are traveling at speeds of at least 12 miles per hour above the posted highway work zone speed limit within such highway work zone when (i) workers are present, (ii) such highway work zone is indicated by conspicuously placed signs displaying the maximum speed limit and the use of such handheld photo speed monitoring device, and (iii) a law-enforcement vehicle is present and displaying blue lights. The bill provides that the operator of a vehicle shall be liable for a monetary civil penalty, not to exceed \$125, if such vehicle is found to be traveling at speeds of at least 12 miles per hour above the posted highway work zone speed limit by the handheld photo speed monitoring device, but that the violation shall not be reported on the driver's operating record or to the driver's insurance agency. (20103306D)

SB 1021 (Cosgrove) (STRAN) declares that the Kings Highway Bridge, located in the City of Suffolk, is eligible for state of good repair funds. The bill also directs the Commonwealth Transportation Board, the City of Suffolk, and members of the House of Delegates and Senate of Virginia representing the City of Suffolk to work together to identify potential funding sources for the replacement of the bridge. (20105379D)

Reckless Driving

HB 885 (Sickles) (HCT) raises the threshold for per se reckless driving for speeding from driving in excess of 80 miles per hour to driving in excess of 85 miles per hour if the applicable speed limit is in excess of 65 miles per hour. The threshold for per se reckless driving for speeding for driving at or more than 20 miles per hour in excess of the speed limit remains unchanged. (20106070D-H1)

Board of Supervisors

February 11, 2020

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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
Jill G. Cooper, Clerk to the Board
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SUPPLEMENTARY DOCUMENTS
GENERAL ASSEMBLY STATUS REPORT NO. 2
February 11, 2020

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**FAIRFAX COUNTY
LEGISLATIVE SUMMARY**

2020 GENERAL ASSEMBLY

February 8, 2020

Fairfax County Legislative Summary 2020 General Assembly

Board of Supervisors Report Key

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

Bold = Board Position, **[]** = BOS Legislative Committee Position, *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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<u>SB 193</u> Favola, B	Single-use plastic and expanded polystyrene products; local prohibition, local tax.
<u>SB 198</u> Locke, M	Disposable plastic shopping bags; local option.
<u>SB 475</u> Bell, J	Virginia Public Procurement Act; use of best value contracting.
<u>SB 484</u> Favola, B	Local taxing authority; equalizes city and county taxing authorities.
<u>SB 532</u> Edwards, J	Third-party power purchase agreements; regulation of retail sales of electricity under agreements.
<u>SB 581</u> Howell, J	Minors; allowing access to firearms, Class 6 felony.
<u>SB 638</u> Surovell, S	Affordable housing; location near Metrorail station.
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Fairfax County Initiatives

Bills Introduced at Fairfax County's Request

Bills	General Assembly Actions	Date of BOS Position
SB 651 - Boysko (33) Fairfax County; policemen's pension and retirement board.	1/7/2020 Senate: Referred to Committee on Finance and Appropriations (SFIN) 1/28/2020 Senate: Reported from SFIN (16-Y 0-N) 1/31/2020 Senate: Read third time and passed Senate (40-Y 0-N)	1/28/2020
Initiate (20104013D) Summary: Increases from seven to eight the number of members on the policemen's pension and retirement board created in a county that has adopted the urban county executive form of government (Fairfax County) and increases from two to three the number of members of such board who shall be members of such retirement system and employed by the county police department as sworn police officers and who have been elected by the members of the retirement system who are employed by the police department as sworn police officers.		
SB 652 - Boysko (33) Fairfax County; policemen's retirement system.	1/7/2020 Senate: Referred to Committee on Finance and Appropriations (SFIN) 1/28/2020 Senate: Reported from SFIN (16-Y 0-N) 1/31/2020 Senate: Read third time and passed Senate (40-Y 0-N)	1/28/2020
Initiate (20104020D) Summary: Authorizes any person who has been a member of another county retirement system and who withdraws therefrom and becomes a member of the policemen's retirement system established by a county that has adopted the urban county executive form of government (Fairfax County) to purchase membership service credit for service rendered while a member of such other county retirement system by paying into the policemen's retirement system all contributions that would have been due from the person had the person been a member of the policemen's retirement system for each of the years for which membership service credit is sought. The bill contains technical amendments.		
SB 868 - Ebbin (30) Discrimination; prohibited in public accommodations, etc., causes of action.	1/8/2020 Senate: Referred to Committee on General Laws and Technology (SGL) 1/29/2020 Senate: Incorporates SB 66 (McClellan) 1/29/2020 Senate: Incorporates SB 159 (Boysko) 1/29/2020 Senate: Reported from SGL with substitute (12-Y 0-N 2-A) 2/6/2020 Senate: Read third time and passed Senate (30-Y 9-N)	1/28/2020
Initiate (20104737D) Summary: Prohibited discrimination; public accommodations, employment, credit, and housing: causes of action; sexual orientation and gender identity. Creates explicit causes of action for unlawful discrimination in public accommodations and employment in the Virginia Human Rights Act. Currently, under the Act there is no cause of action for discrimination in public accommodations, and the only causes of action for discrimination in employment are for (i) unlawful discharge on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, including lactation, by employers employing more than five but fewer than 15 persons and (ii) unlawful discharge on the basis of age by employers employing more than five but fewer than 20 persons. The bill allows the causes of action to be pursued privately by the aggrieved person or, in certain circumstances, by the Attorney General. The bill prohibits discrimination in public and private employment and credit on the basis of sexual orientation or gender identity. The bill also codifies for state and local government employment the current prohibitions on discrimination in employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran. Additionally, the bill prohibits discrimination in public accommodations on the basis of sexual orientation, gender identity, or status as a veteran and adds discrimination on the basis of an individual's sexual orientation, gender identity, pregnancy, childbirth or related medical conditions, marital status, or status as a veteran as an unlawful housing practice. The bill makes technical amendments.		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Fairfax County Positions

(Oppose or Amend)

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 151</u> - Samirah (86) Accessory dwelling units; development and use.	12/18/2019 House: Referred to Committee on Counties, Cities and Towns 1/23/2020 House: Subcommittee recommends laying on the table (6-Y 1-N)	1/28/2020
Oppose (20104473D) Summary: Development and use of accessory dwelling units. Provides that all localities shall allow for the development and use of one accessory dwelling unit (ADU) per single-family dwelling (SFD), notwithstanding any contrary provision of a zoning ordinance. The bill defines "accessory dwelling unit" or "ADU" as an independent dwelling unit on a single-family lot with its own living, bathroom, and kitchen space that may be within or attached to SFDs or in detached structures on lots containing SFDs. ADUs may include basements, attics, flats, guest houses, cottages, and converted structures such as garages and sheds. The bill requires localities to regulate the size and design of ADUs through an approval process, as well as regulate fees, parking, and other requirements, provided that the regulations (i) are not so arbitrary, excessive, or burdensome, individually or cumulatively, as to unreasonably restrict the ability of property owners to utilize or create ADUs and (ii) do not require the property owner to occupy the ADU or SFD as his primary residence.		
<u>HB 152</u> - Samirah (86) Single-family residential use; middle housing allowed on lots zoned for units.	12/18/2019 House: Referred to Committee on Counties, Cities and Towns 1/23/2020 House: Subcommittee recommends laying on the table (6-Y 0-N)	1/28/2020
Oppose (20104474D) Summary: Middle housing allowed on lots zoned for single-family use. Requires all localities to allow development or redevelopment of "middle housing" residential units upon each lot zoned for single-family residential use. Middle housing is defined as two-family residential units, including duplexes, townhouses, cottages, and any similar structure. Such structures shall not require a special use permit or be subjected to any other local requirements beyond those imposed upon other authorized residential uses. Localities may regulate the siting, design, and environmental standards of middle housing residential units, including setback requirements, provided that the regulations do not, individually or cumulatively, discourage the development of all two-family housing types permitted through unreasonable costs or delay.		
<u>HB 302</u> - McNamara (8) Litter tax; repeals annual tax.	12/31/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/15/2020 House: Referred from Agriculture, Chesapeake and Natural Resources by voice vote 1/15/2020 House: Referred to Committee on Finance 1/31/2020 House: Subcommittee recommends laying on the table (7-Y 1-N)	1/28/2020
Oppose (20101216D) Summary: Litter tax. Repeals the annual litter tax. The bill does not affect any litter tax levied prior to July 1, 2020.		

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 364</u> – Cole, M. (88) Statewide prioritization process; project selection.	1/2/2020 House: Referred to Committee on Transportation	1/28/2020
<p>Oppose (20103873D) - See also HB 620 (Cole, J.).</p> <p>Summary: Requires the Commonwealth Transportation Board, when evaluating projects under the statewide prioritization process known as SMART SCALE, to evaluate (i) congestion mitigation on the basis of total traffic volumes, not just traffic volumes during weekdays, and (ii) accessibility on the basis of the area of influence of a project for a radius of 55 miles.</p>		
<u>HB 381</u> – Cole, M. (88) Redistricting; Virginia Redistricting Commission, local redistricting commissions.	1/2/2020 House: Referred to Committee on Privileges and Elections	[1/31/2020]
<p>[Amend] (20100230D) - Amend to remove provisions pertaining to the local redistricting commission.</p> <p>Summary: Redistricting; Virginia Redistricting Commission; local redistricting commissions. Establishes the Virginia Redistricting Commission (the Commission) pursuant to Article II, Sections 6 and 6-A of the Constitution of Virginia. The Commission, tasked with establishing districts for the United States House of Representatives and for the Senate and the House of Delegates of the General Assembly, will consist of eight legislative commissioners and eight citizen commissioners. The legislative commissioners consist of four members of the Senate of Virginia and four members of the House of Delegates, with equal representation given to the political parties having the highest and next highest number of members in their respective houses. The citizen commissioners are chosen by a selection committee consisting of five retired judges of the circuit courts of Virginia, from lists submitted to the selection committee by the Speaker of the House of Delegates, the leader in the House of Delegates of the political party having the next highest number of members in the House of Delegates, the President pro tempore of the Senate of Virginia, and the leader in the Senate of the political party having the next highest number of members in the Senate. The bill contains eligibility requirements for the citizen commissioners, including restrictions on holding or having held partisan national or state public office. As part of the application process for service on the Commission, the Division of Legislative Services acts as a repository for applications submitted by interested persons and is tasked with screening out applicants who are ineligible or submit incomplete applications. The applications of the citizen candidates selected by political leadership and submitted for consideration to the selection committee are public records.</p>		
<u>HB 508</u> - Willett (73) Animal care; cruelty, dangerous dogs.	1/4/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/29/2020 House: Subcommittee recommends striking from docket (8-Y 0-N)	1/28/2020
<p>Oppose (20103962D)</p> <p>Summary: Animal care; cruelty; dangerous dogs. Extensively reorganizes, clarifies, and makes substantive changes to provisions related to dangerous dogs. Substantive changes include (i) requiring a law-enforcement</p>		

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Bills	General Assembly Actions	Date of BOS Position
officer or animal control officer who has reason to believe that a dog within his jurisdiction is a dangerous dog to apply for a district court summons, a requirement that is discretionary under current law; (ii) a prohibition on disposing of a dog prior to a dangerous dog adjudication; (iii) additional requirements for owners during and after a dangerous dog adjudication, including notice upon transfer, signage, fencing, muzzling, and registration; (iv) court discretion on prohibiting ownership of or residence with a dog following a dangerous dog adjudication; and (v) additional recordkeeping for officers in certain situations.		
<u>HB 619</u> – Cole, J. (28) Commonwealth Mass Transit Fund; allocation to Fredericksburg Regional Transit.	1/6/2020 House: Referred to Committee on Transportation 1/30/2020 House: Subcommittee recommends striking from docket (10-Y 0-N)	1/28/2020
Oppose (20101564D) Summary: Requires that a minimum of \$1 million annually be allocated to Fredericksburg Regional Transit from the Commonwealth Mass Transit Fund. The funding is contingent on localities served by Fredericksburg Regional Transit continuing to support Fredericksburg Regional Transit by at least the amount of funding provided in the fiscal year beginning July 1, 2019.		
<u>HB 620</u> – Cole, J. (28) Statewide prioritization process; project selection.	1/6/2020 House: Referred to Committee on Transportation 1/23/2020 House: Subcommittee recommends incorporating (HB 364-Cole, M.) by voice vote	1/28/2020
Oppose (20103914D) - See also HB 364 (Cole, M.). Summary: Requires the Commonwealth Transportation Board, when evaluating projects under the statewide prioritization process known as SMART SCALE, to evaluate (i) congestion mitigation on the basis of total traffic volumes, not just traffic volumes during weekdays, and (ii) accessibility on the basis of the area of influence of a project for a radius of 55 miles.		
<u>HB 636</u> - LaRock (33) Town residents; provision of county services.	1/6/2020 House: Referred to Committee on Counties, Cities and Towns 2/6/2020 House: Subcommittee recommends laying on the table (5-Y 1-N)	1/28/2020
Oppose (20100847D) Summary: Provision of county services to town residents. Requires a county to provide the same and equal services to residents of incorporated towns within the county as are provided to other residents of the county. However, if the local governing body of a town adopts a resolution that provides that the town shall provide a specific service and sends a copy of the resolution to the local governing body of the county, a county shall not be required to provide that service to town residents.		

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 657</u> - Heretick (79) Comprehensive plan; solar facilities review.	1/6/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/15/2020 House: Referred from Agriculture, Chesapeake and Natural Resources by voice vote 1/15/2020 House: Referred to Committee on Labor and Commerce 1/30/2020 House: Subcommittee recommends reporting with substitute (10-Y 0-N) 2/4/2020 House: Reported from Labor and Commerce with substitute (18-Y 4-N) 2/7/2020 House: Read third time and passed House (59-Y 41-N)	1/28/2020
Oppose (20102662D) - See also SB 893 (Marsden). Summary: Exempts a solar facility that is 150 megawatts or less from the requirement that it be reviewed for substantial accord with a locality's comprehensive plan.		
<u>HB 662</u> - Mullin (93) Local grievance procedure; incorporates certain provisions.	1/6/2020 House: Referred to Committee on Counties, Cities and Towns	1/28/2020
Oppose (20101301D) Summary: Local grievance procedure. Incorporates into the local grievance procedure certain provisions in the state grievance procedure related to appeal of final decisions to the circuit court.		
<u>HB 677</u> - LaRock (33) Interstate 66; reverse tolling, toll revenue on Interstate 66 and Interstate 395.	1/6/2020 House: Referred to Committee on Transportation 1/23/2020 House: Subcommittee recommends passing by indefinitely (10-Y 0-N)	1/28/2020
Oppose (20102275D) Summary: Reverse tolling on Interstate 66; toll revenue on Interstate 66 and Interstate 395. Requires the Department of Transportation, upon completion of the Interstate 66 widening project, to activate reverse tolling on Interstate 66. The bill requires all such tolls and all toll revenue collected on Interstate 66 inside the beltway and the high-occupancy toll lanes on Interstate 395 to be directed to the Northern Virginia Transportation Authority.		
<u>HB 679</u> - LaRock (33) Real and personal property tax exemptions; repeals exemptions.	1/6/2020 House: Referred to Committee on Finance 1/27/2020 House: Subcommittee recommends laying on the table (10-Y 0-N)	1/28/2020
Oppose (20102616D) Summary: Real and personal property tax exemptions. Repeals the property tax exemptions for all nonprofit entities that were granted by the General Assembly by designation, effective July 1, 2025. Any locality may grant property tax exemptions to any such organizations to become effective on or after that date.		

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 869</u> - Bourne (71) Public defender; supplementing compensation.	1/7/2020 House: Referred to Committee for Courts of Justice 2/3/2020 House: Subcommittee recommends reporting with amendments (4-Y 3-N) 2/5/2020 House: Reported from Courts of Justice with amendments (12-Y 10-N)	1/28/2020
Oppose (20100539D) - Funding court personnel is a critical state responsibility. Summary: Supplementing compensation of public defender. Requires the governing body of any county or city that elects to supplement the compensation of the attorney for the Commonwealth, or any of their deputies or employees, above the salary of any such officer, deputy, or employee, to supplement the compensation of the public defender, or any of his deputies or employees, in the same amount as the supplement to the compensation of the attorney for the Commonwealth, or any of his deputies or employees.		
<u>HB 948</u> - Webert (18) License taxes; prohibition on rate increases, prohibition on new taxes.	1/7/2020 House: Referred to Committee on Finance 1/20/2020 House: Subcommittee recommends laying on the table (8-Y 0-N)	1/28/2020
Oppose (20104260D) Summary: License taxes; prohibition on rate increases; prohibition on new taxes. Provides that any locality that levies license taxes shall be prohibited from increasing the rate of those taxes above the rate imposed as of January 1, 2020. The bill also prohibits any locality that does not levy license taxes from levying such a tax in the future.		
<u>HB 1147</u> - Keam (35) Epinephrine; certain public places may make available for administration.	1/7/2020 House: Referred to Committee for Courts of Justice 1/22/2020 House: Referred from Courts of Justice by voice vote 1/22/2020 House: Referred to Committee on Health, Welfare and Institutions 1/29/2020 House: Subcommittee recommends reporting with amendment (5-Y 0-N) 2/4/2020 House: Reported from Health, Welfare and Institutions with amendment (22-Y 0-N) 2/7/2020 House: Read third time and passed House BLOCK VOTE (100-Y 0-N)	1/28/2020
Oppose (20103677D) Summary: Epinephrine required in certain public places. Requires public places to make epinephrine available for administration. The bill allows employees of such public places who are authorized by a prescriber and trained in the administration of epinephrine to possess and administer epinephrine to a person present in such public place believed in good faith to be having an anaphylactic reaction. The bill also provides that an employee of such public place who is authorized by a prescriber and trained in the administration of epinephrine and who administers or assists in the administration of epinephrine to a person present in the public place believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.		

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Bills	General Assembly Actions	Date of BOS Position
HB 1170 - Poindexter (9) Regional electric utility programs; participation by Commonwealth.	1/7/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/5/2020 House: Subcommittee recommends laying on the table (5-Y 3-N)	1/28/2020
Oppose (20103356D) Summary: Regional electric utility or transportation sector emissions programs; participation by Commonwealth. Prohibits the Governor or any state agency or political subdivision from adopting any regulation, rule, or guidance document that establishes or authorizes the Commonwealth to join or participate in a regional program addressing emissions from the electric utility sector or transportation sector unless the program requires that all of the proceeds from the sale of emissions allowances be returned to customers in the Commonwealth.		
HB 1174 - Lopez (49) Inhaled asthma medications; school nurse, etc., may administer to a student.	1/7/2020 House: Referred to Committee on Education 1/27/2020 House: Subcommittee recommends reporting with substitute (5-Y 0-N) 1/29/2020 House: Reported from Education with substitute (22-Y 0-N) 2/4/2020 House: Read third time and passed House (99-Y 0-N) 2/5/2020 Senate: Referred to Committee on Education and Health	1/28/2020
Oppose (20103635D) Summary: Professional use by practitioners; administration of inhaled asthma medication. Provides that a prescriber may authorize pursuant to a written order or standing protocol issued within the course of the prescriber's professional practice, and with the consent of the student's parents, an employee of (i) a school board, (ii) a school for students with disabilities, or (iii) an accredited private school who is trained in the administration or supervision of self-administered inhaled asthma medications to administer or supervise the self-administration of such medication to a student diagnosed with a condition requiring inhaled asthma medications when the student is believed to be experiencing or about to experience an asthmatic crisis. The bill provides that such authorization shall be effective only when a licensed nurse, nurse practitioner, physician, or physician assistant is not present to perform the administration of the medication.		
HB 1192 - Lopez (49) Hazardous Substance Aboveground Storage Tank Fund; created.	1/7/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/22/2020 House: Referred from Agriculture, Chesapeake and Natural Resources by voice vote 1/22/2020 House: Referred to Committee for Courts of Justice 2/6/2020 House: Subcommittee recommends continuing to 2021 by voice vote 2/7/2020 House: Continued to 2021 in Courts of Justice by voice vote	[1/31/2020]
[Oppose] (20105199D) - See also SB 626 (Surovell). Summary: Aboveground storage tanks; Hazardous Substance Aboveground Storage Tank Fund; civil and criminal penalties. Directs the State Water Control Board to regulate aboveground storage tanks that measure		

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Bills	General Assembly Actions	Date of BOS Position
<p>more than 1,320 gallons in capacity and are used to contain hazardous substances other than oil. The bill directs the Board to adopt regulations that establish requirements for registration, certification, and inspection, and other requirements of tank owners, and that establish a schedule of fees. The bill authorizes the Board to undertake corrective action, or to require the owner to undertake corrective action, in the event of a discharge of a hazardous substance. The bill requires tank owners to register their tanks, pay certain registration fees, develop release response plans, upgrade certain older tanks, install containment infrastructure for certain aboveground storage tanks, notify certain parties in the event of a release of a regulated substance, and demonstrate their financial responsibility. The bill also creates the Hazardous Substance Aboveground Storage Tank Fund for the administration of the bill and provides for civil and criminal penalties for violations of requirements of the bill, with the moneys received to be deposited into the existing Virginia Environmental Emergency Response Fund.</p>		
<p>HB 1204 - Tran (42) Fall cankerworm; spraying prohibited except through opt-in program.</p>	<p>1/7/2020 House: Referred to Committee on Counties, Cities and Towns 1/30/2020 House: Subcommittee recommends reporting (3-Y 2-N) 2/7/2020 House: Failed to report (defeated) in Counties, Cities and Towns (9-Y 11-N)</p>	<p>1/28/2020</p>
<p>Oppose (20103495D) Summary: Prohibits localities from spraying pesticides intended to suppress an infestation of the fall cankerworm on any property unless the owner of the property requests such spraying through an opt-in program operated by the locality.</p>		
<p>HB 1308 - Walker (23) Stormwater management; grandfathered land-disturbing activities.</p>	<p>1/8/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/3/2020 House: Subcommittee recommends laying on the table (6-Y 2-N)</p>	<p>1/28/2020</p>
<p>Oppose (20104024D) - Board has historically opposed. Summary: Authorizes any land-disturbing activity that was eligible to take place pursuant to technical criteria that were adopted by the State Water Control Board prior to July 1, 2014, to be governed by such criteria until July 1, 2024. Current regulations grandfathered such activities until July 1, 2019.</p>		
<p>HB 1389 - LaRock (33) Transportation funds; use of funds for projects.</p>	<p>1/8/2020 House: Referred to Committee on Transportation 1/28/2020 House: Subcommittee recommends striking from docket (8-Y 0-N)</p>	<p>1/28/2020</p>
<p>Oppose (20104309D) Summary: Use of transportation funds in the Commonwealth. Requires affirmative authorization by the General Assembly in an appropriation act for any funds in the Commonwealth, including local and regional funds and toll revenues, to be used for a transportation project physically located outside of the Commonwealth.</p>		

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Bills	General Assembly Actions	Date of BOS Position
HB 1699 - Aird (63) Temporary detention; DBHDS to study who may evaluate.	1/17/2020 House: Referred to Committee on Rules 2/3/2020 House: Subcommittee recommends reporting with substitute (5-Y 0-N) 2/7/2020 House: Reported from Rules with substitute (17-Y 0-N)	1/28/2020
Amend (20106028D) - Amend to include input from local CSB practitioners and analysis of processes used in other states. See also SB 768 (Barker). Summary: DBHDS; work group to study expanding the category of individuals who may conduct evaluations for temporary detention; report.		
HJ 57 - Subramanyam (87) Route 50; Department of Transportation to study traffic congestion.	1/6/2020 House: Referred to Committee on Rules 2/3/2020 House: Subcommittee recommends laying on the table (5-Y 0-N)	1/28/2020
Amend (20103600D) - Amend to provide local input and include transit in study. Summary: Study; Department of Transportation; U.S. Route 50; report. Requests that the Department of Transportation study traffic congestion on that portion of U.S. Route 50 between the intersections of Interstate 66 in Fairfax County and U.S. Route 15 in Loudoun County and the feasibility of implementing improvements to such portion of the highway.		
SB 485 - DeSteph (8) Eminent domain; remnants and remainders.	1/7/2020 Senate: Referred to Committee on the Judiciary 1/29/2020 Senate: Reported from Judiciary with substitute (15-Y 0-N) 1/29/2020 Senate: Re-referred to Finance and Appropriations 2/5/2020 Senate: Reported from Finance and Appropriations (15-Y 0-N) 2/7/2020 Senate: Passed Senate (39-Y 0-N)	1/28/2020
Oppose (20104245D) Summary: Repeals the provision of the Code of Virginia declaring that the acquisition of residual parcels when acquiring land for highway rights-of-way is in the public interest and is a public use. The bill provides a property owner with the ability to decide whether acquisition would create an uneconomic remnant or whether the damage to the remainder of a piece of acquired property would equal or exceed the fair market value of the remaining land.		
SB 768 - Barker (39) Temporary detention; DBHDS shall study who may evaluate.	1/8/2020 Senate: Referred to Committee on Rules 1/31/2020 Senate: Reported from Rules with substitute (15-Y 0-N) 2/5/2020 Senate: Read third time and passed Senate (40-Y 0-N)	1/28/2020
Amend (20103578D) - Amend to include input from local CSB practitioners and analysis of processes used in other states. See also HB 1699 (Aird). Summary: DBHDS; work group to study expanding the category of individuals who may conduct evaluations for temporary detention; report. Directs the Commissioner of the Department of Behavioral Health and		

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Bills	General Assembly Actions	Date of BOS Position
<p>Developmental Services to establish a work group to (i) review the current process for conducting evaluations of persons who are subject to emergency custody orders to determine whether they meet the criteria for temporary detention, including any challenges or barriers to timely completion of such evaluations and factors giving rise to delays in completion of such evaluations, and (ii) develop a comprehensive plan to expand the categories of individuals who may conduct evaluations of persons who are subject to emergency custody orders to determine whether they meet the criteria for temporary detention in order to expedite the evaluation process. The work group shall report its findings and conclusions and the comprehensive plan to the Governor and the Chairmen of the House Committee on Health, Welfare, and Institutions, Senate Committee on Education and Health, and Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century by December 1, 2020.</p>		
<p><u>SB 977</u> - Suetterlein (19) Local governing body meetings; public comment.</p>	<p>1/15/2020 Senate: Referred to Committee on Local Government 1/20/2020 Senate: Reported from Local Government (15-Y 0-N) 1/23/2020 Senate: Read third time and passed Senate (40-Y 0-N)</p>	<p>1/28/2020</p>
<p>Oppose (20105104D) Summary: Requires a governing body to provide members of the general public with the opportunity for public comment during at least half of the regular meetings held each fiscal year.</p>		
<p><u>SB 1007</u> - Reeves (17) Stormwater management; inspections.</p>	<p>1/16/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/4/2020 Senate: Reported from Agriculture, Conservation and Natural Resources with amendments (13-Y 2-N)</p>	<p>[1/31/2020]</p>
<p>[Oppose] (20105334D) Summary: Directs the Water Control Board to adopt regulations that require that a long-term maintenance agreement for any best management practice that is a wet pond provide for inspections no more frequently than every five years.</p>		

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Fairfax County Positions

(Support)

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1</u> - Herring (46) Absentee voting; no excuse required.</p>	<p>11/18/2019 House: Referred to Committee on Privileges and Elections 1/21/2020 House: Subcommittee recommends reporting with substitute (4-Y 2-N) 1/24/2020 House: Incorporates HB 25 (Lindsey) 1/24/2020 House: Incorporates HB 208 (Murphy) 1/24/2020 House: Incorporates HB 209 (Murphy) 1/24/2020 House: Reported from Privileges and Elections with substitute (14-Y 8-N) 1/30/2020 House: Read third time and passed House (65-Y 35-N) 1/31/2020 Senate: Referred to Committee on Privileges and Elections</p>	<p>1/28/2020</p>
<p>Support (20101095D) - Collaborate with stakeholders to ensure bill can be successfully implemented. See also HB 25 (Lindsey) and HB 209 (Murphy). Summary: Permits any registered voter to vote by absentee ballot in any election in which he is qualified to vote. The bill removes the current list of statutory reasons under which a person may be entitled to vote by absentee ballot and removes references to those reasons from other sections of the Code.</p>		
<p><u>HB 2</u> - Plum (36) Firearm transfers; criminal history record information checks, penalty.</p>	<p>11/18/2019 House: Referred to Committee on Public Safety 1/24/2020 House: Incorporates HB 355 (Kory) 1/24/2020 House: Reported from Public Safety with substitute (13-Y 9-N) 1/30/2020 House: Read third time and passed House (54-Y 46-N) 1/31/2020 Senate: Referred to Committee on the Judiciary</p>	<p>1/28/2020</p>
<p>Support (20101194D) Summary: Firearm transfers; criminal history record information checks; penalty. Requires a background check for any firearm transfer and directs the Department of State Police (the Department) to establish a process for transferors to obtain such a check from licensed firearms dealers. A transferor who sells a firearm to another person without obtaining the required background check is guilty of a Class 6 felony. The bill also provides that a transferee who receives a firearm from another person without obtaining the required background check is guilty of a Class 1 misdemeanor. The bill exempts transfers (i) between immediate family members; (ii) that occur by operation of law; (iii) by the executor or administrator of an estate or by the trustee of a testamentary trust; (iv) at firearms shows in accordance with law; (v) that are part of a buy-back or give-back program; (vi) of antique firearms; (vii) that occur at a shooting range, shooting gallery, or any other area designed for the purpose of target shooting, for use during target practice, a firearms safety or training course or class, a shooting competition, or any similar lawful activity; or (viii) that are temporary transfers that (a) occur within the continuous presence of the owner of the firearm or (b) are necessary to prevent imminent death or great bodily harm. The bill removes the provision that makes background checks of prospective purchasers or transferees at firearms shows voluntary. The bill also provides that the Department shall have three business days to complete a criminal history record information check before a firearm may be transferred. The bill establishes an appropriation for the fiscal impact of the bill and authorizes the Director of the Department of Planning and Budget to allocate such appropriation among the agencies and programs impacted by the bill.</p>		

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Bills	General Assembly Actions	Date of BOS Position
HB 6 - Bourne (71) Virginia Fair Housing Law; unlawful discriminatory housing practices.	11/18/2019 House: Referred to Committee on General Laws 1/30/2020 House: Subcommittee recommends reporting with substitute (5-Y 2-N) 2/4/2020 House: Incorporates HB 357 (Lopez) 2/4/2020 House: Reported from General Laws with substitute (14-Y 8-N) 2/7/2020 House: Read third time and passed House (61-Y 37-N)	1/28/2020
Support (20100177D) - 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.		
HB 16 - Krizek (44) Safety belt system; all occupants of motor vehicles to utilize.	11/19/2019 House: Referred to Committee on Transportation 1/27/2020 House: Subcommittee recommends incorporating (HB 1414-Filler-Corn) by voice vote	1/28/2020
Support (20100628D) Summary: Safety belt system use in motor vehicles. Requires all occupants of motor vehicles to utilize a safety belt system. Current law requires the use of safety belts only by (i) occupants under the age of 18, (ii) drivers, and (iii) passengers 18 years of age or older occupying the front seat. The bill changes a violation of safety belt system requirements by a person occupying a front seat from a secondary offense to a primary offense. This bill was incorporated into HB 1414.		
HB 22 - Lindsey (90) Virginia Shoreline Resiliency Fund; grant program.	11/19/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/3/2020 House: Subcommittee recommends reporting (7-Y 0-N) 2/3/2020 House: Subcommittee recommends referring to Committee on Appropriations 2/5/2020 House: Reported from Agriculture, Chesapeake and Natural Resources (21-Y 0-N) 2/5/2020 House: Referred to Committee on Appropriations 2/7/2020 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 2/7/2020 House: Reported from Appropriations with substitute (22-Y 0-N)	1/28/2020
Support (20100479D) - See also HB 382 (Convirs-Fowler). Summary: Changes the Virginia Shoreline Resiliency Fund (the Fund) from a lending program to a grant program. The bill directs the Fund to grant money to localities to enable them to offer cost-sharing programs to help residents and businesses that are subject to recurrent flooding.		

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Bills	General Assembly Actions	Date of BOS Position
HB 57 - Fowler, Jr. (55) Elections; date of June primary election.	12/2/2019 House: Referred to Committee on Privileges and Elections 1/22/2020 House: Subcommittee recommends reporting (5-Y 1-N) 1/24/2020 House: Reported from Privileges and Elections (19-Y 2-N) 1/30/2020 House: Read third time and passed House (90-Y 10-N) 1/31/2020 Senate: Referred to Committee on Privileges and Elections	1/28/2020
Support (20101716D) - Board has historically supported. See also SB 316 (Kiggans). Summary: Changes the date of the primary election held in June from the second Tuesday in June to the third Tuesday in June. The bill also changes candidate filing deadlines to reflect the change of date.		
HB 110 - Ware (65) Regional Greenhouse Gas Initiative; trading allowance reserve account, etc.	12/13/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/22/2020 House: Referred from Agriculture, Chesapeake and Natural Resources by voice vote 1/22/2020 House: Referred to Committee on Labor and Commerce	[1/31/2020]
[Support] (20101945D) Summary: Regional Greenhouse Gas Initiative; trading allowance reserve account; facilities with long-term contracts. Provides that if the Commonwealth becomes a participant in the Regional Greenhouse Gas Initiative or another carbon dioxide cap and trade program with an open auction of allowances, the Department of Environmental Quality shall establish an allowance reserve account for any electric generation facility that operates according to a long-term contract that was executed prior to May 16, 2017, and prohibits the recovery of allowance costs. The bill provides that such a facility shall be allocated free allowances from the reserve account sufficient to cover its annual compliance obligation for the duration of the long-term contract.		
HB 173 - Krizek (44) Waterfowl blinds; blinds in locality where certain hunting prohibited.	12/26/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/20/2020 House: Subcommittee recommends reporting with substitute (5-Y 3-N) 1/22/2020 House: Reported from Agriculture, Chesapeake and Natural Resources with substitute (13-Y 9-N) 1/28/2020 House: Read third time and passed House (60-Y 36-N 1-A) 1/29/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources	1/28/2020
Support (20100497D) Summary: Waterfowl blinds in locality where certain hunting prohibited. Directs the Department of Game and Inland Fisheries not to license any stationary waterfowl blind in any area in which a local governing body prohibits by ordinance the hunting of birds with a firearm.		

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 201</u> - Ayala (51) Elections; same-day registration, in-person absentee and election day voting, effective clause.	12/27/2019 House: Referred to Committee on Privileges and Elections 1/28/2020 House: Subcommittee recommends reporting with substitute (4-Y 2-N) 1/28/2020 House: Subcommittee recommends referring to Committee on Appropriations 1/31/2020 House: Incorporates HB 187 (Simon) 1/31/2020 House: Reported from Privileges and Elections with substitute (13-Y 9-N) 1/31/2020 House: Referred to Committee on Appropriations 2/4/2020 House: Subcommittee recommends reporting (3-Y 2-N) 2/5/2020 House: Reported from Appropriations (12-Y 9-N)	[1/31/2020]
<p>[Support] (20106843D) - Support with adequate state funding for implementation.</p> <p>Summary: Provides that any person who is qualified to register to vote shall be entitled to register in person up to and including the day of the election at the office of the general registrar in the locality in which such person resides or at the polling place for the precinct in which such person resides. This bill has a delayed effective date of October 1, 2022.</p>		
<u>HB 275</u> - Sullivan, Jr. (48) Judges; increases maximum number in judicial district.	12/30/2019 House: Referred to Committee for Courts of Justice 1/15/2020 House: Subcommittee recommends reporting (7-Y 1-N) 1/22/2020 House: Reported from Courts of Justice (20-Y 2-N) 1/28/2020 House: Read third time and passed House (87-Y 11-N) 1/29/2020 Senate: Referred to Committee on the Judiciary	1/28/2020
<p>Support (20103853D) - Board has historically supported. See also SB 209 (Petersen).</p> <p>Summary: Maximum number of judges in each judicial district. Increases from 11 to 12 the maximum number of authorized general district court judgeships in the nineteenth judicial district. The Committee on District Courts recommended the additional judgeship in 2018.</p>		
<u>HB 311</u> - Gooditis (10) Unmanned aerial systems; local regulation.	12/31/2019 House: Referred to Committee on Communications, Technology and Innovation 1/22/2020 House: Subcommittee recommends incorporating (HB 742-Bulova) by voice vote	1/28/2020
<p>Support (20101775D) - Support concept of providing authority for political subdivisions to adopt restrictions regarding takeoff and landing of unmanned aerial systems on their property. Collaborate with stakeholders to ensure language of bill accomplishes this goal. See also HB 742 (Bulova).</p> <p>Summary: Local regulation of unmanned aerial systems. Authorizes a political subdivision to adopt time, place, or manner restrictions regarding the takeoff or landing of unmanned aerial systems on property owned by the political subdivision.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 358</u> - Lopez (49) Project labor agreements; public procurement.	1/1/2020 House: Referred to Committee on General Laws 1/28/2020 House: Subcommittee recommends reporting with substitute (4-Y 3-N) 1/30/2020 House: Incorporates HB 122 (Carroll Foy) 1/30/2020 House: Incorporates HB 1311 (Kory) 1/30/2020 House: Reported from General Laws with substitute (13-Y 8-N) 1/31/2020 House: Incorporates HB 1202 (Tran) 2/5/2020 House: Read third time and passed House (54-Y 44-N) 2/6/2020 Senate: Referred to Committee on Commerce and Labor	1/28/2020
Support (20101674D) Summary: Authorizes any public body, including any state or local government, when engaged in procuring products or services or letting contracts for construction, manufacture, maintenance, or operation of public works, to require bidders to enter into or adhere to project labor agreements on the public works projects.		
<u>HB 378</u> - Rasoul (11) Comprehensive harm reduction programs; public health emergency, repeal sunset provision.	1/2/2020 House: Referred to Committee on Health, Welfare and Institutions 1/21/2020 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 1/27/2020 House: Read third time and passed House (95-Y 3-N) 1/28/2020 Senate: Referred to Committee on Education and Health	1/28/2020
Support (20102454D) - See also SB 864 (Pillion). Summary: Comprehensive harm reduction programs; public health emergency; repeal sunset. Repeals the sunset on the program established in 2017 that allows the Commissioner of Health to establish and operate local or regional comprehensive harm reduction programs during a declared public health emergency that include a provision for the distribution of sterile hypodermic needles and syringes and the disposal of used hypodermic needles and syringes.		
<u>HB 382</u> - Convirs-Fowler (21) Virginia Shoreline Resiliency Fund; grant program.	1/2/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/27/2020 House: Subcommittee recommends striking from docket (8-Y 0-N)	1/28/2020
Support (20101699D) - See also HB 22 (Lindsey). Summary: Changes the Virginia Shoreline Resiliency Fund (the Fund) from a lending program to a grant program. The bill directs the Fund to grant money to localities to enable them to offer cost-sharing programs to help residents and businesses that are subject to recurrent flooding.		

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Bills	General Assembly Actions	Date of BOS Position
HB 421 - Price (95) Firearms, ammunition, etc.; control by localities by governing possession, etc., within locality.	1/3/2020 House: Referred to Committee on Public Safety 1/24/2020 House: Reported from Public Safety (13-Y 9-N) 1/30/2020 House: Read third time and passed House (50-Y 48-N) 1/31/2020 Senate: Referred to Committee on the Judiciary	1/28/2020
Support (20100939D) Summary: Control of firearms by localities. Grants localities authority to adopt or enforce an ordinance, resolution, or motion governing the possession, carrying, storage, or transporting of firearms, ammunition, or components or combination thereof in the locality. Various provisions limiting such authority are repealed. Provisions limiting the authority of localities and state governmental entities to bring lawsuits against certain firearms manufacturers and others are also repealed.		
HB 438 - Heretick (79) Workers' compensation; post-traumatic stress disorder, law-enforcement officers and firefighters.	1/3/2020 House: Referred to Committee on Labor and Commerce 1/28/2020 House: Subcommittee recommends reporting with substitute (6-Y 2-N) 1/28/2020 House: Subcommittee recommends referring to Committee on Appropriations 1/30/2020 House: Reported from Labor and Commerce with substitute (19-Y 3-N) 1/30/2020 House: Referred to Committee on Appropriations 2/7/2020 House: Subcommittee recommends reporting with substitute (7-Y 1-N) 2/7/2020 House: Reported from Appropriations with substitute (21-Y 0-N)	1/28/2020
Support (20102221D) Summary: Workers' compensation; post-traumatic stress disorder; law-enforcement officers and firefighters. Provides that post-traumatic stress disorder incurred by a law-enforcement officer or firefighter is compensable under the Virginia Workers' Compensation Act if a mental health professional examines a law-enforcement officer or firefighter and diagnoses the individual as suffering from post-traumatic stress disorder as a result of the individual's undergoing a qualifying event, which includes an event occurring in the line of duty on or after July 1, 2020, in which a law-enforcement officer or firefighter views a deceased minor, witnesses the death of a person or an incident involving the death of a person, witnesses an injury to a person who subsequently dies, has physical contact with and treats an injured person who subsequently dies, transports an injured person who subsequently dies, or witnesses a traumatic physical injury that results in the loss of a vital body part or a vital body function that results in permanent disfigurement of the victim. Other conditions for compensability include (i) if the post-traumatic stress disorder resulted from the law-enforcement officer or firefighter acting in the line of duty and, in the case of a firefighter, such firefighter complied with certain federal Occupational Safety and Health Act standards; (ii) if the law-enforcement officer's or firefighter's undergoing a qualifying event was a substantial factor in causing his post-traumatic stress disorder; (iii) if such qualifying event, and not another event or source of stress, was the primary cause of the post-traumatic stress disorder; and (iv) if the post-traumatic stress disorder did not result from any disciplinary action, work evaluation, job transfer, layoff, demotion, promotion, termination, retirement, or similar action of the officer or firefighter. The measure establishes procedural requirements on employers that contest a claim for such benefits. The measure also establishes requirements for resilience and self-care technique training.		

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Bills	General Assembly Actions	Date of BOS Position
HB 534 - Carr (69) Disposable plastic bag; local tax.	1/5/2020 House: Referred to Committee on Finance 1/29/2020 House: Referred from Finance by voice vote 1/29/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/5/2020 House: Subcommittee recommends reporting with substitute (6-Y 2-N) 2/5/2020 House: Reported from Agriculture, Chesapeake and Natural Resources with substitute (13-Y 9-N)	1/28/2020
<p>Support (20101570D) - Support effort to reduce waste from plastic bags, but revenue generated should be directed to localities as they are responsible for solid waste management.</p> <p>Summary: Local disposable plastic bag tax. Authorizes any locality to impose a tax of five cents per bag on disposable plastic bags provided to consumers by certain retailers, with certain bags being exempt from the tax. Revenues from the local tax would be collected by the Tax Commissioner and distributed monthly to the locality imposing the tax to be used by such locality for the mitigation of pollution and litter. The bill requires each locality imposing the tax by ordinance to provide a certified copy of the ordinance to the Tax Commissioner at least six months prior to the date the tax is to become effective. The bill also allows every retailer that collects the tax to retain one cent of the five-cent tax.</p>		
HB 566 - Guzman (31) Food stamps and TANF; eligibility, drug-related felonies.	1/6/2020 House: Referred to Committee on Health, Welfare and Institutions 1/23/2020 House: Subcommittee recommends reporting with substitute (6-Y 0-N) 1/23/2020 House: Subcommittee recommends referring to Committee on Appropriations 1/28/2020 House: Incorporates HB 786 (Bagby) 1/28/2020 House: Incorporates HB 1130 (Lopez) 1/28/2020 House: Incorporates HB 391 (Scott) 1/28/2020 House: Incorporates HB 814 (Ward) 1/28/2020 House: Reported from Health, Welfare and Institutions with substitute (18-Y 3-N) 1/28/2020 House: Referred to Committee on Appropriations 2/5/2020 House: Subcommittee recommends reporting (5-Y 3-N) 2/5/2020 House: Reported from Appropriations (14-Y 7-N)	1/28/2020
<p>Support (20105131D) - Board has historically supported. See also SB 124 (Locke).</p> <p>Summary: Eligibility for food stamps and TANF; drug-related felonies. Provides that a person who is otherwise eligible to receive food stamp benefits shall not be denied such assistance solely because he has been convicted of a drug-related felony. Under current law, such individuals may not be denied food stamp benefits based on a felony conviction of possession of a controlled substance in violation of § 18.2-250, provided that such person is complying with, or has already complied with, all obligations imposed by the criminal court, is actively engaged in or has completed a substance abuse treatment program, participates in periodic drug screenings, and meets any other obligations as determined by the Department of Social Services. The bill also provides that a person who is otherwise eligible to receive TANF benefits shall not be denied such assistance solely because he has been convicted of a felony offense of possession of a controlled substance in violation of § 18.2-250.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 572</u> - Keam (35) Distributed renewable energy; promotes the establishment thereof.</p>	<p>1/6/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/15/2020 House: Referred from Agriculture, Chesapeake and Natural Resources by voice vote 1/15/2020 House: Referred to Committee on Labor and Commerce 1/30/2020 House: Subcommittee recommends reporting (8-Y 2-N) 2/4/2020 House: Incorporates HB 912 (Simon) 2/4/2020 House: Reported from Labor and Commerce with substitute (16-Y 6-N) 2/7/2020 House: Read third time and passed House (67-Y 31-N)</p>	<p>1/28/2020</p>
<p>Support (20101906D) - Board has historically supported. Summary: Distributed renewable energy. Promotes the establishment of distributed renewable solar and other renewable energy. The measure (i) removes the one percent cap on the total amount of renewable energy that can be net metered in a utility's service territory, (ii) authorizes third-party power purchase agreements for all customer classes throughout the Commonwealth, (iii) allows local governments and certain other public bodies to install solar or wind facilities of up to five megawatts on government-owned property and use the electricity for government-owned buildings, (iv) allows all net metering customers to attribute output from a single solar array to multiple meters, (v) allows the owner of a multi-family residential building or the common areas of a condominium to install a renewable energy generation facility and sell the electricity to tenants or condominium unit owners, (vi) removes the restriction on customers installing a net-metered generation facility larger than that required to meet their previous 12 months' demand, (vii) raises the cap for net-metered nonresidential generation facilities from one megawatt to three megawatts, and (viii) removes the ability of utilities to assess standby charges. The measure also amends the Commonwealth Energy Policy to include provisions supporting distributed generation of renewable energy.</p>		
<p><u>HB 590</u> - Guzman (31) Eligible housing areas; tax credit for participating landlords, expands definition.</p>	<p>1/6/2020 House: Referred to Committee on Finance 1/15/2020 House: Incorporates HB 1014 (Herring) 1/15/2020 House: Reported from Finance with substitute (14-Y 7-N) 1/21/2020 House: Read third time and passed House (63-Y 36-N) 1/22/2020 Senate: Referred to Committee on Finance and Appropriations</p>	<p>1/28/2020</p>
<p>Support (20105800D-H1) Summary: Tax credit for participating landlords; eligible housing areas. Expands the definition of "eligible housing area" for the housing choice voucher tax credit to include Virginia census tracts in the Washington-Arlington-Alexandria Metropolitan Statistical Area in which less than 10 percent of the population lives below the poverty level. Landlords who rent qualified housing units within such areas are eligible for an income tax credit. Current law only applies to such areas within the Richmond and Virginia Beach-Norfolk-Newport News Metropolitan Statistical Areas.</p>		

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Bills	General Assembly Actions	Date of BOS Position
HB 598 - Murphy (34) Alcoholic beverage control; creates annual mixed beverage performing arts facility license.	1/6/2020 House: Referred to Committee on General Laws 1/21/2020 House: Subcommittee recommends reporting with amendments (8-Y 0-N) 1/23/2020 House: Reported from General Laws with amendments (20-Y 2-N) 1/29/2020 House: Read third time and passed House (90-Y 6-N) 1/30/2020 Senate: Referred to Committee on Rehabilitation and Social Services 2/7/2020 Senate: Reported from Rehabilitation and Social Services (13-Y 1-N)	[1/31/2020]
<p>[Support] (20104949D-E) - See also SB 212 (Favola). Summary: Alcoholic beverage control; annual mixed beverage performing arts facility license. Creates an annual mixed beverage performing arts facility license that (i) may be granted to persons operating food concessions at any performing arts facility located in Fairfax County, provided that the performing arts facility (a) is occupied under a bona fide long-term lease or concession agreement, the original term of which was more than one year and (b) has a total capacity in excess of 1,400 patrons and (ii) authorizes the licensee to sell, on the dates of performances or events, alcoholic beverages for on-premises consumption.</p>		
HB 608 - Miyares (82) Health Enterprise Zone Program and Fund; established, report.	1/6/2020 House: Referred to Committee on Health, Welfare and Institutions 1/28/2020 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 1/28/2020 House: Subcommittee recommends referring to Committee on Appropriations 1/30/2020 House: Reported from Health, Welfare and Institutions with substitute (21-Y 1-N) 1/30/2020 House: Referred to Committee on Appropriations 2/5/2020 House: Subcommittee recommends laying on the table (7-Y 1-N)	1/28/2020
<p>Support (20101235D) Summary: Health Enterprise Zone Program and Fund. Establishes the Health Enterprise Zone Program and Fund to target state resources to (i) reduce racial, ethnic, and geographic health disparities; (ii) improve access to health care in underserved communities; (iii) reduce hospital admission and readmission rates; and (iv) reduce health care costs in the Commonwealth. The bill establishes eligibility criteria for localities seeking designation as health enterprise zones and provides for the payment of funds from the Health Enterprise Zone Fund to designated localities for (i) implementation of strategies and interventions proposed in the application for designation as a health enterprise zone and (ii) provision of education loan repayment assistance or financial assistance to defray the cost of capital improvements or equipment purchase by health care providers in the health enterprise zone, as described in the application for designation as a health enterprise zone. The bill requires the State Department of Health to report annually by December 1 to the Governor and the Chairmen of the House Committees on Appropriations and Health, Welfare and Institutions and the Senate Committees on Finance and Education and Health on the status of the Program. The bill has an expiration date of July 1, 2025.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 674</u> - Sullivan, Jr. (48) Firearms; removal from persons posing substantial risk, penalties.	1/6/2020 House: Referred to Committee on Public Safety 1/24/2020 House: Reported from Public Safety (13-Y 9-N) 1/30/2020 House: Read third time and passed House (52-Y 46-N) 1/31/2020 Senate: Referred to Committee on the Judiciary	[1/31/2020]
<p>[Support] (20104741D) - Support concept of substantial risk orders as set forth in SB 240.</p> <p>Summary: Firearms; removal from persons posing substantial risk; penalties. Creates a procedure by which any attorney for the Commonwealth or any law-enforcement officer may apply to a general district court, circuit court, or juvenile and domestic relations district court judge or magistrate for an emergency substantial risk order to prohibit a person who poses a substantial risk of injury to himself or others from purchasing, possessing, or transporting a firearm. If an emergency substantial risk order is issued, a judge or magistrate may issue a search warrant to remove firearms from such person. An emergency substantial risk order shall expire on the fourteenth day following issuance of the order. The bill requires a court hearing in the circuit court for the jurisdiction where the order was issued within 14 days from issuance of an emergency substantial risk order to determine whether a substantial risk order should be issued. Seized firearms shall be retained by a law-enforcement agency for the duration of an emergency substantial risk order or a substantial risk order or, for a substantial risk order and with court approval, may be transferred to a third party 21 years of age or older chosen by the person from whom they were seized. The bill allows the complainant of the original warrant to file a motion for a hearing to extend the substantial risk order prior to its expiration. The court may extend the order for a period not longer than 180 days. The bill provides that persons who are subject to a substantial risk order, until such order has been dissolved by a court, are guilty of a Class 1 misdemeanor for purchasing, possessing, or transporting a firearm; are disqualified from having a concealed handgun permit; and may not be employed by a licensed firearms dealer. The bill also provides that a person who transfers a firearm to a person he knows has been served with a warrant or who is the subject of an order is guilty of a Class 4 felony. The bill creates a computerized substantial risk order registry for the entry of orders issued pursuant to provisions in the bill.</p>		
<u>HB 696</u> - Roem (13) Local human rights ordinances; sexual orientation and gender identity.	1/6/2020 House: Referred to Committee on Counties, Cities and Towns 1/31/2020 House: Reported from Counties, Cities and Towns (19-Y 2-N) 2/6/2020 House: Read third time and passed House (75-Y 24-N) 2/7/2020 Senate: Referred to Committee on Local Government	1/28/2020
<p>Support (20104504D) - Board has historically supported.</p> <p>Summary: Provides that localities may prohibit discrimination in housing, employment, public accommodations, credit, and education on the basis of sexual orientation and gender identity.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 713</u> - Hope (47) Mandatory outpatient treatment orders; judicial review conferences.</p>	<p>1/6/2020 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/3/2020 House: Subcommittee recommends reporting (5-Y 0-N) 2/3/2020 House: Subcommittee recommends referring to Committee on Appropriations 2/4/2020 House: Reported from HHWI (21-Y 1-N) 2/4/2020 House: Referred to Committee on Appropriations 2/5/2020 House: Subcommittee recommends laying on the table (8-Y 0-N)</p>	<p>1/28/2020</p>
<p>Support (20104681D) Summary: Extends from 90 days to 180 days the maximum time period a court may order mandatory outpatient treatment for adults and juveniles. The bill provides that any order for mandatory outpatient treatment may include provisions for periodic reviews to monitor the person's (i) access to and satisfaction with services and supports provided under the treatment plan and (ii) compliance with the mandatory outpatient order. The district court judge or special justice may require attendance at such conferences by the person, the community services board staff member responsible for monitoring the person's compliance with the order, and such other persons as deemed appropriate. If agreed upon by the person and monitoring community services board, the judge or special justice may (a) allow such review conferences to be conducted through an electronic video and audio or telephonic communication system and (b) make adjustments to the treatment plan.</p>		
<p><u>HB 714</u> - Reid (32) Virginia Energy Plan; climate change pressing challenge.</p>	<p>1/6/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 1/15/2020 House: Referred from HAG by voice vote 1/15/2020 House: Referred to Committee on Labor and Commerce (HLC) 2/4/2020 House: Subcommittee recommends reporting with substitute (6-Y 4-N) 2/6/2020 House: Reported from HLC with substitute (13-Y 9-N)</p>	<p>[1/31/2020]</p>
<p>[Support] (20104864D) Summary: Virginia Energy Plan; Commonwealth Energy Policy. Adopts findings that climate change is an urgent and pressing challenge for Virginia, that swift decarbonization and a transition to clean energy are required to meet the urgency of the challenge, and that the Commonwealth will benefit from being a leader in deploying a low-carbon energy economy. The measure states that the Commonwealth recognizes that the following objectives will advance the health, welfare, and safety of Virginians: (i) establishing sufficient supply and delivery infrastructure to enable widespread deployment of distributed energy resources; (ii) maximizing energy efficiency programs in order to produce electricity cost savings and to create jobs and revenue from the energy efficiency service sector; (iii) establishing greenhouse gas emissions reduction goals across Virginia's economy that reach net-zero emissions by 2050; (iv) requiring that pathways to net-zero greenhouse gas emissions be determined; (v) enabling widespread integration of storage technologies into the grid and pairing such storage technologies with renewable generation; (vi) mitigating the negative impacts of climate change and the energy transition on disadvantaged communities and prioritizing investment in these communities; (vii) developing the carbon-free energy resources required to fully decarbonize the electric power supply of the Commonwealth including deployment of 30 percent renewables by 2030 and realizing 100 percent carbon-free electric power by 2040; and (viii) ensuring that decision-making is transparent and includes opportunities for full participation by the public. The measure also states that it is the policy of the Commonwealth to (a) accelerate the use and deployment of</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>renewable energy sources such that 30 percent of Virginia's electricity will be from renewable energy sources by 2030 and 100 percent of Virginia's electricity will be from carbon-free sources by 2040; (b) promote research and development of carbon-free electric power generation technologies, including advanced nuclear and carbon capture and storage; (c) ensure the availability of affordable natural gas where established and where it enables greenhouse gas reduction; (d) promote beneficial electrification of transportation, buildings, industry, and agriculture; (e) establish greenhouse gas emissions reduction standards across all sectors of Virginia's economy that target net-zero greenhouse gas emissions by mid-century; (f) enact mandatory clean energy standards and overall strategies for reaching zero carbon in the electric power sector by 2040; (g) incorporate requirements for technical, policy, and economic analyses and assessments that identify pathways to zero carbon that maximize Virginia's economic development and create quality jobs; (h) minimize the negative impacts of climate change and the energy transition on disadvantaged communities and prioritize investment in these areas; (i) adopt residential and commercial building codes that meet or exceed the current International Building Code standards and encourage construction and retrofitting of buildings to achieve maximum energy savings; and (j) support the distributed generation of renewable electricity. The measure also requires that the Virginia Energy Plan identify actions consistent with the goals of achieving a net-zero carbon economy by 2050 and include an inventory of all greenhouse gas emissions for the four years preceding the issuance of the Plan.</p>		
<p>HB 726 - Reid (32) Comprehensive plan; adoption or disapproval by governing body.</p>	<p>1/6/2020 House: Referred to Committee on Counties, Cities and Towns (HCCT) 1/31/2020 House: Reported from HCCT with amendments (21-Y 0-N) 2/6/2020 House: Read third time and passed House (99-Y 0-N) 2/7/2020 Senate: Referred to Committee on Local Government</p>	<p>1/28/2020</p>
<p>Support (20104803D) - See also SB 746 (Bell). Summary: Comprehensive plan. Extends the time by which a governing body is required to approve or disapprove a locality-initiated comprehensive plan amendment from 90 to 180 days.</p>		
<p>HB 742 - Bulova (37) Unmanned aerial systems; political subdivision may regulate take-off and landing of system, etc.</p>	<p>1/6/2020 House: Referred to Committee on Communications, Technology and Innovation (HTECH) 1/22/2020 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 1/27/2020 House: Incorporates HB 311 (Gooditis) 1/27/2020 House: Incorporates HB 1227 (LaRock) 1/27/2020 House: Reported from HTECH with substitute (22-Y 0-N) 1/31/2020 House: Read third time and passed House (99-Y 0-N) 2/3/2020 Senate: Referred to Committee on Local Government</p>	<p>[1/31/2020] 1/28/2020</p>
<p>[Support] (20106234D-H1) Support (20102308D) — Support concept of providing authority for political subdivisions to adopt restrictions regarding takeoff and landing of unmanned aerial systems on their property. Collaborate with stakeholders to ensure language of bill accomplishes this goal. See also HB 311 (Gooditis). Summary: Local regulation of unmanned aerial systems. Authorizes a political subdivision, by ordinance or regulation, to regulate the takeoff or landing of unmanned aerial systems on property owned by the political subdivision in accordance with the rules and regulations adopted by the Department of Aviation. The bill requires the locality to report the ordinance or regulation to the Department and directs the Department to publish a summary on the locality's website. The bill also directs the Department, by January 1, 2021, to develop rules and regulations specific to take-offs and landings in consultation with representatives of the unmanned aircraft system industry, localities, and other stakeholders. The bill has a delayed effective date of January 1, 2021. This bill incorporates HB 311 and HB 1227.</p>		

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Bills	General Assembly Actions	Date of BOS Position
HB 774 - LaRock (33) Commonwealth Transportation Board; increases revenue-sharing funds.	1/7/2020 House: Referred to Committee on Finance 1/29/2020 House: Referred from Finance by voice vote 1/29/2020 House: Referred to Committee on Transportation 2/4/2020 House: Subcommittee recommends reporting (8-Y 0-N) 2/6/2020 House: Reported from Transportation (15-Y 7-N)	1/28/2020
Support (20103803D) Summary: Commonwealth Transportation Board; revenue-sharing funds. Increases the maximum matching allocation that the Commonwealth Transportation Board may make to a locality from \$5 million to \$10 million and increases the portion of such funds that such locality may use for the maintenance of highway systems from \$2.5 million to \$5 million.		
HB 778 - Jones (89) Family assessments; increases timeline for completion.	1/7/2020 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 1/16/2020 House: Subcommittee recommends reporting (6-Y 0-N) 1/21/2020 House: Reported from HHWI (22-Y 0-N) 1/27/2020 House: Read third time and passed House (99-Y 0-N) 1/28/2020 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 2/7/2020 Senate: Reported from SRSS (14-Y 0-N)	1/28/2020
Support (20100614D) Summary: Family assessments; timeline. Increases from 45 days to 60 days the allowable time for completing a family assessment by a local department of social services and removes the local department's opportunity to request a 15-day extension.		
HB 785 - Watts (39) Local taxing authority; equalizes city and county taxing authorities.	1/7/2020 House: Referred to Committee on Finance 2/3/2020 House: Subcommittee recommends reporting with amendment (6-Y 4-N) 2/5/2020 House: Incorporates HB 977 (Krizek) 2/5/2020 House: Reported from Finance with substitute (13-Y 9-N)	1/28/2020
Support (20104813D) - Board has historically supported. Summary: Local taxing authority. Equalizes city taxing authority and county taxing authority by granting a county the same authority to impose taxes on cigarettes, admissions, transient room rentals, meals, and travel campgrounds without limitation on the rate that may be imposed.		
HB 812 - Ward (92) Handguns; limitation on purchases, penalty.	1/7/2020 House: Referred to Committee on Public Safety 1/24/2020 House: Incorporates HB 1502 (Ward) 1/24/2020 House: Reported from Public Safety with substitute (13-Y 9-N) 1/30/2020 House: Read third time and passed House (53-Y 47-N) 1/31/2020 Senate: Referred to Committee on the Judiciary	1/28/2020

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (20103354D) - See also SB 69 (Locke).</p> <p>Summary: Purchase of handguns; limitation on handgun purchases; penalty. Prohibits any person who is not a licensed firearms dealer from purchasing more than one handgun in a 30-day period and makes such an offense a Class 1 misdemeanor. The bill exempts from this provision (i) persons who have been issued a certificate by the Department of State Police under certain circumstances and with an enhanced background check, (ii) law-enforcement agencies and officers, (iii) state and local correctional facilities, (iv) licensed private security companies, (v) persons whose handgun has been stolen or irretrievably lost or who are trading in a handgun, and (vi) purchases of antique firearms.</p>		
<p>HB 891 - Sickles (43) Peer-to-peer vehicle sharing platforms; establishes sale of insurance, etc., for platforms.</p>	<p>1/7/2020 House: Referred to Committee on Communications, Technology and Innovation 1/27/2020 House: Referred from Communications, Technology and Innovation by voice vote 1/27/2020 House: Referred to Committee on Finance 2/3/2020 House: Subcommittee failed to recommend reporting (4-Y 6-N)</p>	<p>1/28/2020</p>
<p>Support (20105150D) - Support efforts to provide taxation parity with existing rental vehicles services. See also SB 749 (Cosgrove).</p> <p>Summary: Peer-to-peer vehicle sharing platforms; regulation; insurance; taxation. Establishes taxation, insurance coverage, sale of insurance, disclosure, safety recall, airport operation, and recordkeeping requirements for peer-to-peer vehicle sharing platforms, as defined in the bill.</p>		
<p>HB 1004 - Mullin (93) Protective orders; possession of firearms, surrender or transfer of firearms, penalty.</p>	<p>1/7/2020 House: Referred to Committee on Public Safety (HPS) 1/24/2020 House: Incorporates HB 856 (Murphy) 1/24/2020 House: Reported from HPS with substitute (20-Y 2-N) 1/30/2020 House: Read third time and passed House (58-Y 42-N) 1/31/2020 Senate: Referred to Committee on the Judiciary</p>	<p>[1/31/2020]</p>
<p>[Support] (20106626D-H1) - Board has historically supported. See also SB 479 (Howell).</p> <p>Summary: Protective orders; possession of firearms; surrender or transfer of firearms; penalty. Prohibits any person subject to a permanent protective order (i.e., a protective order with a maximum duration of two years) from knowingly possessing a firearm while the order is in effect, provided that for a period of 24 hours after being served with a protective order such person may continue to possess such firearm for the purposes of selling or transferring it to any person who is not otherwise prohibited by law from possessing such firearm. A violation of this provision is a Class 6 felony. The bill also provides that a court shall order a person subject to a permanent protective order to (i) within 24 hours, surrender any firearm possessed by such person to a designated local law-enforcement agency or sell or transfer any firearm possessed by such person to a dealer or to any person who is not otherwise prohibited by law from possessing such firearm and (ii) certify in writing that such person does not possess any firearms or that all firearms possessed by such person have been surrendered, sold, or transferred and file such certification with the clerk of the court that entered the protective order within 48 hours after being served with a protective order. The bill provides that any person who fails to certify in writing in accordance with this section that all firearms possessed by such person have been surrendered, sold, or transferred or that such person does not possess any firearms is guilty of a Class 1 misdemeanor. The bill provides procedures for designating a local law-enforcement agency to receive and store firearms, as well as a process to return such surrendered firearms. The bill also makes it a Class 4 felony for any person to sell, barter, give, or furnish any firearm to any person he knows is prohibited from possessing or transporting a firearm who is the subject to a permanent protective order.</p>		

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Bills	General Assembly Actions	Date of BOS Position
HB 1078 - Hope (47) Virginia Public Procurement Act; process for competitive negotiation, etc.	1/7/2020 House: Referred to Committee on General Laws 1/28/2020 House: Subcommittee recommends reporting with amendment (5-Y 3-N) 1/30/2020 House: Reported from General Laws with amendment (13-Y 8-N) 2/5/2020 House: Read third time and passed House (55-Y 43-N) 2/6/2020 Senate: Referred to Committee on General Laws and Technology	1/28/2020
Support (20104594D) Summary: Virginia Public Procurement Act; process for competitive negotiation; including employment of persons with a disability as a factor in evaluating proposals. Provides that a public body may include a proposer's employment of persons with disabilities to perform the specifications of the contract as a factor in evaluating a proposal.		
HB 1083 - Hayes, Jr. (77) Minors; allowing access to firearms, Class 6 felony.	1/7/2020 House: Referred to Committee on Public Safety (HPS) 1/24/2020 House: Incorporates HB 463 (Hayes) 1/24/2020 House: Incorporates HB 72 (Kory) 1/24/2020 House: Reported from HPS with substitute (13-Y 9-N) 1/30/2020 House: Read third time and passed House (54-Y 46-N) 1/31/2020 Senate: Referred to Committee on the Judiciary	1/28/2020
Support (20102956D) - See also SB 581 (Howell). Summary: Allowing access to firearms by minors; penalty. Provides that any person who recklessly leaves a loaded, unsecured firearm in such a manner as to endanger the life or limb of any person under the age of 18 is guilty of a Class 6 felony. Current law provides that any person who recklessly leaves a loaded, unsecured firearm in such a manner as to endanger the life or limb of any child under the age of 14 is guilty of a Class 3 misdemeanor.		
HB 1151 - Lopez (49) Single-use plastic and expanded polystyrene products; local prohibition, local tax.	1/7/2020 House: Referred to Committee on Finance (HFIN) 1/31/2020 House: Subcommittee recommends reporting with substitute (6-Y 2-N) 2/5/2020 House: Incorporates HB 1673 (Ware) 2/5/2020 House: Reported from HFIN with substitute (12-Y 10-N)	1/28/2020
Support (20101671D) - Support effort to reduce waste from plastic bags, but revenue generated should be directed to localities as they are responsible for solid waste management. Summary: Single-use plastic and expanded polystyrene products; local prohibition; local tax. Authorizes a locality to prohibit by ordinance the purchase, sale, or provision, whether free or for a cost, of certain single-use products that are not recyclable or compostable and for which there is a suitable and cost-effective compostable or recyclable alternative product available, with certain exceptions. The bill also authorizes any locality to impose a five-cent per item tax on single-use plastics and polystyrene products provided to customers by certain retailers, with certain products being exempt from the tax. The bill directs revenue from the local tax to be used by the locality imposing the tax for cleanup or education programs designed to reduce waste. The bill allows every restaurant or retailer that collects the tax to retain one cent of the five-cent tax if the tax is paid in a timely manner.		

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 1184</u> - Lopez (49) Distributed energy generation; promotes establishment of distributed solar energy.	1/7/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/22/2020 House: Referred from Agriculture, Chesapeake and Natural Resources by voice vote 1/22/2020 House: Referred to Committee on Labor and Commerce 2/4/2020 House: Subcommittee recommends reporting (6-Y 3-N) 2/6/2020 House: Reported from Labor and Commerce (13-Y 9-N)	1/28/2020

Support (20104922D) - Board has historically supported.

Summary: Distributed energy generation. Promotes the establishment of distributed solar and other renewable energy. The measure (i) increases the cap on the total amount of renewable energy that can be net metered in a utility's service territory from one percent to 10 percent, (ii) authorizes third-party power purchase agreements for all customer classes throughout the Commonwealth, (iii) allows local governments and certain other public bodies to install solar facilities of up to five megawatts on government-owned property and use the electricity for government-owned buildings, (iv) allows all net metering customers to attribute output from a single solar array to multiple meters, (v) allows the owner of a multifamily residential building or the common areas of a condominium to install a solar energy generation facility and sell the electricity to tenants or condominium unit owners, (vi) removes the restriction on customers installing a net-metered generation facility larger than that required to meet their previous 12 months' demand, (vii) raises the cap for net-metered nonresidential generation facilities from one megawatt to three megawatts, and (viii) removes the ability of utilities to assess standby charges. The measure also amends the Commonwealth Energy Policy to include provisions supporting distributed generation of solar energy and states that the distributed generation of solar electricity is in the public interest, and the State Corporation Commission shall so find if required to make a finding regarding whether such construction or purchase is in the public interest.

<u>HB 1196</u> - Lopez (49) Driver's license; suspension for nonpayment of fines or costs.	1/7/2020 House: Referred to Committee on Transportation 1/21/2020 House: Referred from Transportation by voice vote 1/21/2020 House: Referred to Committee for Courts of Justice 1/29/2020 House: Subcommittee recommends reporting with substitute (7-Y 1-N) 1/31/2020 House: Incorporates HB 17 (Carroll Foy) 1/31/2020 House: Reported from Courts of Justice with substitute (14-Y 3-N) 2/7/2020 House: Read third time and passed House (72-Y 27-N)	1/28/2020
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Support (20103348D) - Board has historically supported concept of alternatives to driver's license suspension to address non-payment of court fines and costs.

Summary: Suspension of driver's license for nonpayment of fines or costs. Removes the requirement that a court suspend the driver's license of a person convicted of any violation of the law who fails or refuses to provide for immediate payment of fines or costs. The bill provides that the fine for any moving violation while operating a motor vehicle in a designated highway safety corridor shall be no more than \$500 for any violation that is a traffic infraction and not less than \$200 for any violation that is a criminal offense. The bill also repeals the Nonresident Violator Compact of 1977. The bill contains an emergency clause.

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 1201</u> - Tran (42) Virginia Public Procurement Act; determination of nonresponsibility, local option.	1/7/2020 House: Referred to Committee on General Laws 2/4/2020 House: Subcommittee recommends reporting with substitute (4-Y 3-N) 2/6/2020 House: Reported from General Laws with substitute (15-Y 6-N)	1/28/2020
<p>Support (20105099D)</p> <p>Summary: Virginia Public Procurement Act; determination of nonresponsibility; local option to include criteria in invitation to bid. Allows any locality to include in the invitation to bid criteria that may be used in determining whether a bidder possesses the moral and business integrity and reliability that will assure good faith performance that is required of a responsible bidder. Such criteria may include a history or good faith assurances of (i) completion by the bidder and any potential subcontractors of specified safety training programs established the U.S. Department of Labor, Occupational Safety and Health Administration; (ii) participation by the bidder and any potential subcontractors in apprenticeship training programs approved by state agencies or the U.S. Department of Labor; or (iii) maintenance by the bidder and any potential subcontractors of records of compliance with applicable local, state, and federal laws.</p>		
<u>HB 1210</u> - Tran (42) Minority language accessibility; voting and election materials.	1/7/2020 House: Referred to Committee on Privileges and Elections 1/29/2020 House: Subcommittee recommends reporting with amendments (4-Y 2-N) 1/31/2020 House: Reported from Privileges and Elections with amendments (15-Y 6-N) 2/6/2020 House: Read third time and passed House (64-Y 34-N) 2/7/2020 Senate: Referred to Committee on Privileges and Elections	[1/31/2020]
<p>[Support with Amendment] (20103702D) - Support with amendments to clarify that a covered locality/language is based on designation by federal law, clarify the materials and format required, and require that the Department of Elections upgrade VERIS to include functionality to facilitate implementation.</p> <p>Summary: Requires the State Board of Elections to prescribe, and a covered locality to provide, voting and election materials in languages other than English. A county, city, or town is designated by the State Board as a covered locality if the State Board determines, in consultation with the Director of the Census, based on the 2010 American Community Survey census data and subsequent American Community Survey data in five-year increments, or comparable census data, that (i) either (a) more than five percent of the citizens of voting age of such county, city, or town are members of a single language minority and are unable to speak or understand English adequately enough to participate in the electoral process; (b) more than 10,000 of the citizens of voting age of such county, city, or town are members of a single language minority and are unable to speak or understand English adequately enough to participate in the electoral process; or (c) in the case of a county, city, or town containing all or any part of an Indian reservation, more than five percent of the American Indian citizens of voting age within the Indian reservation are members of a single language minority and are unable to speak or understand English adequately enough to participate in the electoral process and (ii) the illiteracy rate of the citizens of the language minority as a group is higher than the national illiteracy rate. The bill also allows the State Board to make available voting and election materials in any additional languages other than those required as it deems necessary and appropriate. The State Board may accept voting and election materials translated by volunteers but shall verify the accuracy of such translations prior to making the translated materials available to a county, city, or town, or any voter.</p>		

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Bills	General Assembly Actions	Date of BOS Position
HB 1211 - Tran (42) Motor Vehicles, Department of; issuance of certain documents, citizenship requirement.	1/7/2020 House: Referred to Committee on Transportation 1/28/2020 House: Subcommittee recommends reporting with substitute (5-Y 4-N) 1/28/2020 House: Subcommittee recommends referring to Committee on Appropriations 1/30/2020 House: Reported from Transportation with substitute (13-Y 9-N) 1/30/2020 House: Referred to Committee on Appropriations 2/7/2020 House: Subcommittee recommends reporting with amendment (5-Y 3-N) 2/7/2020 House: Reported from Appropriations with amendment (13-Y 7-N)	1/28/2020
Support (20103891D) Summary: Department of Motor Vehicles; issuance of certain documents; citizenship requirement. Removes the citizenship and legal presence requirements for obtaining a driver's license or special identification card. The bill requires the Department of Motor Vehicles to cancel any (i) REAL ID-compliant driver's license or special identification card and (ii) commercial driver's license or commercial learner's permit if the Department is notified by a federal agency that the individual to whom such document was issued is not in compliance with the citizenship and lawful residency requirements for such license, card, or permit. The bill has a delayed effective date of January 1, 2021, and contains technical amendments.		
HB 1216 - Tran (42) State of good repair funds; bridges subject to repeated flooding.	1/7/2020 House: Referred to Committee on Transportation 1/30/2020 House: Subcommittee recommends laying on the table (10-Y 0-N)	1/28/2020
Support (20100138D) Summary: Makes bridges that are subject to repeated flooding eligible for state of good repair funding. Under current law, structurally deficient bridges and highways with deficient pavement conditions are eligible for state of good repair funds.		
HB 1217 - Tran (42) Transportation, Department of; at-risk infrastructure, report.	1/7/2020 House: Referred to Committee on Transportation 1/23/2020 House: Subcommittee recommends reporting with amendments (7-Y 4-N) 1/28/2020 House: Reported from Transportation with amendments (15-Y 7-N) 2/4/2020 House: Read third time and passed House (60-Y 38-N) 2/5/2020 Senate: Referred to Committee on Transportation	1/28/2020
Support (20104450D) Summary: Department of Transportation; at-risk infrastructure; report. Directs the Department of Transportation, in collaboration with the Commonwealth Center for Recurrent Flooding Resiliency, to (i) identify roads and bridges at risk of deterioration due to flooding in Northern Virginia; (ii) develop recommendations for managing such assets; and (iii) report its findings and recommendations to the Chairs of the House and Senate Committees on Transportation by the start of the 2022 General Assembly Session.		

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 1227</u> - LaRock (33) Unmanned aerial systems; local regulation.	1/7/2020 House: Referred to Committee on Communications, Technology and Innovation 1/22/2020 House: Subcommittee recommends incorporating (HB 742-Bulova) by voice vote	1/28/2020
<p>Support (20105013D) - Support concept of providing authority for political subdivisions to adopt restrictions regarding takeoff and landing of unmanned aerial systems on their property. Collaborate with stakeholders to ensure language of bill accomplishes this goal.</p> <p>Summary: Local regulation of unmanned aerial systems. Authorizes a political subdivision to adopt time, place, or manner regulations regarding the takeoff or landing of unmanned aerial systems on property owned by the political subdivision, provided such regulations are narrowly tailored to protect the health, safety, and welfare of the public. Takeoff and landing regulations adopted by a political subdivision shall not apply to persons authorized by federal regulations to operate an unmanned aircraft system provided such system is operated in an otherwise lawful manner and consistent with federal regulations. A political subdivision shall annually report to the Department of Aviation any regulations adopted pursuant to this section.</p>		
<u>HB 1391</u> - Leftwich (78) Deeds of trust; fiduciary duties.	1/8/2020 House: Referred to Committee for Courts of Justice 1/29/2020 House: Subcommittee recommends reporting with substitute (7-Y 1-N) 2/5/2020 House: Reported from Courts of Justice with substitute (17-Y 5-N)	[1/31/2020] 1/28/2020
<p>[Support] (20106945D) - Bill has been amended to include language that would protect the County's affordable dwelling unit program. See also SB 253 (Chafin). Oppose (20102582D) - See also SB 253 (Chafin).</p> <p>Summary: Specifies that a trustee under a deed of trust has only the duties, rights, and obligations imposed and conferred on it by the deed of trust or by statute. This bill is in response to Crosby v. ALG Trustee, LLC, 296 Va. 561 (2018).</p>		
<u>HB 1518</u> - McQuinn (70) Primary and secondary highways; compensation of counties for certain construction.	1/8/2020 House: Referred to Committee on Transportation 1/30/2020 House: Subcommittee recommends reporting (10-Y 0-N) 2/4/2020 House: Reported from Transportation (22-Y 0-N) 2/7/2020 House: Read third time and passed House BLOCK VOTE (100-Y 0-N)	1/28/2020
<p>Support (20103783D)</p> <p>Summary: Compensation of counties for certain construction and improvement of primary and secondary highways. Allows the Department of Transportation to pay a locality up-front for eligible expenses related to certain transportation projects administered by the locality, instead of being reimbursed after completion of the project. The bill also removes language related to an obsolete funding formula.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 1526</u> - Sullivan, Jr. (48) Virginia Clean Economy Act.	1/9/2020 House: Referred to Committee on Labor and Commerce 2/4/2020 House: Subcommittee recommends reporting (5-Y 4-N) 2/6/2020 House: Reported from Labor and Commerce with substitute (13-Y 9-N)	[1/31/2020]

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

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

<u>HB 1534</u> - Samirah (86) Town taxes; collection by county.	1/10/2020 House: Referred to Committee on Counties, Cities and Towns 1/30/2020 House: Subcommittee recommends reporting (6-Y 0-N) 2/7/2020 House: Reported from Counties, Cities and Towns (22-Y 0-N)	1/28/2020
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Support (20105339D) - See also SB 649 (Boysko).

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

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 1552</u> - Levine (45) Tethering animals; adequate shelter and space.	1/11/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/29/2020 House: Subcommittee recommends reporting with substitute (5-Y 3-N) 2/5/2020 House: Reported from Agriculture, Chesapeake and Natural Resources with substitute (12-Y 10-N)	1/28/2020
<p>Support (20105457D) - The County supports the expanded authority for the care of companion animals but does not support the tethering provisions. See also SB 272 (Bell).</p> <p>Summary: Provides that outdoor tethering of an animal does not meet the requirement that an animal be given adequate shelter if it occurs (i) between 10 p.m. and 6 a.m., except when the animal is engaged in conduct related to an agricultural activity; (ii) when no owner is on the property; (iii) when the temperature is 32 degrees Fahrenheit or lower, or 85 degrees Fahrenheit or higher; (iv) during a heat advisory; or (v) during a severe weather warning. The bill increases certain minimum tether length requirements to meet the requirement that an animal be given adequate space by requiring that a tether be at least 15 feet in length or four times the length of the animal, whichever is greater. Current law requires the tether to be at least 10 feet in length or three times the length of the animal, whichever is greater. The bill also authorizes the governing body of any locality to adopt, and make more stringent, ordinances that parallel certain state provisions related to care of companion animals.</p>		
<u>HB 1644</u> - Plum (36) Vehicles stopped at crosswalks; prohibition on passing.	1/16/2020 House: Referred to Committee on Transportation 2/3/2020 House: Subcommittee recommends reporting (9-Y 0-N) 2/6/2020 House: Reported from Transportation (22-Y 0-N)	1/28/2020
<p>Support (20101622D) - Board has historically supported.</p> <p>Summary: Prohibits the driver of a vehicle from overtaking and passing a vehicle stopped at a marked crosswalk to permit a pedestrian to cross the highway.</p>		
<u>HB 1705</u> - Kory (38) Pedestrians; drivers to stop when yielding the right-of-way.	1/17/2020 House: Referred to Committee on Transportation 2/3/2020 House: Subcommittee recommends reporting (7-Y 0-N) 2/6/2020 House: Reported from Transportation (22-Y 0-N)	1/28/2020
<p>Support (20105498D) - Board has historically supported.</p> <p>Summary: Yielding the right-of-way to pedestrians; stopping. Clarifies the duties of vehicle drivers to stop when yielding to pedestrians at (i) clearly marked crosswalks, whether at midblock or at the end of any block; (ii) any regular pedestrian crossing included in the prolongation of the lateral boundary lines of the adjacent sidewalk at the end of a block; or (iii) any intersection when the driver is approaching on a highway where the maximum speed limit is not more than 35 miles per hour. The bill contains technical amendments.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<u>HJ 1</u> - Foy (2) United States Constitution; ratifies and affirms Equal Rights Amendment.	11/18/2019 House: Referred to Committee on Privileges and Elections (HPE) 1/14/2020 House: Reported from HPE (13-Y 9-N) 1/15/2020 House: Agreed to by House (59-Y 41-N) 1/15/2020 Senate: Referred to Committee on Privileges and Elections (SPE) 1/21/2020 Senate: Reported from SPE (10-Y 5-N) 1/27/2020 Senate: Agreed to by Senate (27-Y 12-N)	1/28/2020
<p>Support (20105798D-H1) - Board has historically supported. See also SJ 1 (McClellan). Summary: Constitution of the United States; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the Constitution of the United States that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.</p>		
<u>HJ 31</u> - Lopez (49) Commonwealth-wide housing needs; Department of Housing and Community Development to study.	1/1/2020 House: Referred to Committee on Rules 2/3/2020 House: Subcommittee recommends laying on the table (5-Y 0-N)	1/28/2020
<p>Support with Amendment (20101786D) - Support with amendment to include the Virginia Housing Development Authority in the study. Summary: Study; Department of Housing and Community Development; Commonwealth-wide housing needs. Directs the Department of Housing and Community Development to (i) determine the quantity and quality of affordable housing across the Commonwealth, (ii) conduct a review of current programs and policies to determine the effectiveness of current housing policy efforts, (iii) develop an informed projection of future housing needs in the Commonwealth and determine the order of priority of those needs, and (iv) make recommendations for the improvement of housing policy in the Commonwealth.</p>		
<u>HJ 63</u> - Rush (7) Blockchain technology; joint subcommittee to study emergence & integration in the economy.	1/6/2020 House: Referred to Committee on Rules 2/3/2020 House: Subcommittee recommends laying on the table (3-Y 0-N)	1/28/2020
<p>Support with Amendment (20102833D) - Support with amendment to include analysis of opportunities to deploy blockchain technology at the local level, and local government representation on the joint subcommittee. Summary: Study; joint subcommittee to study the emergence and integration of blockchain technology in the economy of the Commonwealth; report. Establishes a 19-member, two-year joint subcommittee to identify research and economic development opportunities to inform a statewide, comprehensive, and coordinated strategy relating to blockchain technology.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<u>HJ 82</u> - Ayala (51) Blockchain technology; VEDPA to study the emergence, etc., in the economy.	1/7/2020 House: Referred to Committee on Rules 2/3/2020 House: Subcommittee recommends laying on the table (5-Y 0-N)	1/28/2020
<p>Support with Amendment (20104566D) - Support with amendment to include collaboration with local government representatives to analyze opportunities to deploy blockchain technology at the local level.</p> <p>Summary: Study; Virginia Economic Development Partnership Authority to study the emergence and integration of blockchain technology in the economy of the Commonwealth; report. Requests the Virginia Economic Development Partnership Authority to identify blockchain technology research and economic development opportunities with the goal of creating a statewide, comprehensive, and coordinated strategy relating to blockchain technology. In conducting its study, the Virginia Economic Development Partnership Authority shall analyze and consider (i) economic development opportunities in the Commonwealth available through the utilization of blockchain technology; (ii) different types of blockchain technology and the feasibility of economic development for each type; (iii) the creation of a statewide, comprehensive, and coordinated strategy to encourage commercial activity in the blockchain technology sector; (iv) opportunities for deployment of blockchain technology in state government; and (v) strategies to incentivize the development of blockchain companies in the Commonwealth. The Virginia Economic Development Partnership Authority shall submit its report to the Governor and the 2021 and 2022 Regular Sessions of the General Assembly.</p>		
<u>HJ 105</u> - Subramanyam (87) Blockchain technology; joint subcommittee to study emergence & integration in the economy.	1/8/2020 House: Referred to Committee on Rules 1/29/2020 House: Subcommittee recommends laying on the table (6-Y 0-N)	1/28/2020
<p>Support with Amendment (20103700D) - Support with amendment to include analysis of opportunities to deploy blockchain technology at the local level, and local government representation on the joint subcommittee.</p> <p>Summary: Study; joint subcommittee to study the emergence and integration of blockchain technology in the economy of the Commonwealth; report. Establishes a 19-member, two-year joint subcommittee to identify research and economic development opportunities to inform a statewide, comprehensive, and coordinated strategy relating to blockchain technology.</p>		
<u>HJ 130</u> - Heretick (79) Cannabis and medical cannabis; joint subcommittee to study development of framework for regulation.	1/10/2020 House: Referred to Committee on Rules 1/29/2020 House: Subcommittee recommends reporting (4-Y 2-N) 2/7/2020 House: Reported from Rules with substitute (12-Y 5-N)	[1/31/2020]

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Bills	General Assembly Actions	Date of BOS Position
<p>[Support] (20105363D) - See also HJ 132 (Herring) and SJ 66 (Ebbin).</p> <p>Summary: Study; Joint Subcommittee to Study the Development of a Framework for Regulated Adult-Use of Cannabis and Medical Cannabis; report. Establishes the Joint Subcommittee to Study the Development of a Framework for Regulated Adult-Use of Cannabis and Medical Cannabis (Joint Subcommittee). The bill requires the Joint Subcommittee to (i) study and provide guidance on the potential creation of a Cannabis Control Commission to oversee licensing and regulation of industrial hemp, medical cannabis, and adult-use of cannabis; (ii) provide regulatory guidance on potential tax rates and revenue forecasts for retail and wholesale products; (iii) study and make recommendations regarding the issuance of initial cultivation and retail licenses; (iv) develop and recommend a fee structure and grandfathering process for current pharmaceutical processors; (v) study and recommend potential marijuana advertising regulations; (vi) study and determine appropriate public consumption venues and personal cultivation allowances; (vii) study funding and processing requirements for expungement of criminal records and rights restoration related to marijuana decriminalization; (viii) study and recommend methods for diversifying ownership of the marijuana market; (ix) assess the California, Massachusetts, and Illinois marijuana programs and their effectiveness in transferring economic prosperity to disproportionately affected areas; (x) study the potential development of a community reinvestment fund; and (xi) review and analyze National Highway Traffic Safety Administration studies on marijuana-related impairment.</p>		
<p>HJ 132 - Herring (46) Cannabis and medical cannabis; joint subcommittee to study development of framework for regulation.</p>	<p>1/10/2020 House: Referred to Committee on Rules 2/3/2020 House: Subcommittee recommends laying on the table (5-Y 0-N)</p>	<p>[1/31/2020]</p>
<p>[Support] (20105549D) - See also HJ 130 (Heretick) and SJ 66 (Ebbin).</p> <p>Summary: Study; Joint Subcommittee to Study the Development of a Framework for Regulated Adult-Use of Cannabis and Medical Cannabis; report.</p>		
<p>SB 1 - Stanley, Jr. (20) Driver's license; suspension for nonpayment of fines or costs.</p>	<p>11/18/2019 Senate: Referred to Committee on the Judiciary 1/15/2020 Senate: Incorporates SB 10 (Ebbin) 1/15/2020 Senate: Incorporates SB 514 (Edwards) 1/15/2020 Senate: Incorporates SB 814 (Morrissey) 1/15/2020 Senate: Reported from Judiciary with substitute (14-Y 0-N) 1/15/2020 Senate: Re-referred to Finance and Appropriations (SFIN) 1/29/2020 Senate: Reported from SFIN with amendment (13-Y 2-N 1-A) 2/3/2020 Senate: Read third time and passed Senate (40-Y 0-N)</p>	<p>1/28/2020</p>
<p>Support (20105850D-S1) - Board has historically supported concept of alternatives to driver's license suspension to address non-payment of court fines and costs.</p> <p>Summary: Suspension of driver's license for nonpayment of fines or costs. Repeals the requirement that the driver's license of a person convicted of any violation of the law who fails or refuses to provide for immediate payment of fines or costs be suspended. The bill also removes a provision allowing the court to require a defendant to present a summary prepared by the Department of Motor Vehicles of the other courts in which the defendant also owes fines and costs. The bill requires the Commissioner of the Department of Motor Vehicles to return or reinstate any person's driver's license that was suspended prior to July 1, 2019, solely for nonpayment of fines or costs. Such person does not have to pay a reinstatement fee. The bill contains an emergency clause and incorporates SB 10, SB 514, and SB 814.</p>		

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Bills	General Assembly Actions	Date of BOS Position
SB 8 - Saslaw (35) Prevailing wage; public works contracts, penalty.	11/18/2019 Senate: Referred to Committee on Commerce and Labor (SCL) 2/3/2020 Senate: Reported from SCL with substitute (9-Y 3-N) 2/3/2020 Senate: Re-referred to Finance and Appropriations 2/6/2020 Senate: Reported from Finance and Appropriations with amendment (11-Y 5-N)	1/28/2020
Support (20100503D) Summary: Prevailing wage; public works contracts; penalty. Requires contractors and subcontractors under any public contract with a state agency for public works to pay wages, salaries, benefits, and other remuneration to any mechanic, laborer, or worker employed, retained, or otherwise hired to perform services in connection with the public contract for public works at the prevailing wage rate. The Commissioner of Labor and Industry is required to determine the prevailing wage rate for such public contracts on the basis of applicable prevailing wage rate determinations made by the U.S. Secretary of Labor under the provisions of the federal Davis-Bacon Act. A contractor or subcontractor who knowingly or willfully employs any mechanic, laborer, or worker to perform work contracted to be done under the public contract at a rate that is less than the prevailing wage rate is guilty of a Class 1 misdemeanor. In addition, such a contractor or subcontractor shall be liable to such individuals for the payment of all wages due plus interest and shall be disqualified from bidding on public contracts with any public body until full restitution has been paid to the individuals.		
SB 11 - Ebbin (30) Disposable paper and plastic bags; local taxation per bag when provided to consumers.	11/18/2019 Senate: Referred to Committee on Finance and Appropriations	1/28/2020
Support (20100728D) - Support effort to reduce waste from plastic bags, but revenue generated should be directed to localities as they are responsible for solid waste management. Summary: Local disposable paper and plastic bag tax. Authorizes any locality to impose a tax of five cents per bag on disposable paper bags or disposable plastic bags provided to consumers by certain retailers, with certain bags being exempt from the tax. The bill allows every retailer that collects the tax to retain one cent of the five-cent tax.		
SB 34 - Surovell (36) Motor Vehicles, Department of; issuance of certain documents.	11/18/2019 Senate: Referred to Committee on Transportation 1/30/2020 Senate: Incorporates SB 643 (Boysko) 1/30/2020 Senate: Reported from Transportation with substitute (8-Y 7-N) 1/30/2020 Senate: Re-referred to Finance and Appropriations 2/5/2020 Senate: Reported from Finance and Appropriations (11-Y 5-N)	[1/31/2020]
[Support] (20107461D-S1) Summary: Removes the citizenship and legal presence requirements for obtaining a driver's license or special identification card. The bill requires the Department of Motor Vehicles to cancel any (i) REAL ID-compliant driver's license or special identification card and (ii) commercial driver's license or commercial learner's permit if the Department is notified by a federal agency that the individual to whom such document was issued is not in compliance with the citizenship and lawful residency requirements for such license, card, or permit. The bill has a delayed effective date of October 2, 2020, and contains technical amendments.		

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Bills	General Assembly Actions	Date of BOS Position
SB 35 - Surovell (36) Firearms, etc.; permitted events.	11/18/2019 Senate: Referred to Committee on the Judiciary 1/13/2020 Senate: Incorporates SB 615 (Deeds) 1/13/2020 Senate: Incorporates SB 450 (Edwards) 1/13/2020 Senate: Incorporates SB 505 (Edwards) 1/13/2020 Senate: Incorporates SB 506 (Edwards) 1/13/2020 Senate: Reported from Judiciary with substitute (9-Y 5-N) 1/16/2020 Senate: Read third time and passed Senate (21-Y 19-N)	1/28/2020
Support (20105646D-S1) - Collaborate with stakeholders to ensure bill can be successfully implemented. Summary: Control of firearms by localities; permitted events. Authorizes any locality by ordinance to prohibit the possession or carrying of firearms, ammunition, or components or any combination thereof in (i) any building, or part thereof, owned or used by such locality for governmental purposes; (ii) in any public park owned by the locality; or (iii) in any public street, road, alley, sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit. Provisions limiting the authority of localities and state governmental entities to bring lawsuits against certain firearms manufacturers and others are also repealed. The bill also provides any firearm received by the locality pursuant to gun buy-back program shall be destroyed by the locality unless the person surrendering such firearm requests in writing that such surrendered firearm be sold. The bill contains technical amendments. This bill incorporates SB 450, SB 505, SB 506, and SB 615.		
SB 40 - DeSteph (8) Line of Duty Act; eligible dependents.	11/18/2019 Senate: Referred to Committee on Finance and Appropriations (SFIN) 1/28/2020 Senate: Reported from SFIN with substitute (15-Y 0-N) 1/31/2020 Senate: Read third time and passed Senate (40-Y 0-N)	1/28/2020
Support (20100676D) Summary: Provides that children born or adopted after the death or disability of an employee covered by the Line of Duty Act are eligible for health insurance coverage if the pregnancy or adoption occurred before July 1, 2017. Under current law, such children are not eligible.		
SB 69 - Locke (2) Handguns; limitation on purchases, penalty.	11/22/2019 Senate: Referred to Committee on the Judiciary 1/13/2020 Senate: Incorporates SB 22 (Saslaw) 1/13/2020 Senate: Reported from Judiciary with substitute (9-Y 5-N) 1/16/2020 Senate: Read third time and passed Senate (21-Y 19-N)	1/28/2020
Support (20105654D-S1) - See also HB 812 (Ward). Summary: Purchase of handguns; limitation on handgun purchases; penalty. Prohibits any person who is not a licensed firearms dealer from purchasing more than one handgun in a 30-day period and establishes such an offense as a Class 1 misdemeanor. The bill exempts from this provision (i) persons who have been issued a certificate by the Department of State Police under certain circumstances and with an enhanced background check, (ii) law-enforcement agencies and officers, (iii) state and local correctional facilities, (iv) licensed private security companies, (v) persons who hold a valid Virginia concealed handgun permit, (vi) persons whose handgun has been stolen or irretrievably lost or who are trading in a handgun, (vii) purchases of handguns in a private sale, and (viii) purchases of antique firearms. This bill incorporates SB 22.		

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Bills	General Assembly Actions	Date of BOS Position
<u>SB 70</u> - Lucas (18) Firearm transfers; criminal history record information check, penalty.	11/22/2019 Senate: Referred to Committee on the Judiciary 1/13/2020 Senate: Incorporates SB 12 (Saslaw) 1/13/2020 Senate: Reported from Judiciary with substitute (9-Y 5-N) 1/16/2020 Senate: Read third time and passed Senate (24-Y 16-N) 1/16/2020 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) 1/16/2020 Senate: Passed Senate (23-Y 17-N)	1/28/2020
<p>Support (20105589D-S1) - Support the comprehensive approach to requiring universal background checks as envisioned in HB 2.</p> <p>Summary: Firearm sales; criminal history record information checks; penalty. Requires a background check for any firearm sale and directs the Department of State Police (the Department) to establish a process for transferors to obtain such a check from licensed firearms dealers. A person who sells a firearm to another person without obtaining the required background check is guilty of a Class 1 misdemeanor. The bill also provides that a purchaser who receives a firearm from another person without obtaining the required background check is guilty of a Class 1 misdemeanor. The bill removes the provision that makes background checks of prospective purchasers or transferees at firearms shows voluntary. The bill also provides that the Department shall have three business days to complete a criminal history record information check before a firearm may be transferred. This bill incorporates SB 12.</p>		
<u>SB 94</u> - Favola (31) Virginia Energy Plan; relating to the Commonwealth Energy Policy.	12/2/2019 Senate: Referred to Committee on Commerce and Labor 1/20/2020 Senate: Reported from Commerce and Labor with substitute (12-Y 2-N 1-A) 1/24/2020 Senate: Read third time and passed Senate (21-Y 18-N)	[1/31/2020]
<p>[Support] (20105660D-S1)</p> <p>Summary: Virginia Energy Plan; Commonwealth Energy Policy. States that the Commonwealth Energy Policy shall include (i) establishing greenhouse gas emissions reduction standards across all sectors of Virginia's economy that target net zero carbon emissions by mid-century; (ii) enacting mandatory clean energy standards and overall strategies for reaching zero carbon in the electric power sector by 2040; (iii) incorporating requirements for technical, policy, and economic analyses and assessments that identify pathways to zero carbon that maximize Virginia's economic development and create quality jobs; and (iv) minimizing the negative impacts of climate change and the energy transition on disadvantaged communities and prioritizing investment in these areas. The measure requires the Virginia Energy Plan to be prepared in consultation with a stakeholder group that includes representatives of consumer and environmental organizations. The measure also requires that the Virginia Energy Plan identify actions over a 10-year period consistent with the goal of the Commonwealth Energy Policy to achieve, no later than 2050, a net-zero carbon energy economy for all sectors, including electricity, transportation, building, and industrial sectors.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<u>SB 111</u> - Howell (32) Absentee voting; no excuse required.	12/12/2019 Senate: Referred to Committee on Privileges and Elections (SPE) 1/14/2020 Senate: Incorporates SB 45 (Spruill) 1/14/2020 Senate: Incorporates SB 137 (Stuart) 1/14/2020 Senate: Reported from SPE with substitute (11-Y 4-N) 1/15/2020 Senate: Incorporates SB 696 (Mason) 1/15/2020 Senate: Incorporates SB 879 (Locke) 1/20/2020 Senate: Read third time and passed Senate (31-Y 9-N)	1/28/2020
Support (20105793D-S1) - Collaborate with stakeholders to ensure bill can be successfully implemented. Summary: Permits any registered voter to vote by absentee ballot in any election in which he is qualified to vote. The bill removes the current list of statutory reasons under which a person may be entitled to vote by absentee ballot and removes references to those reasons from other sections of the Code.		
<u>SB 124</u> - Locke (2) Food stamps and TANF; eligibility, drug-related felonies.	12/16/2019 Senate: Referred to Committee on Rehabilitation and Social Services 1/10/2020 Senate: Incorporates SB 155 (Favola) 1/10/2020 Senate: Reported from Rehabilitation and Social Services with substitute (9-Y 6-N) 1/10/2020 Senate: Re-referred to Finance and Appropriations 1/22/2020 Senate: Reported from Finance and Appropriations (13-Y 2-N) 1/27/2020 Senate: Read third time and passed Senate (22-Y 17-N)	1/28/2020
Support (20105548D-S1) - Board has historically supported. See also HB 566 (Guzman). Summary: Eligibility for food stamps and TANF; drug-related felonies. Provides that a person who is otherwise eligible to receive food stamp benefits or TANF shall not be denied such assistance solely because he has been convicted of a drug-related felony. Under current law, a person otherwise eligible to receive food stamp benefits shall not be denied food stamp benefits based on a felony conviction of possession of a controlled substance in violation of § 18.2-250, provided that such person is complying with, or has already complied with, all obligations imposed by the criminal court, is actively engaged in or has completed a substance abuse treatment program, participates in periodic drug screenings, and fulfills any other obligations as determined by the Department of Social Services.		
<u>SB 149</u> - Howell (32) Courthouse and courtroom security; assessment.	12/18/2019 Senate: Referred to Committee on the Judiciary 1/13/2020 Senate: Re-referred to Finance and Appropriations 1/30/2020 Senate: Reported from Finance and Appropriations (14-Y 2-N) 2/5/2020 Senate: Read third time and passed Senate (31-Y 9-N)	1/28/2020
Support (20101599D) - Board has historically supported. Summary: Increases from \$10 to \$20 the maximum amount a local governing body may assess against a convicted defendant as part of the costs in a criminal or traffic case in district or circuit court to fund courthouse and courtroom security.		

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Bills	General Assembly Actions	Date of BOS Position
SB 182 - Saslaw (35) Project labor agreements; public procurement.	12/24/2019 Senate: Referred to Committee on General Laws and Technology 1/22/2020 Senate: Re-referred to Commerce and Labor 2/3/2020 Senate: Reported from Commerce and Labor with substitute (12-Y 2-N) 2/3/2020 Senate: Re-referred to Finance and Appropriations 2/6/2020 Senate: Reported from Finance and Appropriations (12-Y 4-N)	1/28/2020
Support (20102362D) Summary: Repeals the provision enacted in 2012 that requires state agencies to ensure that neither the state agency nor any construction manager acting on its behalf (i) requires or prohibits bidders, offerors, contractors, or subcontractors to enter into or adhere to project labor agreements with labor organizations or (ii) discriminates against bidders, offerors, contractors, subcontractors, or operators for becoming or refusing to sign or adhere to project labor agreements on the same or other related public works projects.		
SB 209 - Petersen (34) Judges; increases maximum number in judicial district.	12/30/2019 Senate: Referred to Committee on the Judiciary 1/15/2020 Senate: Reported from Judiciary (14-Y 0-N) 1/15/2020 Senate: Re-referred to Finance and Appropriations 1/30/2020 Senate: Reported from Finance and Appropriations (13-Y 0-N) 2/5/2020 Senate: Read third time and passed Senate (40-Y 0-N)	1/28/2020
Support (20102142D) - Board has historically supported. See also HB 275 (Sullivan). Summary: Maximum number of judges in each judicial district. Increases from 11 to 12 the maximum number of authorized general district court judgeships in the nineteenth judicial district. The Committee on District Courts recommended the additional judgeship in 2018.		
SB 212 - Favola (31) Alcoholic beverage control; creates annual mixed beverage performing arts facility license.	12/30/2019 Senate: Referred to Committee on Rehabilitation and Social Services 1/10/2020 Senate: Reported from Rehabilitation and Social Services with amendments (12-Y 0-N 3-A) 1/15/2020 Senate: Read third time and passed Senate (40-Y 0-N)	[1/31/2020]
[Support] (20102017D-E) - See also HB 598 (Murphy). Summary: Alcoholic beverage control; annual mixed beverage performing arts facility license. Creates an annual mixed beverage performing arts facility license that (i) may be granted to persons operating food concessions at any corporate and performing arts facility located in Fairfax County, provided that the corporate and performing arts facility (a) is occupied under a bona fide long-term lease, management, or concession agreement, the original term of which was more than one year and (b) has a total capacity in excess of 1,400 patrons and (ii) authorizes the licensee to sell, on the dates of performances or events, alcoholic beverages for on-premises consumption.		

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Bills	General Assembly Actions	Date of BOS Position
<u>SB 240</u> - Barker (39) Firearms; removal from persons posing substantial risk of injury to himself, etc., penalties.	1/2/2020 Senate: Referred to Committee on the Judiciary 1/13/2020 Senate: Reported from Judiciary with substitute (9-Y 5-N) 1/21/2020 Senate: Engrossed by Senate - floor substitute with amendments SB 240-ES3 1/22/2020 Senate: Read third time and passed Senate (21-Y 19-N)	[1/31/2020]
<p>[Support] (20105922D-ES3)</p> <p>Summary: Creates a procedure by which an attorney for the Commonwealth or two law enforcement officers, supported by affidavit of supporting facts after consulting with the attorney for the Commonwealth, may apply to a general district court, circuit court, or juvenile and domestic relations district court judge or magistrate for an emergency substantial risk order to prohibit a person who poses a substantial risk of injury to himself or others from purchasing, possessing, or transporting a firearm. Upon service of an emergency substantial risk order, the person who is subject to the order shall be given the opportunity to voluntarily relinquish any firearm, though voluntary relinquishment shall not preclude a law-enforcement officer from later obtaining a search warrant to search for any firearms if a law-enforcement officer has reason to believe that the person who is subject to an emergency substantial risk order has not relinquished all firearms in his possession. An emergency substantial risk order shall expire on the fourteenth day following issuance of the order. The bill requires a court hearing in the circuit court for the jurisdiction where the order was issued within 14 days from issuance of an emergency substantial risk order to determine whether a substantial risk order should be issued. Seized firearms shall be retained by a law-enforcement agency for the duration of an emergency substantial risk order or a substantial risk order or, for a substantial risk order and with court approval, may be transferred to a third party 21 years of age or older chosen by the person from whom they were seized. The bill allows the complainant of the original warrant to file a motion for a hearing to extend the substantial risk order prior to its expiration. The court may extend the substantial risk order for a period not longer than 180 days. The bill provides that persons who are subject to a substantial risk order, until such order has been dissolved by a court, are guilty of a Class 1 misdemeanor for purchasing, possessing, or transporting a firearm; are disqualified from having a concealed handgun permit; and may not be employed by a licensed firearms dealer. The bill also provides that a person who transfers a firearm to a person he knows has been served with a warrant or who is the subject of a substantial risk order is guilty of a Class 4 felony. The bill creates a computerized substantial risk order registry for the entry of orders issued pursuant to provisions in the bill.</p>		
<u>SB 253</u> - Chafin (38) Deeds of trust; fiduciary duties.	1/2/2020 Senate: Referred to Committee on the Judiciary 1/29/2020 Senate: Reported from Judiciary with substitute (8-Y 5-N 1-A) 2/5/2020 Senate: Chair votes Yes 2/5/2020 Senate: Amendments by Senator Petersen agreed to (20-Y 20-N) 2/6/2020 Senate: Amendments by Senator Petersen reconsidered (40-Y 0-N)	[1/31/2020] 1/28/2020
<p>[Support] (20106654D-S1) - Bill has been amended to include language that would protect the County's affordable dwelling unit program. See also HB 1391 (Leftwich). Oppose (20102906D) - See also HB 1391 (Leftwich).</p> <p>Summary: Specifies that a trustee under a deed of trust has only the duties, rights, and obligations imposed and conferred on it by the deed of trust or by statute. This bill is in response to Crosby v. ALG Trustee, LLC, 296 Va. 561 (2018).</p>		

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Bills	General Assembly Actions	Date of BOS Position
SB 272 - Bell (13) Tethering animals; adequate shelter and space.	1/3/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/4/2020 Senate: Reported from Agriculture, Conservation and Natural Resources with amendments (7-Y 6-N 2-A)	1/28/2020
<p>Support (20103262D) - The County supports the expanded authority for the care of companion animals but does not support the tethering provisions. See also HB 1552 (Levine).</p> <p>Summary: Provides that outdoor tethering of an animal does not meet the requirement that an animal be given adequate shelter if it occurs (i) between 10 p.m. and 6 a.m., except when the animal is engaged in conduct related to an agricultural activity; (ii) when no owner is on the property; (iii) when the temperature is 32 degrees Fahrenheit or lower, or 85 degrees Fahrenheit or higher; (iv) during a heat advisory; or (v) during a severe weather warning. The bill increases certain minimum tether length requirements to meet the requirement that an animal be given adequate space by requiring that a tether be at least 15 feet in length or four times the length of the animal, whichever is greater. Current law requires the tether to be at least 10 feet in length or three times the length of the animal, whichever is greater. The bill also authorizes the governing body of any locality to adopt, and make more stringent, ordinances that parallel certain state provisions related to care of companion animals.</p>		
SB 276 - Barker (39) Safety belt system; use in motor vehicles.	1/3/2020 Senate: Referred to Committee on Transportation 2/6/2020 Senate: Incorporated by Transportation (SB 907- Lucas) (15-Y 0-N)	1/28/2020
<p>Support (20103297D)</p> <p>Summary: Safety belt system use in motor vehicles. Requires all occupants of motor vehicles to utilize a safety belt system. Current law requires the use of safety belts only by (i) occupants under the age of 18, (ii) drivers, and (iii) passengers 18 years of age or older occupying the front seat. The bill changes a violation of safety belt system requirements from a secondary offense to a primary offense.</p>		
SB 277 - Barker (39) Income tax, state and corporate; deduction for commuter benefits provided by an employer.	1/3/2020 Senate: Referred to Committee on Finance and Appropriations 1/30/2020 Senate: Reported from Finance and Appropriations with amendments (12-Y 0-N) 2/5/2020 Senate: Read third time and passed Senate (28-Y 12- N)	1/28/2020
<p>Support (20103304D)</p> <p>Summary: Income tax deduction for commuter benefits provided by an employer. Establishes, for taxable years 2020 through 2024, an individual and corporate income tax deduction for commuter benefits, defined in the bill, provided by an employer to its employees. The deduction is available only to the employer and is limited to \$265 per employee. The provisions of the bill are contingent on funding in a general appropriation act.</p>		

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Bills	General Assembly Actions	Date of BOS Position
SB 297 - Favola (31) Virginia Sexual and Domestic Violence Prevention Fund; created, report.	1/3/2020 Senate: Referred to Committee on the Judiciary 1/13/2020 Senate: Re-referred to Rehabilitation and Social Services 1/17/2020 Senate: Reported from Rehabilitation and Social Services with amendment (14-Y 0-N) 1/17/2020 Senate: Re-referred to Finance and Appropriations 2/4/2020 Senate: Reported from Finance and Appropriations with amendments (16-Y 0-N) 2/6/2020 Senate: Read third time and passed Senate (40-Y 0-N)	1/28/2020
Support (20103455D) Summary: Virginia Sexual and Domestic Violence Prevention Fund; report. Creates the Virginia Sexual and Domestic Violence Prevention Fund, which shall be administered by the Department of Social Services, in coordination with the Department of Health and the Virginia Sexual and Domestic Violence Action Alliance, and used to develop, support, and evaluate programs that prevent sexual and domestic violence through strategies that (i) promote healthy practices related to relationships, sexuality, and social-emotional development and (ii) counteract the factors associated with the initial perpetration of sexual and domestic violence.		
SB 316 - Kiggans (7) Elections; date of June primary election.	1/5/2020 Senate: Referred to Committee on Privileges and Elections 1/21/2020 Senate: Reported from Privileges and Elections (14-Y 1-N) 1/28/2020 Senate: Read third time and passed Senate (24-Y 16-N) 2/3/2020 House: Referred to Committee on Privileges and Elections	1/28/2020
Support (20103661D) - Board has historically supported. See also HB 57 (Fowler). Summary: Changes the date of the primary election held in June from the second Tuesday in June to the third Tuesday in June. The bill also changes candidate filing deadlines to reflect the change of date.		
SB 435 - Surovell (36) Waterfowl blinds; blinds in locality where certain hunting prohibited.	1/7/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 1/14/2020 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (14-Y 0-N) 1/20/2020 Senate: Read third time and passed Senate (40-Y 0-N)	1/28/2020
Support (20105779D-S1) Summary: Waterfowl blinds in locality where certain hunting prohibited. Directs the Department of Game and Inland Fisheries not to license any stationary waterfowl blind in any area in which a local governing body prohibits by ordinance the hunting of birds with a firearm.		

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Bills	General Assembly Actions	Date of BOS Position
SB 479 - Howell (32) Protective orders; possession of firearms, surrender or transfer of firearms, penalty.	1/7/2020 Senate: Referred to Committee on the Judiciary 1/22/2020 Senate: Incorporates SB 372 (Saslaw) 1/22/2020 Senate: Reported from Judiciary with substitute (10-Y 4-N) 1/28/2020 Senate: Read third time and passed Senate (23-Y 17-N)	[1/31/2020]

[Support] (20106476D-S1) - Board has historically supported. See also HB 1004 (Mullin).

Summary: Protective orders; possession of firearms; surrender or transfer of firearms; penalty. Prohibits any person subject to a permanent protective order (i.e., a protective order with a maximum duration of two years) from knowingly possessing a firearm while the order is in effect, provided that for a period of 24 hours after being served with a protective order such person may continue to possess such firearm for the purposes of selling or transferring it to any person who is not otherwise prohibited by law from possessing such firearm. A violation of this provision is a Class 6 felony. The bill also provides that a court shall order a person subject to a permanent protective order to (i) within 24 hours, surrender any firearm possessed by such person to a designated local law-enforcement agency or sell or transfer any firearm possessed by such person to a dealer or to any person who is not otherwise prohibited by law from possessing such firearm and (ii) certify in writing that such person does not possess any firearms or that all firearms possessed by such person have been surrendered, sold, or transferred and file such certification with the clerk of the court that entered the protective order within 48 hours after being served with a protective order. The bill provides that any person who fails to certify in writing in accordance with this section that all firearms possessed by such person have been surrendered, sold, or transferred or that such person does not possess any firearms is guilty of a Class 1 misdemeanor. The bill provides procedures for designating a local law-enforcement agency to receive and store firearms, as well as a process to return such surrendered firearms. The bill also makes it a Class 4 felony for any person to sell, barter, give, or furnish any firearm to any person he knows is prohibited from possessing or transporting a firearm who is the subject to a permanent protective order.

SB 561 - Vogel (27) Workers' compensation; post-traumatic stress disorder, law- enforcement officers and firefighters.	1/7/2020 Senate: Referred to Committee on Commerce and Labor 1/13/2020 Senate: Incorporates SB 924 (Cosgrove) 1/13/2020 Senate: Reported from Commerce and Labor with substitute (12-Y 3-N) 1/13/2020 Senate: Re-referred to Finance and Appropriations 2/4/2020 Senate: Incorporates SB 741 (McPike) 2/4/2020 Senate: Reported from Finance and Appropriations with substitute (14-Y 1-N) 2/6/2020 Senate: Committee substitute rejected 20105715D-S1 2/6/2020 Senate: Committee substitute agreed to 20106824D-S2	1/28/2020
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Support (20105715D-S1)

Summary: Workers' compensation; post-traumatic stress disorder; law-enforcement officers and firefighters. Provides that post-traumatic stress disorder incurred by a law-enforcement officer or firefighter is compensable under the Virginia Workers' Compensation Act if a mental health professional examines a law-enforcement officer or firefighter and diagnoses the individual as suffering from post-traumatic stress disorder as a result of the individual's undergoing a qualifying event, which includes an event occurring in the line of duty on or after

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Bills	General Assembly Actions	Date of BOS Position
<p>July 1, 2020, in which a law-enforcement officer or firefighter views a deceased minor, witnesses the death of a person or an incident involving the death of a person, witnesses an injury to a person who subsequently dies, has physical contact with and treats an injured person who subsequently dies, transports an injured person who subsequently dies, or witnesses a traumatic physical injury that results in the loss of a vital body part or a vital body function that results in permanent disfigurement of the victim. Other conditions for compensability include (i) if the post-traumatic stress disorder resulted from the law-enforcement officer or firefighter acting in the line of duty and, in the case of a firefighter, such firefighter complied with certain federal Occupational Safety and Health Act standards; (ii) if the law-enforcement officer's or firefighter's undergoing a qualifying event was a substantial factor in causing his post-traumatic stress disorder; (iii) if such qualifying event, and not another event or source of stress, was the primary cause of the post-traumatic stress disorder; and (iv) if the post-traumatic stress disorder did not result from any disciplinary action, work evaluation, job transfer, layoff, demotion, promotion, termination, retirement, or similar action of the officer or firefighter. The measure establishes procedural requirements on employers that contest a claim for such benefits. The measure also establishes requirements for resilience and self-care technique training.</p>		
<p>SB 566 - Edwards (21) Naloxone or other opioid antagonist; possession and administration.</p>	<p>1/7/2020 Senate: Referred to Committee on Education and Health 2/6/2020 Senate: Reported from Education and Health with amendment (15-Y 0-N)</p>	<p>[1/31/2020]</p>
<p>[Support] (20104900D) - See also HB 650 (Hope). Summary: Naloxone; possession and administration. Provides that a person who is not otherwise authorized to administer naloxone or other opioid antagonist used for overdose reversal may administer naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose, provided the administration is in good faith and absent gross negligence or willful and wanton misconduct.</p>		
<p>SB 570 - Mason (1) State-Funded Kinship Guardianship Assistance program; created.</p>	<p>1/7/2020 Senate: Referred to Committee on Rehabilitation and Social Services 1/17/2020 Senate: Reported from Rehabilitation and Social Services with substitute (14-Y 0-N) 1/17/2020 Senate: Re-referred to Finance and Appropriations 2/4/2020 Senate: Reported from Finance and Appropriations with amendment (15-Y 0-N) 2/6/2020 Senate: Read third time and passed Senate (40-Y 0-N)</p>	<p>[1/31/2020]</p>
<p>[Support] (20105861D-S1) Summary: State-Funded Kinship Guardianship Assistance program. Creates the State-Funded Kinship Guardianship Assistance program (the program) to facilitate child placements with relatives, including fictive kin, and ensure permanency for children in foster care. The bill sets forth eligibility criteria for the program, payment allowances to kinship guardians, and requirements for kinship guardianship assistance agreements. The bill also expands eligibility for the Federal-Funded Kinship Guardianship Assistance program by allowing payments to be made to fictive kin who receive custody of a child of whom they have been the foster parent. The provisions of the bill are contingent on funding in a general appropriation act.</p>		

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Bills	General Assembly Actions	Date of BOS Position
SB 593 - Hanger, Jr. (24) Licensed family day homes; storage of firearms.	1/7/2020 Senate: Referred to Committee on the Judiciary 1/22/2020 Senate: Re-referred to Rehabilitation and Social Services (SRSS) 1/31/2020 Senate: Reported from SRSS (14-Y 0-N 1-A) 2/5/2020 Senate: Read third time and passed Senate (30-Y 10-N)	[1/31/2020]
<p>[Support] (20101435D)</p> <p>Summary: Requires that all firearms in a licensed family day home be stored unloaded in a locked container, compartment, or cabinet. The bill also requires that, during the family day home's hours of operation, ammunition be stored separate from all firearms in a locked container, compartment, or cabinet.</p>		
SB 631 - Surovell (36) Abandoned and stolen shopping carts; local regulation.	1/7/2020 Senate: Referred to Committee on Local Government 1/20/2020 Senate: Reported from Local Government with amendments (8-Y 7-N) 1/23/2020 Senate: Read third time and defeated by Senate (20-Y 20-N) 1/23/2020 Senate: Chair votes No 1/23/2020 Senate: Reconsideration of defeated action agreed to by Senate (40-Y 0-N) 1/27/2020 Senate: Read third time and passed Senate (20-Y 19-N)	1/28/2020
<p>Support (20104457D) - The County supports expanded local authority but has concerns about its ability to implement this authority, and the fine on individuals.</p> <p>Summary: Provides that Fairfax County and Arlington 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 bill requires such ordinance to provide that any such shopping cart that remains on the real property after a notice of violation is given to the owner of such shopping cart shall be presumed to be abandoned and subject to removal from the real property by the county or its agents without further notice. In the event that any such shopping cart is so removed, the cost of removal, including the cost of disposal, shall be charged to the owner of the shopping cart. The bill also authorizes such ordinance to prohibit possession of a shopping cart outside of the designated premises when the owner has posted notice of such prohibition. Such ordinance may provide for a civil penalty of not more than \$500.</p>		
SB 649 - Boysko (33) Town taxes; collection by county.	1/7/2020 Senate: Referred to Committee on Local Government 1/13/2020 Senate: Reported from Local Government (13-Y 0-N) 1/17/2020 Senate: Read third time and passed Senate (38-Y 0-N)	1/28/2020
<p>Support (20105082D) - See also HB 1534 (Samirah).</p> <p>Summary: Collection of town taxes by county. Authorizes the board of supervisors of any county that has adopted the urban county executive form of government to enter into agreements with towns located partially or wholly within such county for the collection and enforcement of real or personal property taxes by the county official responsible for assessment or collection of taxes. The authority granted to such counties is similar to authority granted to Loudoun County under existing law.</p>		

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Bills	General Assembly Actions	Date of BOS Position
SB 678 - Mason (1) Central registry; electronic requests and responses.	1/7/2020 Senate: Referred to Committee on Rehabilitation and Social Services 1/31/2020 Senate: Reported from Rehabilitation and Social Services (15-Y 0-N) 2/5/2020 Senate: Read third time and passed Senate (40-Y 0-N)	[1/31/2020]
[Support] (20103026D) Summary: Department of Social Services; central registry; electronic requests and responses. Allows requests for and responses to searches of the central registry of founded complaints of child abuse and neglect maintained by the Department of Social Services to be sent electronically.		
SB 706 - Obenshain (26) Human trafficking; assessments by local departments.	1/7/2020 Senate: Referred to Committee on Rehabilitation and Social Services 1/31/2020 Senate: Reported from Rehabilitation and Social Services (15-Y 0-N) 2/5/2020 Senate: Read third time and passed Senate (40-Y 0-N)	[1/31/2020]
[Support] (20105034D) Summary: Human trafficking assessments by local departments. Changes the name of sex trafficking assessments to human trafficking assessments and allows local departments of social services conducting such human trafficking assessments to interview the alleged child victim or his siblings without the consent and outside the presence of such child's or siblings' parent, guardian, legal custodian, or other person standing in loco parentis, or school personnel. This bill is a recommendation of the Virginia State Crime Commission.		
SB 710 - McClellan (9) Distributed renewable energy; establishment of solar renewable energy, etc.	1/7/2020 Senate: Referred to Committee on Commerce and Labor 2/3/2020 Senate: Reported from Commerce and Labor (12-Y 3-N)	1/28/2020
Support (20104871D) - Board has historically supported. Summary: Distributed renewable energy. Promotes the establishment of distributed renewable solar and other renewable energy. The measure (i) increases from one percent to 10 percent the systemwide cap on the total amount of renewable energy that can be net metered in a utility's service territory, (ii) authorizes third-party power purchase agreements for all customer classes throughout the Commonwealth, (iii) allows local governments and certain other public bodies to install solar or wind facilities of up to five megawatts on government-owned property and use the electricity for government-owned buildings, (iv) allows all net metering customers to attribute output from a single solar array to multiple meters, (v) allows the owner of a multifamily residential building or the common areas of a condominium to install a renewable energy generation facility and sell the electricity to tenants or condominium unit owners, (vi) removes the restriction on customers installing a net-metered generation facility larger than that required to meet their previous 12 months' demand, (vii) raises the cap for net-metered nonresidential generation facilities from one megawatt to three megawatts, and (viii) removes the ability of utilities to assess standby charges. The measure also amends the Commonwealth Energy Policy to include provisions supporting distributed generation of renewable energy.		

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Bills	General Assembly Actions	Date of BOS Position
SB 746 - Bell (13) Comprehensive plan; adoption or disapproval by governing body.	1/8/2020 Senate: Referred to Committee on Local Government 1/20/2020 Senate: Reported from Local Government with amendments (12-Y 3-N) 1/23/2020 Senate: Read third time and passed Senate (35-Y 5-N)	1/28/2020
Support (20105016D) - See also HB 726 (Reid). Summary: Comprehensive plan. Extends the time by which a governing body is required to approve or disapprove a locality-initiated comprehensive plan amendment from 90 to 180 days.		
SB 749 - Cosgrove, Jr. (14) Peer-to-peer vehicle sharing platforms; establishes sale of insurance, etc., for platforms.	1/8/2020 Senate: Referred to Committee on Commerce and Labor 2/3/2020 Senate: Reported from Commerce and Labor with substitute (9-Y 3-N 3-A) 2/3/2020 Senate: Re-referred to Finance and Appropriations	1/28/2020
Support (20105235D) - Support efforts to provide taxation parity with existing vehicle rental services. See also HB 891 (Sickles). Summary: Peer-to-peer vehicle sharing platforms; regulation; insurance; taxation. Establishes taxation, insurance coverage, sale of insurance, disclosure, safety recall, airport operation, and recordkeeping requirements for peer-to-peer vehicle sharing platforms, as defined in the bill.		
SB 750 - Cosgrove, Jr. (14) Peer-to-peer vehicle sharing platforms; definition, taxation.	1/8/2020 Senate: Referred to Committee on Finance and Appropriations	1/28/2020
Support (20102741D) - Support efforts to provide taxation parity with existing vehicle rental services. See also HB 892 (Sickles). Summary: Peer-to-peer vehicle sharing platforms; taxation. Provides that peer-to-peer vehicle sharing platforms, as defined in the bill, are rentors for the purposes of taxation.		
SB 759 - Marsden (37) Photo speed monitoring devices; civil penalty.	1/8/2020 Senate: Referred to Committee on Transportation 2/6/2020 Senate: Failed to report (defeated) in Transportation (6-Y 9-N)	1/28/2020
Support (20105147D) Summary: Speed monitoring devices; civil penalty. Authorizes law-enforcement officers to operate photo speed monitoring devices, defined in the bill, in or around school crossing zones and highway work zones for the purpose of recording images of vehicles that are traveling at speeds of at least 10 miles per hour above the posted school crossing zone or highway work zone speed limit within such school crossing zone or highway work zone when such highway work zone is indicated by conspicuously placed signs displaying the maximum speed limit and the use of such photo speed monitoring device. The bill provides that the operator of a vehicle shall be liable for a monetary civil penalty, not to exceed \$125, if such vehicle is found to be traveling at		

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Bills	General Assembly Actions	Date of BOS Position
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speeds of at least 10 miles per hour above the posted highway work zone or school crossing zone speed limit by the photo speed monitoring device. The bill provides that if the summons for a violation is issued by mail the violation shall not be reported on the driver's operating record or to the driver's insurance agency, but if the violation is personally issued by an officer at the time of the violation, such violation shall be part of the driver's record and used for insurance purposes. The bill provides that the civil penalty will be paid to the locality in which the violation occurred.

SB 848 - Ebbin (30) Northern Virginia Transportation Commission; changes report date.	1/8/2020 Senate: Referred to Committee on Rules 2/7/2020 Senate: Reported from Rules (13-Y 0-N 1-A)	1/28/2020
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Support (20102147D)

Summary: Northern Virginia Transportation Commission; report date. Changes from November 1 to December 15 the annual reporting date of the Northern Virginia Transportation Commission to the Governor and the General Assembly regarding the performance of the Washington Metropolitan Area Transit Authority.

SB 851 - McClellan (9) Electric utility regulation; environmental goals.	1/8/2020 Senate: Referred to Committee on Commerce and Labor	[1/31/2020]
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[Support] (20105040D) - See also HB 1526 (Sullivan).

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

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Bills	General Assembly Actions	Date of BOS Position
<u>SB 864</u> - Pillion (40) Comprehensive harm reduction programs; public health emergency, repeal sunset provision.	1/8/2020 Senate: Referred to Committee on Education and Health (SEH) 1/30/2020 Senate: Reported from SEH (15-Y 0-N) 2/4/2020 Senate: Read third time and passed Senate (40-Y 0-N)	1/28/2020
Support (20104765D) - See also HB 378 (Rasoul). Summary: Comprehensive harm reduction programs; public health emergency; repeal sunset. Repeals the sunset on the program established in 2017 that allows the Commissioner of Health to establish and operate local or regional comprehensive harm reduction programs during a declared public health emergency that include a provision for the distribution of sterile hypodermic needles and syringes and the disposal of used hypodermic needles and syringes.		
<u>SB 1018</u> - Stanley, Jr. (20) Sentence reductions; substantial assistance to prosecution.	1/16/2020 Senate: Referred to Committee on the Judiciary	[1/31/2020]
[Support] (20105189D) Summary: Allows a convicted person's sentence to be reduced by the sentencing court if the court determines such person provided substantial assistance in the furtherance of the investigation or prosecution of another person engaged in an act of grand larceny of a firearm, criminal street gang participation, or recruitment of persons for criminal street gangs. Consideration of sentence reduction can occur only upon motion of the attorney for the Commonwealth.		
<u>SB 1027</u> - Lewis, Jr. (6) Clean Energy and Community Flood Preparedness Act; fund.	1/16/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/4/2020 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (8-Y 7-N) 2/4/2020 Senate: Re-referred to Finance and Appropriations 2/6/2020 Senate: Reported from Finance and Appropriations (12-Y 4-N)	[1/31/2020]
[Support] (20105571D) Summary: Directs the Department of Environmental Quality to incorporate into regulations previously adopted by the State Air Pollution Control Board certain provisions establishing a carbon dioxide cap and trade program to reduce emissions released by electric generation facilities. Such provisions are required to comply with the Regional Greenhouse Gas Initiative model rule. The bill authorizes the Director of the Department of Environmental Quality to establish, implement, and manage an auction program to sell allowances into a market-based trading program. The bill requires revenues from the sale of carbon allowances, to the extent permitted by Article X, Section 7 of the Constitution of Virginia, to be deposited in an interest-bearing account and to be distributed without further appropriation (i) to the Virginia Community Flood Preparedness Fund; (ii) to the Department of Mines, Minerals and Energy for low-income energy efficiency programs; (iii) for administrative expenses; and (iv) for statewide climate change planning and mitigation activities. The bill continues the Virginia Shoreline Resiliency Fund as the Virginia Community Flood Preparedness Fund for the purpose of creating a low-interest loan program to help inland and coastal communities that are subject to recurrent or repetitive flooding.		

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Bills	General Assembly Actions	Date of BOS Position
<u>SJ 1</u> - McClellan (9) United States Constitution; ratifies and affirms Equal Rights Amendment.	11/18/2019 Senate: Referred to Committee on Privileges and Elections (SPE) 1/9/2020 Senate: Incorporates SJ 5 (Saslaw) 1/9/2020 Senate: Reported from SPE with substitute (10-Y 5-N) 1/15/2020 Senate: Agreed to by Senate (28-Y 12-N) 1/16/2020 House: Referred to Committee on Privileges and Elections (HPE) 1/17/2020 House: Reported from HPE (13-Y 9-N) 1/27/2020 House: Agreed to by House (58-Y 40-N)	1/28/2020
Support (20105431D-S1) - Board has historically supported. See also HJ 1 (Carroll Foy). Summary: Constitution of the United States; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the Constitution of the United States that was proposed by Congress in 1972.		
<u>SJ 66</u> - Ebbin (30) Cannabis and medical cannabis; joint subcommittee to study development of framework for regulation.	1/8/2020 Senate: Referred to Committee on Rules 1/31/2020 Senate: Reported from Rules by voice vote 2/6/2020 Senate: Read third time and agreed to by Senate by voice vote	[1/31/2020]
[Support] (20105313D) - See also HJ 130 (Heretick) and HJ 132 (Herring). Summary: Study; Joint Subcommittee to Study the Development of a Framework for Regulated Adult-Use of Cannabis and Medical Cannabis; report. Establishes the Joint Subcommittee to Study the Development of a Framework for Regulated Adult-Use of Cannabis and Medical Cannabis (Joint Subcommittee). The bill requires the Joint Subcommittee to (i) study and provide guidance on the potential creation of a Cannabis Control Commission to oversee licensing and regulation of industrial hemp, medical cannabis, and adult-use of cannabis; (ii) provide regulatory guidance on potential tax rates and revenue forecasts for retail and wholesale products; (iii) study and make recommendations regarding the issuance of initial cultivation and retail licenses; (iv) develop and recommend a fee structure and grandfathering process for current pharmaceutical processors; (v) study and recommend potential marijuana advertising regulations; (vi) study and determine appropriate public consumption venues and personal cultivation allowances; (vii) study funding and processing requirements for expungement of criminal records and rights restoration related to marijuana decriminalization; (viii) study and recommend methods for diversifying ownership of the marijuana market; (ix) assess the California, Massachusetts, and Illinois marijuana programs and their effectiveness in transferring economic prosperity to disproportionately affected areas; (x) study the potential development of a community reinvestment fund; and (xi) review and analyze National Highway Traffic Safety Administration studies on marijuana-related impairment.		
<u>SJ 67</u> - McClellan (9) Marijuana; JLARC to study legalization of growth, sale, and possession.	1/8/2020 Senate: Referred to Committee on Rules 1/31/2020 Senate: Reported from Rules by voice vote 2/6/2020 Senate: Read third time and agreed to by Senate by voice vote	[1/31/2020]
[Support] (20105391D) Summary: Study; JLARC; legalization and regulation of growth, sale and possession of marijuana; redress impacts of marijuana prohibition; report.		

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Fairfax County Positions

(Monitor)

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 9</u> - Bourne (71) Firearms; reporting those lost or stolen, civil penalty.	11/18/2019 House: Referred to Committee on Public Safety 1/24/2020 House: Reported from Public Safety (15-Y 7-N) 1/30/2020 House: Read third time and passed House (55-Y 44-N) 1/31/2020 Senate: Referred to Committee on the Judiciary	1/28/2020
Monitor (20100298D) - See also SB 67 (McClellan). Summary: Reporting lost or stolen firearms; civil penalty. Requires that, if a firearm is lost or stolen from a person who lawfully possessed it, such person shall report the loss or theft of the firearm to any local law-enforcement agency or the Department of State Police within 24 hours after such person discovers the loss or theft or is informed by a person with personal knowledge of the loss or theft. The bill requires the relevant law-enforcement agency to enter the report information into the National Crime Information Center. A violation is punishable by a civil penalty of not more than \$250. The bill provides that a person who, in good faith, reports the loss or theft is immune from criminal or civil liability for acts or omissions that result from the loss or theft. The immunity does not apply to a person who knowingly gives a false report. The bill does not apply to the loss or theft of an antique firearm.		
<u>HB 283</u> – Cole, J. (28) Highway construction and maintenance; time limitations.	12/30/2019 House: Referred to Committee on Transportation 1/23/2020 House: Subcommittee recommends striking from docket (10-Y 0-N)	1/28/2020
Monitor (20101687D) Summary: Time limitations for highway construction and maintenance. Prohibits construction or maintenance that blocks a lane of travel on a primary or interstate highway between 6:00 a.m. and 6:00 p.m.		
<u>HB 589</u> - Guzman (31) Community services boards; funding formula, population and need.	1/6/2020 House: Referred to Committee on Health, Welfare and Institutions 1/27/2020 House: Subcommittee recommends striking from docket (6-Y 0-N)	1/28/2020
Monitor (20102117D) Summary: Community services boards; funding formula; population and need. Adds the total population of the area served by each community services board and the level of need for services provided by a community services board among the population of the area served to the list of criteria the Department of Behavioral Health and Developmental Services must consider when allocating state-controlled funds to community services boards.		
<u>HB 642</u> - LaRock (33) Transportation funding; statewide prioritization process.	1/6/2020 House: Referred to Committee on Transportation 1/30/2020 House: Subcommittee recommends laying on the table (8-Y 2-N)	1/28/2020
Monitor (20104059D) Summary: Requires the Commonwealth Transportation Board, when administering SMART SCALE, to ensure that projects are evaluated for district grant program funds and high-priority funds separately, and that the projects selected in one program do not impact the other program. The bill requires the Board to weight congestion mitigation at at least 55 percent in the Northern Virginia and Hampton Roads highway construction districts. The bill requires that projects eligible for district grant program funds receive a district-specific score and an overall score.		

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 655</u> - Heretick (79) Solar photovoltaic projects; conditional zoning.	1/6/2020 House: Referred to Committee on Counties, Cities and Towns 1/31/2020 House: Reported from Counties, Cities and Towns with substitute (22-Y 0-N) 2/6/2020 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/7/2020 Senate: Referred to Committee on Local Government	1/28/2020
<p>Monitor (20102659D) - See also SB 870 (Marsden).</p> <p>Summary: Conditional zoning for solar photovoltaic projects. Authorizes any locality with a planning commission to include reasonable regulations and provisions for conditional zoning for solar photovoltaic (electric energy) projects of more than five megawatts, as measured in alternating current (AC) generation capacity. The bill authorizes the governing body of such locality to accept a proffered condition that includes (i) dedication of real property of substantial value or (ii) substantial cash payments for or construction of substantial public improvements, the need for which is not generated solely by the granting of a conditional use permit or a rezoning itself, so long as such proffered conditions are reasonably related to the project. The bill also authorizes a zoning ordinance to include reasonable regulations to implement certain provisions related to conditional proffers.</p>		
<u>HB 860</u> - Bell (58) Inhaled asthma medication; professional use by practitioners.	1/7/2020 House: Referred to Committee on Health, Welfare and Institutions 1/16/2020 House: Subcommittee recommends reporting with substitute (6-Y 0-N) 1/21/2020 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 1/27/2020 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 1/28/2020 Senate: Referred to Committee on Education and Health	[1/31/2020]
<p>[Monitor] (20105551D-H1)</p> <p>Summary: Professional use by practitioners; administration of inhaled asthma medication. Provides that a prescriber may authorize pursuant to a written order or standing protocol issued within the course of the prescriber's professional practice, and with the consent of the student's parents, an employee of (i) a school board, (ii) a school for students with disabilities, or (iii) an accredited private school who is trained in the administration or supervision of self-administered inhaled asthma medications to administer or supervise the self-administration of such medication to a student diagnosed with a condition requiring inhaled asthma medications when the student is believed to be experiencing or about to experience an asthmatic crisis. Such authorization shall be effective only when a licensed nurse, nurse practitioner, physician, or physician assistant is not present to perform the administration of the medication.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 902</u> - Sickles (43) Long-term care services and supports; preadmission screenings.	1/7/2020 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 1/28/2020 House: Subcommittee recommends reporting with substitute (6-Y 0-N) and referring to Committee on Appropriations 1/30/2020 House: Reported from HHWI with substitute (22-Y 0-N) 1/30/2020 House: Referred to Committee on Appropriations 2/5/2020 House: Subcommittee recommends reporting (8-Y 0-N) 2/5/2020 House: Reported from Appropriations (21-Y 0-N)	[1/31/2020]
<p>[Monitor] (20104848D) - See also SB 902 (Barker).</p> <p>Summary: Provides that every individual who applies for community or institutional long-term care services and supports as defined in the state plan for medical assistance services may choose to receive services in a community or institutional setting and may choose the setting and provider of long-term care services and supports from a list of approved providers. The bill also clarifies requirements related to the performance of such long-term care services and supports screenings.</p>		
<u>HB 983</u> - Delaney (67) Traffic incident management vehicles; equipped with certain lights.	1/7/2020 House: Referred to Committee on Transportation 1/16/2020 House: Subcommittee recommends reporting (10-Y 0-N) 1/21/2020 House: Incorporates HB 635 (LaRock) 1/21/2020 House: Reported from Transportation with substitute (22-Y 0-N) 1/29/2020 House: Committee substitute rejected 20106269D-H1 1/29/2020 House: Substitute by Delegate Delaney agreed to 20106896D-H2 1/30/2020 House: Read third time and passed House (97-Y 1-N) 1/31/2020 Senate: Referred to Committee on Transportation	1/28/2020
<p>Monitor (20104763D)</p> <p>Summary: Traffic incident management vehicles. Authorizes traffic incident management vehicles, defined in the bill, operated by persons who meet certain training requirements to be equipped with flashing red or red and white secondary warning lights and to be exempt from certain traffic regulations at or en route to the scene of a traffic accident or similar incident. This bill incorporates HB 635.</p>		
<u>HB 1137</u> - Lopez (49) TANF & Va. Initiative for Education & Work; hardship exception.	1/7/2020 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 1/16/2020 House: Subcommittee recommends reporting (6-Y 0-N) 1/21/2020 House: Reported from HHWI (22-Y 0-N) 1/27/2020 House: Read third time and passed House (99-Y 0-N) 1/28/2020 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 2/7/2020 Senate: Reported from SRSS (15-Y 0-N)	1/28/2020
<p>Monitor (20101649D)</p> <p>Summary: Temporary Assistance for Needy Families and Virginia Initiative for Education and Work; hardship exception. Requires the Department of Social Services to (i) keep records of the number of Virginia Initiative for Education and Work participants that receive an exception to the time limitations on Temporary Assistance for Needy Families due to hardship and the specific circumstances relied upon to grant such exceptions and (ii) annually publish non-identifying statistics regarding such information.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 1312</u> - Kory (38) Dangerous weapons; prohibits possessing or transporting in local government buildings.	1/8/2020 House: Referred to Committee on Public Safety	1/28/2020
Monitor (20100166D) Summary: Local government buildings; dangerous weapons; penalty. Prohibits the possession or transport of (i) guns or other weapons designed or intended to propel a missile or projectile of any kind; (ii) frames, receivers, mufflers, silencers, missiles, projectiles, or ammunition designed for use with a dangerous weapon; or (iii) certain other dangerous weapons in any building owned or used by a locality for governmental purposes in the Commonwealth. A violation is punishable as a Class 1 misdemeanor. Currently, the possession or transport of such weapons is prohibited in any courthouse.		
<u>HB 1510</u> - McQuinn (70) Weapons; carrying into building owned or used by the Commonwealth or political subdivision thereof.	1/8/2020 House: Referred to Committee on Public Safety	1/28/2020
Monitor (20104479D) Summary: Carrying weapon into building owned or used by the Commonwealth or political subdivision thereof; penalty. Makes it a Class 1 misdemeanor for a first or second offense for a person to transport any (i) gun or other weapon designed or intended to propel a missile or projectile of any kind; (ii) frame, receiver, muffler, silencer, missile, projectile, or ammunition designed for use with a dangerous weapon; or (iii) other dangerous weapon into a building owned or used by the Commonwealth or any agency or political subdivision thereof for governmental purposes. The bill provides exceptions for law-enforcement officers, conservators of the peace, magistrates, court officers, judges, city or county treasurers, commissioners or deputy commissioners of the Virginia Workers' Compensation Commission, authorized security personnel, and active military personnel while in the conduct of such individuals' official duties. The bill requires that notice of the provisions prohibiting the carrying of such weapons be posted at each public entrance to all buildings owned or leased by the Commonwealth or any agency or political subdivision thereof. A third or subsequent offense of this or certain other firearms offenses is punishable as a Class 6 felony.		
<u>HB 1511</u> - McQuinn (70) Towing fees; raises to \$30 additional fee that can be charged for towing a vehicle at night, etc.	1/8/2020 House: Referred to Committee on Transportation 1/27/2020 House: Subcommittee recommends reporting (4-Y 2-N) 1/30/2020 House: Reported from Transportation (12-Y 10-N) 2/6/2020 House: Read third time and passed House (50-Y 48-N) 2/7/2020 Senate: Referred to Committee on Transportation	1/28/2020
Monitor (20104626D) - See also SB 916 (Marsden). Summary: Towing fees. The bill raises from \$25 to \$30 the additional fee that can be charged for towing a vehicle at night, on weekends, or on a holiday. The bill requires localities in Planning District 8 and Planning District 16 to set such additional fee at between \$25 and \$30. Current law requires such localities to set such additional fee at \$25.		

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Bills	General Assembly Actions	Date of BOS Position
HB 1586 - Watts (39) Washington Metropolitan Area Transit Authority; allocation of funds.	1/14/2020 House: Referred to Committee on Appropriations 1/27/2020 House: Subcommittee recommends reporting with amendment (7-Y 0-N) 1/29/2020 House: Reported from Appropriations with amendment (16-Y 3-N) 2/4/2020 House: Read third time and passed House (74-Y 23-N) 2/5/2020 Senate: Referred to Committee on Transportation	1/28/2020
Monitor (20105593D) Summary: Provides that increases in service approved by the Washington Metropolitan Area Transit Authority Board shall not be included in the calculation of the annual increase in total operating expenses included in an approved WMATA budget.		
SB 31 - Petersen (34) Eminent domain; costs for petition for distribution of funds, interest rate.	11/18/2019 Senate: Referred to Committee on the Judiciary 1/29/2020 Senate: Reported from Judiciary with amendments (14-Y 0-N) 1/29/2020 Senate: Re-referred to Finance and Appropriations 2/6/2020 Senate: Reported from Finance and Appropriations (16-Y 0-N)	1/28/2020
Monitor (20100604D) Summary: Eminent domain; costs for petition for distribution of funds; interest rate; recordation of certificate. Provides that the costs of filing a petition with the court for the distribution of the funds due pursuant to an eminent domain proceeding shall be taxed against the condemnor. The bill also provides that the interest rate on the funds represented by a certificate of deposit from the date of filing of the certificate until the funds are paid into the court shall not be less than the judgment rate of interest. Finally, the bill reorganizes for clarity the provisions governing what happens upon recordation of a certificate by the Commissioner of Highways in a condemnation proceeding.		
SB 67 - McClellan (9) Firearms; reporting those lost or stolen, civil penalty.	11/22/2019 Senate: Referred to Committee on the Judiciary 2/5/2020 Senate: Reported from Judiciary (7-Y 6-N)	1/28/2020
Monitor (20101053D) - See also HB 9 (Bourne). Summary: Reporting lost or stolen firearms; civil penalty. Requires that, if a firearm is lost or stolen from a person who lawfully possessed it, such person shall report the loss or theft of the firearm to any local law-enforcement agency or the Department of State Police within 24 hours after such person discovers the loss or theft or is informed by a person with personal knowledge of the loss or theft. The bill requires the relevant law-enforcement agency to enter the report information into the National Crime Information Center. A violation is punishable by a civil penalty of not more than \$250. The bill provides that a person who, in good faith, reports the loss or theft is immune from criminal or civil liability for acts or omissions that result from the loss or theft. The immunity does not apply to a person who knowingly gives a false report. The bill does not apply to the loss or theft of an antique firearm.		

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Supplementary Documents

Bills	General Assembly Actions	Date of BOS Position
<u>SB 310</u> - Stanley, Jr. (20) Public animal shelters; notice to euthanize.	1/5/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/4/2020 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (15-Y 0-N) 2/4/2020 Senate: Re-referred to Finance and Appropriations 2/6/2020 Senate: Reported from Finance and Appropriations with amendment (14-Y 0-N)	1/28/2020
Monitor (20101026D) Summary: Requires a public animal shelter to wait three days before euthanizing a dog or cat when a person has notified the shelter of his intent to adopt or take custody of the animal. The shelter must make reasonable efforts to accomplish the release of the animal but is not required hold the animal if it has reason to believe that the animal has seriously injured a human or the animal meets certain other specified conditions for euthanasia.		
<u>SB 585</u> - Dunnavant (12) Guardianship; supported decision making.	1/7/2020 Senate: Referred to Committee on Rehabilitation and Social Services 1/17/2020 Senate: Re-referred to Judiciary 2/5/2020 Senate: Reported from Judiciary with substitute (15-Y 0-N)	[1/31/2020]
[Monitor] (20103126D) Summary: Creates the Supported Decision-Making Act, which allows an adult with an intellectual or developmental disability to enter into an agreement with another person, called a "supporter," for the purposes of having the supporter assist the adult in making decisions to manage his affairs, giving adults who need assistance a less restrictive means of receiving such assistance than being appointed a guardian or conservator by a court.		
<u>SB 589</u> - Hanger, Jr. (24) Zoning administrators; notice of decisions and determinations.	1/7/2020 Senate: Referred to Committee on Local Government 1/27/2020 Senate: Reported from Local Government with substitute (15-Y 0-N) 1/30/2020 Senate: Read third time and passed Senate (39-Y 0-N) 2/3/2020 House: Referred to Committee on Counties, Cities and Towns	[1/31/2020] 1/28/2020
[Monitor] (20106468D-S1) - Bill has been amended to narrow its application and address the County's concerns. Oppose (20100255D) Summary: Requires zoning administrators to provide notice of all decisions and determinations to the agents or occupants of property abutting or across the road from the affected property.		
<u>SB 617</u> - Deeds (25) Absentee voting; voter satellite offices for absentee voting in person.	1/7/2020 Senate: Referred to Committee on Privileges and Elections 1/14/2020 Senate: Reported from Privileges and Elections with amendment (15-Y 0-N) 1/20/2020 Senate: Read third time and passed Senate (40-Y 0-N)	1/28/2020
Monitor (20102713D-E)		

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Bills	General Assembly Actions	Date of BOS Position
<p>Summary: Authorizes the establishment of voter satellite offices by governing bodies of counties and cities for purposes of absentee voting in person. No change in any voter satellite office, including the creation of a new voter satellite office or abolishment of an existing voter satellite office, may be enacted within the 60 days immediately preceding a general election. The bill requires general registrars to post notice of the locations of all voter satellite offices within the locality, and their days and hours of operation, not later than 55 days prior to any election. Requirements for polling places, including accessibility for persons with disabilities, changes of location due to emergency circumstances, and funding, apply to voter satellite offices. The provisions of the bill are applicable to elections beginning with the general election on November 3, 2020.</p>		
<p>SB 687 - Vogel (27) Bicycles; signage, effective clause.</p>	<p>1/7/2020 Senate: Referred to Committee on Transportation 1/16/2020 Senate: Reported from Transportation with substitute (15-Y 0-N) 1/16/2020 Senate: Re-referred to Finance and Appropriations 1/22/2020 Senate: Reported from Finance and Appropriations with amendment (16-Y 0-N) 1/27/2020 Senate: Read third time and passed Senate (39-Y 0-N)</p>	<p>1/28/2020</p>
<p>Monitor (20105989D-S1) Summary: Bicycles; signage and road markings. Requires the Department of Transportation to erect and maintain signs in high pedestrian, Segway, bicycle, moped, animal, and animal-drawn vehicle traffic volume areas signs that say "Share the Road" and that note existing law requiring passing motor vehicles to pass at least three feet to the left of such vehicles. The provisions of the bill are contingent on funding in a general appropriation act.</p>		
<p>SB 747 - Hanger, Jr. (24) Nutrient and sediment credit generation and transfer; limits certain transfers to private sector.</p>	<p>1/8/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/4/2020 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (15-Y 0-N) 2/7/2020 Senate: Passed Senate (39-Y 0-N)</p>	<p>[1/31/2020]</p>
<p>[Monitor] (20103284D) Summary: Nutrient and sediment credit generation and transfer; limit certain transfers to private sector. Limits certain transfers of nonpoint nutrient credits to those credits generated by the private sector. The bill provides that while any locality may, without the involvement of a third party, generate its own nutrient or sediment credits and request that such credits be certified by the Department of Environmental Quality, such certifications shall only be used for the purpose of determining whether the project complies with credit generation requirements.</p>		
<p>SB 826 - McDougale (4) Water and sewer service charges; tenant or lessee.</p>	<p>1/8/2020 Senate: Referred to Committee on Local Government 1/20/2020 Senate: Reported from Local Government with amendment (14-Y 1-N) 1/23/2020 Senate: Read third time and passed Senate (38-Y 2-N)</p>	<p>1/28/2020</p>
<p>Monitor (20103958D-E) Summary: Reduces the maximum potential responsibility of a property owner for a tenant's unpaid water and sewer charges by capping the dollar amount of such property owner's responsibility at \$200.</p>		

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Bills	General Assembly Actions	Date of BOS Position
SB 870 - Marsden (37) Solar photovoltaic projects; conditional zoning.	1/8/2020 Senate: Referred to Committee on Local Government 2/3/2020 Senate: Reported from Local Government with substitute (14-Y 0-N) 2/6/2020 Senate: Read third time and passed Senate (40-Y 0-N)	1/28/2020
<p>Monitor (20102704D) - See also HB 655 (Heretick).</p> <p>Summary: Conditional zoning for solar photovoltaic projects. Authorizes any locality with a planning commission to include reasonable regulations and provisions for conditional zoning for solar photovoltaic (electric energy) projects of more than five megawatts, as measured in alternating current (AC) generation capacity. The bill authorizes the governing body of such locality to accept a proffered condition that includes (i) dedication of real property of substantial value or (ii) substantial cash payments for or construction of substantial public improvements, the need for which is not generated solely by the granting of a conditional use permit or a rezoning itself, so long as such proffered conditions are reasonably related to the project. The bill also authorizes a zoning ordinance to include reasonable regulations to implement certain provisions related to conditional proffers.</p>		
SB 902 - Barker (39) Long-term care services and supports; preadmission screenings.	1/8/2020 Senate: Referred to Committee on Education and Health 2/6/2020 Senate: Reported from Education and Health with substitute (15-Y 0-N) 2/6/2020 Senate: Re-referred to Finance and Appropriations 2/6/2020 Senate: Reported from Finance and Appropriations with amendment (16-Y 0-N)	[1/31/2020]
<p>[Monitor] (20104850D) - See also HB 902 (Sickles).</p> <p>Summary: Provides that every individual who applies for community or institutional long-term care services and supports as defined in the state plan for medical assistance services may choose to receive services in a community or institutional setting and may choose the setting and provider of long-term care services and supports from a list of approved providers. The bill also clarifies requirements related to the performance of such long-term care services and supports screenings.</p>		
SB 916 - Marsden (37) Towing fees; raises to \$30 additional fee that can be charged for towing a vehicle at night, etc.	1/8/2020 Senate: Referred to Committee on Transportation 1/23/2020 Senate: Reported from Transportation (11-Y 2-N) 1/29/2020 Senate: Read third time and passed Senate (26-Y 13-N) 2/3/2020 House: Referred to Committee on Transportation	1/28/2020
<p>Monitor (20104641D) - See also HB 1511 (McQuinn).</p> <p>Summary: Towing fees. The bill raises from \$25 to \$30 the additional fee that can be charged for towing a vehicle at night, on weekends, or on a holiday. The bill requires localities in Planning District 8 and Planning District 16 to set such additional fee at between \$25 and \$30. Current law requires such localities to set such additional fee at \$25.</p>		

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Bills	General Assembly Actions	Date of BOS Position
SB 1046 - Deeds (25) Clinical social workers; patient records, involuntary detention orders.	1/17/2020 Senate: Referred to Committee on Education and Health 1/30/2020 Senate: Reported from Education and Health (15-Y 0-N) 2/4/2020 Senate: Read third time and passed Senate (40-Y 0-N)	[1/31/2020]
<p>[Monitor] (20104401D)</p> <p>Summary: Clinical social workers; patient records; involuntary detention orders. Adds clinical social workers to the list of eligible providers that includes treating physicians and clinical psychologists who can disclose or recommend the withholding of patient records, face a malpractice review panel, and provide recommendations on involuntary temporary detention orders.</p>		
SB 1049 - Deeds (25) Involuntary commitment; notice and participation, family members.	1/17/2020 Senate: Referred to Committee on Education and Health 2/6/2020 Senate: Reported from Education and Health with substitute (12-Y 0-N 3-A)	[1/31/2020]
<p>[Monitor] (20105346D)</p> <p>Summary: Involuntary commitment; notice and participation; family members. Clarifies the role of family members and other individuals authorized to receive medical records and information about a person who is involved in the involuntary commitment process, including the family member or other person's right to receive medical records, notice of hearings, and copies of orders and to participate in hearings and the discharge planning process.</p>		

Fairfax County Positions

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***Legislation
No Longer Under Consideration***

(Continued to 2021)

Bills	General Assembly Actions	Date of BOS Position
<u>HB 93</u> - Kory (38) Flavored tobacco products; sale or distribution prohibited, civil penalty.	12/11/2019 House: Referred to Committee on Finance 1/31/2020 House: Subcommittee recommends continuing to 2021 by voice vote 2/5/2020 House: Continued to 2021 in Finance by voice vote	1/28/2020
Support (20100213D) - Support efforts to reduce smoking and vaping while ensuring cultural traditions can legally continue. Summary: Sale or distribution of flavored tobacco products prohibited; civil penalty. Prohibits the sale or distribution of flavored tobacco products, defined in the bill, and creates a civil penalty of \$1,000 for a first offense and \$5,000 for a second or subsequent offense.		
<u>HB 221</u> - Mugler (91) Tree conservation ordinance; Chesapeake Bay Preservation Act locality, designated trees.	12/27/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/3/2020 House: Subcommittee recommends continuing to 2021 by voice vote 2/5/2020 House: Continued to 2021 with substitute in Agriculture, Chesapeake and Natural Resources by voice vote	1/28/2020
Support (20102313D) - See also SB 184 (Locke). Summary: Tree conservation ordinance; Chesapeake Bay Preservation Act locality; designated trees. Adds "Chesapeake Bay watershed tree," as defined in the bill, to the types of tree that a locality with a tree conservation ordinance is authorized to designate individually for preservation. Current law allows individual designation of heritage, memorial, specimen, and street trees. The bill contains technical amendments.		
<u>HB 892</u> - Sickles (43) Peer-to-peer vehicle sharing platforms; definition, taxation.	1/7/2020 House: Referred to Committee on Finance 2/3/2020 House: Subcommittee recommends continuing to 2021 by voice vote 2/5/2020 House: Continued to 2021 in Finance by voice vote	1/28/2020
Support (20102554D) - Support efforts to provide taxation parity with existing vehicle rental services. See also SB 750 (Cosgrove). Summary: Peer-to-peer vehicle sharing platforms; taxation. Provides that peer-to-peer vehicle sharing platforms, as defined in the bill, are renters for the purposes of taxation.		
<u>HB 1119</u> - Hope (47) Flavored tobacco products; sale prohibited, civil penalty.	1/7/2020 House: Referred to Committee for Courts of Justice 1/22/2020 House: Subcommittee recommends referring to Finance by voice vote 1/27/2020 House: Referred from Courts of Justice by voice vote 1/27/2020 House: Referred to Committee on Finance 1/31/2020 House: Subcommittee recommends continuing to 2021 by voice vote 2/5/2020 House: Continued to 2021 in Finance by voice vote	1/28/2020
Support (20104960D) - Support efforts to reduce smoking and vaping while ensuring cultural traditions can legally continue. Summary: Flavored tobacco products; sale prohibited; civil penalty. Prohibits the sale, distribution, offering for sale or distribution, or causing the sale or distribution of flavored tobacco products, as that term is defined		

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Bills	General Assembly Actions	Date of BOS Position
<p>in the bill, and imposes a civil penalty not to exceed \$500 for the first violation, \$1000 for a second violation, \$1,500 for a third violation, and \$2,000 for the fourth or subsequent violation. The bill also provides that, in addition to the civil penalties, a third violation is punishable by suspension of a permit as a stamping agent for a period of 15 days, and a fourth or subsequent violation is punishable by revocation of a permit as a stamping agent and a prohibition on reapplication for a permit to act as a stamping agent for a period of three years.</p>		
<p>HB 1120 - Hope (47) Tobacco products; tax on all tobacco products, penalties.</p>	<p>1/7/2020 House: Referred to Committee on Finance 1/31/2020 House: Subcommittee recommends continuing to 2021 by voice vote 2/5/2020 House: Continued to 2021 in Finance by voice vote</p>	<p>1/28/2020</p>
<p>Support (20104565D) - See also SB 852 (Ebbin). Summary: Taxes on tobacco products; penalties. Provides that tobacco products, defined in the bill, would be subject to tax at rates of \$1.80 per pack of cigarettes or 39 percent of the wholesale price for all other tobacco products. Current law imposes taxes of \$0.30 per pack of cigarettes, 10 percent of the wholesale price of certain tobacco products, and various weight-based rates that apply to moist snuff and loose leaf tobacco. The bill broadens the definition of "tobacco product" to include electronic smoking devices, which are not taxed under current law.</p>		
<p>HB 1279 - O'Quinn (5) Animal shelters; confinement and disposition of animals.</p>	<p>1/8/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/29/2020 House: Subcommittee recommends reporting (7-Y 1-N) 2/5/2020 House: Continued to 2021 in Agriculture, Chesapeake and Natural Resources by voice vote</p>	<p>[1/31/2020]</p>
<p>[Oppose] (20101926D) Summary: Increases from five to 10 the number of days an animal confined by a public or private animal shelter or releasing agency shall be kept prior to disposal of the animal unless sooner claimed by the rightful owner. The bill also increases from five to 10 the number of additional days such animal shall be held if the owner or custodian of the shelter determines that the animal has a collar, tag, license, tattoo, or other form of identification.</p>		
<p>HB 1293 - Helmer (40) Shirley Gate Road; extension in Fairfax County, funding.</p>	<p>1/8/2020 House: Referred to Committee on Transportation 1/23/2020 House: Subcommittee recommends reporting (6-Y 4-N) 1/23/2020 House: Subcommittee recommends referring to Committee on Appropriations 1/28/2020 House: Stricken from docket by Transportation (22-Y 0-N) 1/30/2020 House: Continued to 2021 in Transportation by voice vote</p>	<p>1/28/2020</p>
<p>Oppose (20101490D) Summary: Extension of Shirley Gate Road; funding. Prohibits the use of state funds for the extension of Shirley Gate Road in Fairfax County until the intersection at Popes Head Road and Fairfax County Parkway has been redesigned and the traffic light removed.</p>		

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Bills	General Assembly Actions	Date of BOS Position
HB 1351 - Watts (39) Temporary detention; expands category of individuals who may evaluate a person.	1/8/2020 House: Referred to Committee on Health, Welfare and Institutions 2/3/2020 House: Subcommittee recommends continuing to 2021 by voice vote 2/4/2020 House: Continued to 2021 in Health, Welfare and Institutions by voice vote	1/28/2020
Oppose (20103049D) Summary: Temporary detention; evaluation; who may perform. Expands the category of individuals who may evaluate a person who is the subject of an emergency custody order to determine whether the person meets the criteria for temporary detention to include any person described in the definition of "mental health professional" in § 54.1-2400.1 who (i) is skilled in the diagnosis and treatment of mental illness, (ii) has completed a certification program approved by the Department of Behavioral Health and Developmental Services, and (iii) complies with regulations of the Board of Behavioral Health and Developmental Services related to performance of such evaluations.		
HB 1464 - Gooditis (10) Restrict nutrient credit usage; local authority.	1/8/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/27/2020 House: Subcommittee recommends continuing to 2021 by voice vote 1/29/2020 House: Continued to 2021 in Agriculture, Chesapeake and Natural Resources by voice vote	1/28/2020
Support (20105223D) Summary: Local authority to restrict nutrient credit usage. Authorizes the governing body of any locality, by ordinance, to restrict the total nutrient credits that are generated in the locality and used in an adjacent eight-digit hydrologic unit code or fourth order subbasin to comply with stormwater nonpoint nutrient runoff water quality criteria.		
HB 1480 - Gooditis (10) Pet shops; local regulation on sale of animals.	1/8/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/29/2020 House: Subcommittee recommends continuing to 2021 by voice vote 2/5/2020 House: Continued to 2021 in Agriculture, Chesapeake and Natural Resources by voice vote	1/28/2020
Support (20102872D) Summary: Local regulation of pet shops. Authorizes a locality to regulate or restrict by ordinance the acquisition, marketing, and sale of animals in a pet shop. Such ordinance may distinguish between certain types of pet shops and include provisions for special licensing, inspections, reporting, or restrictions on the sale of certain types of animals. The bill also includes various existing statewide provisions related to pet shops in the list of sections for which a locality may adopt parallel or more stringent ordinances.		

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Bills	General Assembly Actions	Date of BOS Position
SB 626 - Surovell (36) Hazardous Substance Aboveground Storage Tank Fund; created.	1/7/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/4/2020 Senate: Continued to 2021 in Agriculture, Conservation and Natural Resources (15-Y 0-N)	[1/31/2020]
<p>[Oppose] (20104897D) - See also HB 1192 (Lopez).</p> <p>Summary: Aboveground storage tanks; Hazardous Substance Aboveground Storage Tank Fund; civil and criminal penalties. Directs the State Water Control Board to regulate aboveground storage tanks that measure more than 1,320 gallons in capacity and are used to contain hazardous substances other than oil. The bill directs the Board to adopt regulations that establish requirements for registration, certification, and inspection, and other requirements of tank owners, and that establish a schedule of fees. The bill authorizes the Board to undertake corrective action, or to require the owner to undertake corrective action, in the event of a discharge of a hazardous substance. The bill requires tank owners to register their tanks, pay certain registration fees, develop release response plans, upgrade certain older tanks, install containment infrastructure for certain aboveground storage tanks, notify certain parties in the event of a release of a regulated substance, and demonstrate their financial responsibility. The bill also creates the Hazardous Substance Aboveground Storage Tank Fund for the administration of the bill and provides for civil and criminal penalties for violations of requirements of the bill, with the moneys received to be deposited into the existing Virginia Environmental Emergency Response Fund.</p>		

Fairfax County Positions

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Legislation No Longer Under Consideration

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

Bills	General Assembly Actions	Date of BOS Position
HB 3 - McQuinn (70) Va. Fair Housing Law; unlawful discriminatory housing practices, sexual orientation and gender, etc.	11/18/2019 House: Referred to Committee on General Laws 1/23/2020 House: Subcommittee recommends incorporating (HB 1663-Sickles) by voice vote 1/28/2020 House: Incorporated by General Laws (HB 1663-Sickles) by voice vote	1/28/2020
Support (20100744D) - 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."		
HB 17 - Foy (2) Driver's license; suspension for nonpayment of fines or costs.	11/19/2019 House: Referred to Committee for Courts of Justice 1/29/2020 House: Subcommittee recommends incorporating (HB 1196-Lopez) by voice vote 1/31/2020 House: Incorporated by Courts of Justice (HB 1196-Lopez) by voice vote	1/28/2020
Support (20101115D) - 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, 2020, solely for nonpayment of fines or costs. Such person does not have to pay a reinstatement fee.		
HB 20 - Lindsey (90) Va. Alternative Energy & Coastal Protection Act; DEQ to implement final carbon trading regulation.	11/19/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/22/2020 House: Referred from Agriculture, Chesapeake and Natural Resources by voice vote 1/22/2020 House: Referred to Committee on Labor and Commerce 1/30/2020 House: Subcommittee recommends incorporating (HB 981-Herring) by voice vote 2/4/2020 House: Incorporated by Labor and Commerce (HB 981-Herring) by voice vote	1/28/2020
Support (20100461D) Summary: Virginia Alternative Energy and Coastal Protection Act. Directs the Department of Environmental Quality to implement the final carbon trading regulation as approved by the State Air Pollution Control Board in order to establish a carbon dioxide cap and trade program that limits and reduces the total carbon dioxide emissions released by electric generation facilities and that complies with the Regional Greenhouse Gas Initiative model rule. The measure authorizes the Director of the Department of Environmental Quality to establish, implement, and manage an auction program to sell allowances into a market-based trading program. The measure requires revenues from the sale of carbon allowances, to the extent permitted by Article X,		

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Bills	General Assembly Actions	Date of BOS Position
<p>Section 7 of the Constitution of Virginia, to be deposited in an interest-bearing account and to be distributed without further appropriation (i) to assist counties, cities, towns, residents, and businesses affected by recurrent flooding, sea-level rise, and flooding from severe weather events; (ii) to support energy efficiency programs; (iii) to support renewable energy programs; (iv) to provide economic development, education, and workforce training programs for families and businesses in Southwest Virginia for the purpose of revitalizing communities negatively affected by the decline of fossil fuel production; (v) to the Virginia Natural Resources Commitment Fund to fund the Virginia Agricultural Best Management Practices Cost-Share Program and (vi) for administrative expenses. The measure states that development of new utility-owned and utility-operated generating facilities utilizing energy derived from sunlight, or from onshore or offshore wind, to achieve the reduction in carbon dioxide emissions is in the public interest and directs Dominion Virginia Power and Appalachian Power to achieve a minimum of 50 percent of the reduction in carbon dioxide emissions through the development of such utility-owned and utility-operated generating facilities utilizing energy derived from sunlight, or from onshore or offshore wind. The measure provides that any retail customer that purchases electric energy from a supplier other than the incumbent electric utility serving the exclusive service territory in which such retail customer is located shall pay a non-bypassable surcharge. The measure also requires the Department to establish an allowance set-aside for any electric generation facility subject to a cap and trade program that operates according to a long-term contract as of January 1, 2020, that prohibits the recovery of allowance costs.</p>		
<p>HB 25 - Lindsey (90) Absentee voting; no excuse required.</p>	<p>11/19/2019 House: Referred to Committee on Privileges and Elections 1/21/2020 House: Subcommittee recommends incorporating (HB 1-Herring) by voice vote 1/24/2020 House: Incorporated by Privileges and Elections (HB 1-Herring) by voice vote</p>	<p>1/28/2020</p>
<p>Support (20100509D) - Collaborate with stakeholders to ensure bill can be successfully implemented. See also HB 1 (Herring) and HB 209 (Murphy). Summary: Permits any registered voter to vote by absentee ballot in any election in which he is qualified to vote. The bill removes the current list of statutory reasons under which a person may be entitled to vote by absentee ballot and removes references to those reasons from other sections of the Code.</p>		
<p>HB 209 - Murphy (34) Absentee voting; no excuse required.</p>	<p>12/27/2019 House: Referred to Committee on Privileges and Elections 1/21/2020 House: Subcommittee recommends incorporating (HB 1-Herring) by voice vote 1/24/2020 House: Incorporated by Privileges and Elections (HB 1-Herring) by voice vote</p>	<p>1/28/2020</p>
<p>Support (20101232D) - Collaborate with stakeholders to ensure bill can be successfully implemented. See also HB 1 (Herring) and HB 25 (Lindsey). 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>		

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Bills	General Assembly Actions	Date of BOS Position
HB 217 - Convirs-Fowler (21) Va. Fair Housing Law; unlawful discriminatory housing practices, sexual orientation and gender, etc.	12/27/2019 House: Referred to Committee on General Laws 1/23/2020 House: Subcommittee recommends incorporating (HB 1663-Sickles) by voice vote 1/28/2020 House: Incorporated by General Laws (HB 1663-Sickles) by voice vote	1/28/2020
Support (20101469D) - 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."		
HB 357 - Lopez (49) Virginia Fair Housing Law; unlawful discriminatory housing practices.	1/1/2020 House: Referred to Committee on General Laws 1/30/2020 House: Subcommittee recommends incorporating (HB 6-Bourne) by voice vote 2/4/2020 House: Incorporated by General Laws (HB 6-Bourne) by voice vote	1/28/2020
Support (20101644D) - Board has historically supported. Summary: Adds discrimination on the basis of a person's source of income to the list of unlawful discriminatory housing practices. The bill defines "source of income" as any source that lawfully provides funds to or on behalf of a renter or buyer of housing, including any assistance, benefit, or subsidy program, whether such program is administered by a governmental or nongovernmental entity.		
HB 621 - Willett (73) Speed monitoring systems; local ordinances.	1/6/2020 House: Referred to Committee on Labor and Commerce 1/16/2020 House: Referred from Labor and Commerce by voice vote 1/16/2020 House: Referred to Committee on Transportation 1/27/2020 House: Subcommittee recommends reporting with amendments (5-Y 2-N) 1/30/2020 House: Incorporated by Transportation (HB 1442-Jones) by voice vote	1/28/2020
Support (20104317D) Summary: Provides that a locality may, by ordinance, establish a speed enforcement program utilizing an automated speed monitoring system that creates recorded images of vehicles traveling at least 10 miles per hour in excess of the maximum applicable speed limit. The penalty imposed for violating applicable speed limits where such violation is established by recorded images produced by a speed monitoring system cannot exceed \$50. The bill provides that a locality may install and operate a speed monitoring system only at residence districts, school crossing zones, and highway work zones. The procedures for operating a speed monitoring system and issuing summonses to violators and the rights of such violators, including the right to appeal to circuit court, parallel those currently in place for red light violations recorded by photo-monitoring systems at traffic lights. This bill was incorporated into HB 1442.		

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Bills	General Assembly Actions	Date of BOS Position
HB 650 - Hope (47) Naloxone or other opioid antagonist; possession and administration.	1/6/2020 House: Referred to Committee on Health, Welfare and Institutions 1/30/2020 House: Subcommittee recommends incorporating (HB 908-Hayes) by voice vote 2/4/2020 House: Incorporated by Health, Welfare and Institutions (HB 908-Hayes) by voice vote	[1/31/2020]
<p>[Support] (20104901D) - See also SB 566 (Edwards).</p> <p>Summary: Naloxone; possession and administration. Provides that a person who is not otherwise authorized to administer naloxone or other opioid antagonist used for overdose reversal may administer naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose, provided the administration is in good faith and absent gross negligence or willful and wanton misconduct.</p>		
HB 912 - Simon (53) Distributed renewable energy; promotes establishment of solar and other renewable energy.	1/7/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 1/15/2020 House: Referred from HAG by voice vote 1/15/2020 House: Referred to Committee on Labor and Commerce 1/30/2020 House: Subcommittee recommends incorporating (HB 572-Keam) by voice vote 2/4/2020 House: Incorporated by Labor and Commerce (HB 572-Keam) by voice vote	1/28/2020
<p>Support (20103986D) - Board has historically supported.</p> <p>Summary: Distributed renewable energy. Promotes the establishment of distributed renewable solar and other renewable energy. The measure (i) removes the one percent cap on the total amount of renewable energy that can be net metered in a utility's service territory, (ii) authorizes third-party power purchase agreements for all customer classes throughout the Commonwealth, (iii) allows local governments and certain other public bodies to install solar or wind facilities of up to five megawatts on government-owned property and use the electricity for government-owned buildings, (iv) allows all net metering customers to attribute output from a single solar array to multiple meters, (v) allows the owner of a multifamily residential building or the common areas of a condominium to install a renewable energy generation facility and sell the electricity to tenants or condominium unit owners, (vi) removes the restriction on customers installing a net-metered generation facility larger than that required to meet their previous 12 months' demand, (vii) raises the cap for net-metered nonresidential generation facilities from one megawatt to two megawatts, and (viii) removes the ability of utilities to assess standby charges. The measure also amends the Commonwealth Energy Policy to include provisions supporting distributed generation of renewable energy.</p>		
HB 977 - Krizek (44) County food and beverage tax; allowable tax rate, removal of referendum requirement.	1/7/2020 House: Referred to Committee on Finance 2/5/2020 House: Incorporated by Finance (HB 729-Watts) by voice vote	1/28/2020
<p>Support (20105088D)</p> <p>Summary: County food and beverage tax; allowable tax rate; removal of referendum requirement. Removes the four percent limit on the tax rate that counties may impose on food and beverages. The bill also removes the requirement that a county hold a referendum before imposing such a tax.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 1152</u> - Lopez (49) Carbon dioxide cap and trade program; establishes program, etc.	1/7/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/22/2020 House: Referred from Agriculture, Chesapeake and Natural Resources by voice vote 1/22/2020 House: Referred to Committee on Labor and Commerce 1/30/2020 House: Subcommittee recommends incorporating (HB 981-Herring) by voice vote 2/4/2020 House: Incorporated by Labor and Commerce (HB 981-Herring) by voice vote	[1/31/2020]

[Support] (20101672D)

Summary: Regional Greenhouse Gas Initiative; Energy Efficiency Fund. Directs the Department of Environmental Quality (DEQ) to implement the final carbon trading regulation as approved by the Air Pollution Control Board providing for the establishment of a carbon dioxide cap and trade program. The measure directs the Commonwealth to become a member of the Regional Greenhouse Gas Initiative (RGGI). Pursuant to the Commonwealth's participation in the RGGI program, the Department shall seek to sell 100 percent of all allowances issued each year through the allowance auction. The measure authorizes the Director of the DEQ to establish, implement, and manage an auction program to sell allowances into a market-based trading program consistent with the RGGI program. The measure establishes the Energy Efficiency Fund and requires that all proceeds received from the sale of allowances conducted through the RGGI program be paid into the state treasury and credited to the Fund. Not less than 50 percent of the proceeds received from the sale of allowances shall be credited to an account to support energy efficiency programs, with at least 20 percent of the proceeds being directed to low-income energy efficiency programs. Not more than three percent of the proceeds shall be used to cover reasonable administrative expenses. The remaining funds will revert to the general fund.

<u>HB 1202</u> - Tran (42) Project labor agreements; public procurement by local governments.	1/7/2020 House: Referred to Committee on General Laws 1/28/2020 House: Subcommittee recommends incorporating (HB 358-Lopez) by voice vote 1/30/2020 House: Incorporated by General Laws (HB 358-Lopez) by voice vote	1/28/2020
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Support (20104446D)

Summary: Authorizes any local government, when engaged in procuring products or services or letting contracts for construction, manufacture, maintenance, or operation of public works, to require bidders to enter into or adhere to project labor agreements on the public works projects.

<u>HB 1203</u> - Tran (42) Prevailing wage; public works contracts with localities, penalty.	1/7/2020 House: Referred to Committee on Labor and Commerce (HLC) 1/28/2020 House: Subcommittee recommends reporting with substitute (4-Y 3-N) 1/30/2020 House: Failed to report (defeated) in HLC (9-Y 9-N)	1/28/2020
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Support (20104359D) - Support as a local option.

Summary: Prevailing wage; public works contracts with localities; penalty. Requires contractors and subcontractors under any public contract with a locality for public works to pay wages, salaries, benefits, and other remuneration to any mechanic, laborer, or worker employed, retained, or otherwise hired to perform services in connection with the public contract at the prevailing wage rate. The Commissioner of Labor and Industry is required to determine the prevailing wage rate for such public contracts on the basis of applicable prevailing wage

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Bills	General Assembly Actions	Date of BOS Position
rate determinations made by the U.S. Secretary of Labor under the provisions of the federal Davis-Bacon Act. A contractor or subcontractor who knowingly or willfully employs any mechanic, laborer, or worker to perform work contracted to be done under the public contract at a rate that is less than the prevailing wage rate is guilty of a Class 1 misdemeanor. In addition, such a contractor or subcontractor shall be liable to such individuals for the payment of all wages due plus interest and shall be disqualified from bidding on public contracts until full restitution has been paid to the individuals.		
HB 1214 - Simonds (94) Family day homes; licensure threshold.	1/7/2020 House: Referred to Committee on Education 1/15/2020 House: Referred from Education by voice vote 1/15/2020 House: Referred to Committee on Health, Welfare and Institutions 1/30/2020 House: Subcommittee recommends reporting with substitute (3-Y 1-N) 1/30/2020 House: Subcommittee recommends referring to Committee on Appropriations 2/6/2020 House: Failed to report (defeated) in Health, Welfare and Institutions (9-Y 11-N)	1/28/2020
Amend (20102193D) - Amend to allow Fairfax County to maintain its current local permitting program. See also SB 117 (Favola). Summary: Reduces from five to three the number of children for whom a family day home must obtain a license to provide child care services.		
HB 1673 - Ware (65) Plastic bag tax; use of revenues.	1/17/2020 House: Referred to Committee on Finance 1/31/2020 House: Subcommittee recommends incorporating (HB 1151-Lopez) by voice vote 2/5/2020 House: Incorporated by Finance (HB 1151-Lopez) by voice vote	1/28/2020
Support (20104420D) - Support effort to reduce waste from plastic bags, but revenue generated should be directed to localities as they are responsible for solid waste management. Summary: Allows localities to impose a five-cent (\$0.05) per bag tax on plastic bags provided to customers by retailers in grocery stores, convenience stores, or drugstores in the Commonwealth. The bill also (i) requires every retailer to provide recycling receptacles at its place of business for such disposable plastic bags and (ii) allows every retailer that collects the tax to retain one cent (\$0.01) of every five cents (\$0.05) collected. The tax is to be administered in the same manner as the retail sales and use tax, and all revenues from the tax shall be deposited in equal sums into the Virginia Water Quality Improvement Fund and the Virginia Natural Resources Commitment Fund.		
SB 26 - Petersen (34) Plastic bags; tax in the Chesapeake Bay Watershed.	11/18/2019 Senate: Referred to Committee on Finance 1/30/2020 Senate: Incorporated by Finance and Appropriations (SB 11-Ebbin) (16-Y 0-N)	1/28/2020
Support (20100599D) - Support effort to reduce waste from plastic bags, but revenue generated should be directed to localities as they are responsible for solid waste management. Summary: Plastic bag tax in the Chesapeake Bay Watershed. Imposes a five-cent per bag tax on plastic bags provided to customers by certain retailers in localities located wholly within the Chesapeake Bay Watershed and directs revenues to be used to support the Chesapeake Bay Watershed Implementation Plan. The bill also allows every retailer that collects the tax to retain one cent of every five cents collected.		

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Bills	General Assembly Actions	Date of BOS Position
<u>SB 66</u> - McClellan (9) Va. Fair Housing Law; unlawful discriminatory housing practices, sexual orientation and gender, etc.	11/22/2019 Senate: Referred to Committee on General Laws and Technology 1/29/2020 Senate: Incorporated by General Laws and Technology (SB 868-Ebbin) (14-Y 0-N)	1/28/2020
Support (20101054D) - Board has historically supported. Summary: Virginia Fair Housing Law; unlawful discriminatory housing practices; sexual orientation and gender identity. Adds discrimination on the basis of an individual's sexual orientation or gender identity as an unlawful housing practice. The bill defines "sexual orientation" and "gender identity."		
<u>SB 117</u> - Favola (31) Family day homes; licensure threshold.	12/15/2019 Senate: Referred to Committee on Rehabilitation and Social Services 1/17/2020 Stricken at request of Patron in Rehabilitation and Social Services (12-Y 0-N)	1/28/2020
Amend (20102365D) - Amend to allow Fairfax County to maintain its current local permitting program. See also HB 1214 (Simonds). Summary: Reduces from five to three the number of children for whom a family day home must obtain a license to provide child care services.		
<u>SB 151</u> - Stuart (28) School personnel; staffing ratios, school nurses.	12/18/2019 Senate: Referred to Committee on Education and Health 1/30/2020 Senate: Passed by indefinitely in Education and Health (14-Y 0-N)	1/28/2020
Oppose (20101419D) - Potential fiscal impact to Fairfax County is \$16.3 million to achieve the goal of one full-time equivalent nurse in every school, and \$22.6 million to achieve the goal of one full-time equivalent nurse per 550 students, based on the current staffing model. Summary: School personnel; staffing ratios; school nurses. Excludes school nurse positions from requirements for student support positions and instead requires each local school board to employ at least one full-time equivalent school nurse position in each elementary school, middle school, and high school in the local school division or at least one full-time equivalent school nurse position per 550 students in grades kindergarten through 12.		
<u>SB 159</u> - Boysko (33) Public employment; prohibits discrimination on basis of sexual orientation or gender identity.	12/18/2019 Senate: Referred to Committee on General Laws and Technology 1/29/2020 Senate: Incorporated by General Laws and Technology (SB 868-Ebbin) (14-Y 0-N)	1/28/2020
Support (20102892D) - Board has historically supported. Summary: Nondiscrimination in public employment. Prohibits discrimination in public employment on the basis of sexual orientation or gender identity, as defined in the bill. The bill also codifies for state and local government employment the current prohibitions on discrimination in employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran.		

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Bills	General Assembly Actions	Date of BOS Position
SB 180 - Favola (31) Prevailing wage; public works contracts, penalty.	12/21/2019 Senate: Referred to Committee on Commerce and Labor 2/3/2020 Senate: Stricken at request of Patron in Commerce and Labor (15-Y 0-N)	1/28/2020
<p>Support (20101737D) Summary: Prevailing wage; public works contracts; penalty. Requires contractors and subcontractors under any public contract with a state agency for public works to pay wages, salaries, benefits, and other remuneration to any mechanic, laborer, or worker employed, retained, or otherwise hired to perform services in connection with the public contract for public works at the prevailing wage rate. The Commissioner of Labor and Industry is required to determine the prevailing wage rate for such public contracts on the basis of applicable prevailing wage rate determinations made by the U.S. Secretary of Labor under the provisions of the federal Davis-Bacon Act. A contractor or subcontractor who knowingly or willfully employs any mechanic, laborer, or worker to perform work contracted to be done under the public contract at a rate that is less than the prevailing wage rate is guilty of a Class 1 misdemeanor. In addition, such a contractor or subcontractor shall be liable to such individuals for the payment of all wages due plus interest and shall be disqualified from bidding on public contracts with any public body until full restitution has been paid to the individuals.</p>		
SB 184 - Locke (2) Tree conservation ordinance; Chesapeake Bay Preservation Act locality, designated trees.	12/26/2019 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 1/28/2020 Senate: Failed to report (defeated) in Agriculture, Conservation and Natural Resources (7-Y 7-N)	[1/31/2020] 1/28/2020
<p>[Monitor] (20106930D-S1) - Bill has been amended and no longer applies to the County. Support (20102410D)– See also HB 221 (Mugler). Summary: Tree conservation ordinance; Chesapeake Bay Preservation Act locality; designated trees. Adds "Chesapeake Bay watershed tree," as defined in the bill, to the types of tree that a locality with a tree conservation ordinance is authorized to designate individually for preservation. Current law allows individual designation of heritage, memorial, specimen, and street trees. The bill contains technical amendments.</p>		
SB 193 - Favola (31) Single-use plastic and expanded polystyrene products; local prohibition, local tax.	12/29/2019 Senate: Referred to Committee on Local Government 1/20/2020 Senate: Re-referred to Finance and Appropriations 1/30/2020 Senate: Stricken at request of Patron in Finance and Appropriations (11-Y 0-N)	1/28/2020
<p>Support (20101425D) - Support effort to reduce waste from plastic bags, but revenue generated should be directed to localities as they are responsible for solid waste management. Summary: Single-use plastic and expanded polystyrene products; local prohibition; local tax. Authorizes a locality to prohibit by ordinance the purchase, sale, or provision, whether free or for a cost, of certain single-use products that are not recyclable or compostable and for which there is a suitable and cost-effective compostable or recyclable alternative product available, with certain exceptions. The bill also authorizes any locality to impose a five-cent per item tax on single-use plastics and polystyrene products provided to customers by certain retailers, with certain products being exempt from the tax. The bill directs revenue from the local tax to be used by the locality imposing the tax for cleanup or education programs designed to reduce waste. The bill allows every restaurant or retailer that collects the tax to retain one cent of the five-cent tax if the tax is paid in a timely manner.</p>		

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Bills	General Assembly Actions	Date of BOS Position
SB 198 - Locke (2) Disposable plastic shopping bags; local option.	12/29/2019 Senate: Referred to Committee on Local Government 1/20/2020 Senate: Re-referred to Finance and Appropriations 1/30/2020 Senate: Incorporated by Finance and Appropriations (SB 11-Ebbin) (16-Y 0-N)	1/28/2020
<p>Support (20101662D) - Support effort to reduce waste from plastic bags, but revenue generated should be directed to localities as they are responsible for solid waste management.</p> <p>Summary: Allows any locality by ordinance to prohibit the distribution, sale, or offer for sale of disposable plastic shopping bags to consumers. The bill exempts from any such prohibition reusable bags of a certain thickness, bags that are used to carry certain products, such as ice cream or newspapers, and garbage bags that are sold in multiples.</p>		
SB 475 - Bell (13) Virginia Public Procurement Act; use of best value contracting.	1/7/2020 Senate: Referred to Committee on General Laws and Technology 1/29/2020 Senate: Passed by indefinitely in General Laws and Technology (15-Y 0-N)	1/28/2020
<p>Support (20102619D)</p> <p>Summary: Virginia Public Procurement Act; use of best value contracting; construction and professional services. Authorizes any public body to procure construction on a best value procurement basis using a numerical scoring system consisting of the following: (i) technical solution, 30 percent; (ii) past performance, 30 percent, including (a) price history of cost overruns, (b) schedule history of on-time delivery, and (c) contractor performance ratings from the immediately preceding five-year period; and (iii) price, 40 percent. The Request for Proposal shall contain a notice to potential offerors that the procurement decision will be made on a best value procurement basis. The Request for Proposal shall describe (1) the criteria that will be considered in evaluating the proposals and (2) the numerical scoring system that will be used in evaluating the proposals, including identification of the factors and weight values set forth in the bill.</p>		
SB 484 - Favola (31) Local taxing authority; equalizes city and county taxing authorities.	1/7/2020 Senate: Referred to Committee on Finance and Appropriations 2/5/2020 Senate: Incorporated by Finance and Appropriations (SB 588-Hanger) (16-Y 0-N)	1/28/2020
<p>Support (20104703D) - Board has historically supported.</p> <p>Summary: Local taxing authority. Equalizes city taxing authority and county taxing authority by granting a county the same authority available to impose excise taxes on cigarettes, admissions, transient room rentals, meals, and travel campgrounds without limitation on the rate that may be imposed. The bill retains a restriction that applies to counties under current law and requires that any transient occupancy tax revenue attributable to a rate of between two and five percent must be used for tourism marketing.</p>		
SB 532 - Edwards (21) Third-party power purchase agreements; regulation of retail sales of electricity under agreements.	1/7/2020 Senate: Referred to Committee on Commerce and Labor 2/3/2020 Senate: Incorporated by Commerce and Labor (SB 851-McClellan) (13-Y 0-N)	1/28/2020

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (20102819D) Summary: Third-party power purchase agreements. Exempts sellers under third-party power purchase agreements from being defined as a public utility, public service corporation, public service company, or electric utility solely because of the sale of electricity or ownership or operation of a distributed generation facility. The measure provides that the sale of electricity generated at a distributed energy facility by a person that is not a public utility, public service corporation, or public service company to a customer that is purchasing or leasing the distributed energy facility under the terms of a third-party power purchase agreement does not constitute the retail sale of electricity. The measure proscribes State Corporation Commission regulation of the sale of electric energy that is generated on site by a distributed generation facility pursuant to a third-party power purchase agreement. The measure also repeals the pilot program initially enacted in 2013 that authorized Dominion Energy to enter into certain third-party power purchase agreements providing financing of certain renewable generation facilities.</p>		
<p><u>SB 581</u> - Howell (32) Minors; allowing access to firearms, Class 6 felony.</p>	<p>1/7/2020 Senate: Referred to Committee on the Judiciary 2/3/2020 Senate: Failed to report (defeated) in Judiciary (7-Y 8-N)</p>	<p>1/28/2020</p>
<p>Support (20102952D) - See also HB 1083 (Hayes). Summary: Allowing access to firearms by minors; penalty. Provides that any person who recklessly leaves a loaded, unsecured firearm in such a manner as to endanger the life or limb of any person under the age of 18 is guilty of a Class 6 felony. Current law provides that any person who recklessly leaves a loaded, unsecured firearm in such a manner as to endanger the life or limb of any child under the age of 14 is guilty of a Class 3 misdemeanor.</p>		
<p><u>SB 638</u> - Surovell (36) Affordable housing; location near Metrorail station.</p>	<p>1/7/2020 Senate: Referred to Committee on Local Government 1/27/2020 Senate: Passed by indefinitely in Local Government with letter (15-Y 0-N)</p>	<p>1/28/2020</p>
<p>Oppose (20101041D) Summary: Affordable housing near Metrorail station. Provides that in any locality with an existing or planned Metrorail station, such locality shall require that at least 10 percent of new residential dwelling units in any building that is at least six stories in height be affordable dwelling units, defined in the bill, if the proposed project is within one-half mile of an existing or planned Metrorail station.</p>		
<p><u>SB 643</u> - Boysko (33) Motor Vehicles, Department of; issuance of certain documents.</p>	<p>1/7/2020 Senate: Referred to Committee on Transportation 1/30/2020 Senate: Incorporated by Transportation (SB 34-Surovell) (8-Y 7-N)</p>	<p>1/28/2020</p>
<p>Support (20102087D) Summary: Department of Motor Vehicles; issuance of certain documents; citizenship requirement. Removes the citizenship and legal presence requirements for obtaining a driver's license or special identification card. The bill requires the Department of Motor Vehicles to cancel any (i) REAL ID-compliant driver's license or special identification card and (ii) commercial driver's license or commercial learner's permit if the Department is notified by a federal agency that the individual to whom such document was issued is not in compliance with the citizenship and lawful residency requirements for such license, card, or permit. The bill has a delayed effective date of October 2, 2020, and contains technical amendments.</p>		

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Bills	General Assembly Actions	Date of BOS Position
SB 644 - Boysko (33) Traffic incident management vehicles; exempt from certain regulations.	1/7/2020 Senate: Referred to Committee on Transportation 1/23/2020 Senate: Failed to report (defeated) in Transportation (6-Y 9-N)	1/28/2020
Monitor (20102092D) Summary: Traffic incident management vehicles. Adds traffic incident management vehicles, defined in the bill, operated by persons who meet certain training requirements to a list of vehicles exempt from certain traffic regulations at or en route to the scene of a traffic accident or similar incident. The bill also allows such vehicles to be equipped with sirens and flashing red or red and white secondary warning lights.		
SB 682 - Mason (1) Food and beverage tax; county imposing a tax greater than four percent.	1/7/2020 Senate: Referred to Committee on Finance and Appropriations 2/5/2020 Senate: Incorporated by Finance and Appropriations (SB 588-Hanger) (16-Y 0-N)	1/28/2020
Support (20103944D) - Board has historically supported. Summary: County food and beverage tax. Eliminates the limit that restricts a county from imposing a food and beverage tax (commonly referred to as the meals tax) at a rate greater than four percent. The bill also removes the requirement that a county hold a referendum before imposing a meals tax. Under current law, the tax limit and referendum requirement apply to counties but not cities.		
SB 839 - Ebbin (30) Zoning; permitted provisions in ordinance, worker protection.	1/8/2020 Senate: Referred to Committee on Local Government 2/3/2020 Senate: Passed by indefinitely in Local Government with letter (12-Y 3-N)	1/28/2020
Support (20103585D) Summary: Permitted provisions in the zoning ordinance; worker protection. Authorizes a locality to include in its zoning ordinance certain conditions as part of the grant of a special exception that permits development at a floor area ratio (FAR) greater than 1.0 or 25 units per acre, or requires the construction of or improvements to public facilities, public roads, or other publicly owned or managed areas. Such conditions may require a developer, directly or through its contractors, to enter into binding contractual commitments that provide certain protections for the skilled and unskilled workers hired to build the development project.		
SB 852 - Ebbin (30) Tobacco products; tax on all tobacco products, penalties.	1/8/2020 Senate: Referred to Committee on Finance and Appropriations 1/30/2020 Senate: Passed by indefinitely in Finance and Appropriations (12-Y 1-N)	1/28/2020
Support (20104343D) - See also HB 1120 (Hope). Summary: Taxes on tobacco products; penalties. Provides that tobacco products, defined in the bill, would be subject to tax at rates of \$1.80 per pack of cigarettes or 39 percent of the wholesale price for all other tobacco products. Current law imposes taxes of \$0.30 per pack of cigarettes, 10 percent of the wholesale price of certain tobacco products, and various weight-based rates that apply to moist snuff and loose leaf tobacco. The bill broadens the definition of "tobacco product" to include electronic smoking devices, which are not taxed under current law.		

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Bills	General Assembly Actions	Date of BOS Position
<u>SB 893</u> - Marsden (37) Comprehensive plan; solar facilities review.	1/8/2020 Senate: Referred to Committee on Local Government 2/3/2020 Senate: Passed by indefinitely in Local Government (15-Y 0-N)	1/28/2020
Oppose (20102707D) - See also HB 657 (Heretick). Summary: Exempts a solar facility that is 150 megawatts or less from the requirement that it be reviewed for substantial accord with a locality's comprehensive plan.		
<u>SB 921</u> - Locke (2) Cigarette tax, local; authorizes all counties to impose without rate limit.	1/9/2020 Senate: Referred to Committee on Finance and Appropriations 2/5/2020 Senate: Incorporated by Finance and Appropriations (SB 588-Hanger) (16-Y 0-N)	1/28/2020
Support (20104542D) - Board has historically supported. Summary: Local cigarette tax; authorize all counties to impose without rate limit. Permits any county to impose a cigarette tax. Under current law, only the Counties of Arlington and Fairfax have such authority. The bill provides that there shall be no limitation on the cigarette tax rate imposed by counties. Under current law, cities and towns may impose the tax without limitation on the rate, but the Counties of Arlington and Fairfax may impose the tax at a rate not to exceed the amount levied under state law (\$0.30 per pack).		
<u>SJ 32</u> - Bell (13) Electric vehicles; DEQ to study the impact of and develop Clean Transportation Plan, report.	1/6/2020 Senate: Referred to Committee on Rules 1/24/2020 Senate: Passed by indefinitely in Rules with letter by voice vote	1/28/2020
Support with Amendment (20104293D) - Support with amendment to encourage consideration of the impact on transportation revenue resulting from the increase in use of electric vehicles. Summary: Study; Department of Environmental Quality; Clean Transportation Plan; report. Requests the Department of Environmental Quality to study the impact of electric vehicles and develop a Clean Transportation Plan.		
<u>SJ 57</u> - Lewis, Jr. (6) JLARC; costs of education, report.	1/8/2020 Senate: Referred to Committee on Rules 1/31/2020 Senate: Stricken at request of Patron in Rules by voice vote	1/28/2020
Support (20103928D) - Board has historically supported. Fairfax County's Legislative Program includes support for adequate K-12 education funding. Summary: Study; JLARC; costs of education; report. Directs the Joint Legislative Audit and Review Commission to study the true cost of education in the Commonwealth and provide an accurate assessment of the costs to implement the Standards of Quality.		

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Omnibus Transportation Bill - HB 1414 (Filler-Corn) /SB 890 (Saslaw)

January 31, 2020

REGIONAL FUNDING

Regional Funding Restoration - Provides \$30 million to the Northern Virginia Transportation Authority (NVTA) to partially restore \$102 million diverted to the WMATA Capital Fund in 2018. This is currently done by:

- Reducing the existing grantor's tax that is placed on Northern Virginia Transportation Commission (NVTC) jurisdictions and separately to the Northern Virginia non-NVTC jurisdictions (from \$.15/\$100 valuation to \$.10/\$100 valuation). This would decrease the portion of grantor's tax provided to the WMATA Capital Fund by \$15 million.
- Increasing the transient occupancy tax for NVTC jurisdictions (from 2 percent to 3 percent) that is provided to the WMATA Fund. This provides an additional \$15 million to the WMATA Capital Fund.
- Separately increasing \$.10 / \$100 valuation on the regional grantor's tax. This provides \$30 million to NVTA.

Regional Gas Tax: Changes the existing regional gas tax (which supports WMATA expenses) from a percentage per gallon to cents per gallon. Indexes this gas tax to the consumer price index.

STATEWIDE TRANSPORTATION FUNDING

Restructures Virginia's Transportation Funding Model – Currently various types of revenues are directed to specific transportation funding programs. This legislation directs the majority of revenues to a new unified Commonwealth Transportation Fund. Funds are then distributed to the various programs, including new programs created through this bill (described on page 2).

Makes changes to funds used to support statewide transportation programs:

- Statewide Gas Tax - Changes the statewide gas tax from a percentage per gallon to cents per gallon. Increases the gas tax by \$.12/gallon over the next three years. Indexes this gas tax to the consumer price index, following the proposed gas tax increase.
- Annual Vehicle Registration - Reduces the annual registration fee from \$40.75 to \$20.75 (for a standard vehicle).
- Highway Use Fee on Fuel-Efficient Vehicles – Imposes a new highway use fee, which is tiered based on fuel economy.
- State Recordation Tax Revenues – A portion of the state recordation tax that is attributable to Northern Virginia (approximately \$20 million) is currently allocated to the Northern Virginia Transportation District Fund and used to back debt for various projects (portions of the state recordation tax are also used for other specific areas: Route 58 and Oak Grove). HB 1414/SB 890 would instead pay the debt service on these bonds with the new transportation revenues noted above, while the existing set-aside recordation tax revenues would be transferred to the state General Fund.

The new revenues generated by HB 1414/SB 890, offset by the transfer of the recordation revenues to the General Fund, result in a net increase in statewide transportation funding of:

- \$124.4 million in FY 2021
- \$137.1 million in FY 2022
- \$319.1 million in FY 2023
- \$371.0 million in FY 2024

These funds will be provided to the Commonwealth Transportation Fund, and distributed to various transportation programs, including maintenance, Smart Scale, Mass Transit, Rail, and the new programs noted below.

Highway Safety Improvement Program – The bills establish a new fund for infrastructure and behavioral safety initiatives. The funds would be invested based on a five-year investment strategy adopted by the Commonwealth Transportation Board that gives priority to projects, strategies, and activities based on the expected reduction in fatalities and severe injuries relative to cost.

Robert O. Norris Bridge and Statewide Special Structure Program – The bills establish a new program to implement the fund enacted during the 2019 GA session.

Transit Incentive Program – The bills establish a new program for regional routes for certain transit connections by offsetting capital and operating needs specific to services in major urbanized areas (Northern Virginia; Richmond; Hampton Roads; Roanoke). These funds can be used for:

- Routes of regional significance;
- Development and implementation of regional subsidy models;
- Establishment of bus-only lanes on routes of regional significance; and,
- Implementation of integrated fare collection.

Bond Authorizations – Authorizes bonds backed by a portion of the toll revenues on I-66 Inside the Beltway, with the proceeds to be used for the Long Bridge and improvements to the Rosslyn Metrorail Station. Also authorizes bonds to support the I-81 Corridor Improvement Program which would be backed by the regional fuels tax along the I-81 corridor.

New Rail Authority – Creates a new Rail Authority to promote, sustain, and expand passenger and commuter rail service. The structure is similar to the existing Port Authority. This Rail Authority would receive 91.5 percent of the revenues from the Commonwealth Rail Fund.

Governance: The Board of Directors would consist of 11 members:

- 8 non-legislative citizen members, appointed by the Governor, to serve with voting privileges. Of the eight non-legislative citizen members with voting privileges:
 - 2 must reside within the boundaries of NVTC;
 - 2 must reside within the boundaries of PRTC;
 - 2 must reside within the boundaries of the Richmond Metropolitan Transportation Authority;
 - 1 must reside within the boundaries of the Hampton Roads Transportation Accountability Commission; and,
 - 1 must reside within the boundaries of Planning District 5, 9, 10, or 11.
- 1 non-legislative citizen member, appointed by the Governor, to represent Amtrak without voting privileges.
- The VRE CEO to serve ex officio without voting privileges.
- Director of the Department of Rail and Public Transportation to serve ex officio, with voting privileges only in the event of a tie.

Powers of the Rail Authority Board:

- Grant others the privilege to design, build, finance, operate, and maintain rail facilities.

- Grant others the privilege to operate concessions, leases, and franchises, including but not limited to the accommodation and comfort of persons using rail facilities and the provision of ground transportation services and parking facilities.
- Borrow money and issue bonds to finance and refinance rail facilities and pledge or otherwise encumber all or any of the revenues or receipts of the Authority as security for all or any of the obligations of the Authority.
- Fix, alter, charge, and collect fees, rates, rentals, and other charges for the use of rail facilities, the sale of products, or services rendered by the Authority.
- Lease or sell and convey the airspace superadjacent or subadjacent to any rail facility owned by the Authority.
- Acquire by purchase, lease, or grant rail facilities and other lands, structures, property, both real and personal, tangible and intangible, rights, rights-of-way, franchises, easements, and other interests therein, whether located within or not within the geographic boundaries of the Commonwealth, for the construction, operation, maintenance, and use of rail facilities.
- Acquire by the exercise of the power of eminent domain any lands, property rights, rights-of-way, franchises, easements, and other property deemed necessary or convenient for the construction or the efficient operation of rail facilities.

Differences Between HB 1414 and SB 890

The bills are moving through the legislative process and some changes have been made, which has resulted in differences between the two bills. These include:

Annual Vehicle Inspections:

- HB 1414 requires vehicle inspections to occur every two years.
- SB 890 continues to require a vehicle inspection annually.

Roadway Safety Policies and Programs

HB 1414 has several safety policies, which have been removed from SB 890. *Separate stand-alone legislation on these provisions is also being considered by both the House and Senate (HB 1439 – Jones; SB 907 – Lucas).* The provisions in HB 1414 include:

- Making it illegal to possess an open container of alcohol in a motor vehicle;
- Requiring all passengers in a vehicle to wear safety belts and making failure to wear a safety belt a primary offense;
- Prohibiting the use of handheld personal communication devices;
- Establishing a speed monitoring program in highway safety corridors that uses a vehicle sensor to take a picture of a vehicle traveling more than 10 miles over the speed limit, subjecting the driver to a monetary fine; and
- Allowing localities to lower the speed limit below 25 miles per hour in business and residential districts, provided such reduced speed limit is indicated by lawfully placed signs.
- The bill includes a delayed enactment for the primary seat belt, handheld ban, and open container provisions (until July 1, 2021), which will provide time for the development of training and educational materials for law enforcement and educational materials for the general public.
- The DMV Commissioner will also establish an advisory committee to oversee education and enforcement of policies such as the seatbelt and hands-free provisions.