



# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** February 25, 2020

**TO:** Board of Supervisors

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

**SUBJECT:** 2020 Legislative Report No. 3 – Board Legislative Committee Meeting of February 21, 2020

With just over a week remaining in the 2020 General Assembly session, negotiations on the state budget are now a top priority for both chambers, although additional legislation is still under consideration ahead of the March 7 scheduled adjournment. The House Appropriations and Senate Finance Committees reported their respective budgets on February 16, and the full House and Senate approved these proposals on February 20. As in years past, we expect that each chamber will reject the other's budget and appoint members to a conference committee to resolve these differences.

The Legislative Committee met on February 21 to consider several issues of importance to the County. In lieu of holding the Legislative Committee meeting scheduled for February 14, staff provided the Board with an updated tracking chart, which showed the status of legislation on which the Board had previously taken positions, and also included recommendations for position changes on three bills – HB 1147 (Kearney), HB 1174 (Lopez), and SB 34 (Surovell). These recommended position changes are noted in the attached tracking chart. The Committee offers the following report and recommendations for action to the Board.

### **Legislative Committee Actions of February 21, 2020:**

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

## **Specific Issues**

Update on State Budget: The Committee received an update on the state budget, including an overview of the House and Senate budget amendments (see handout on “Supplementary Documents” pages 117-142).

Transportation Funding: The Committee received copies of a letter sent from the Northern Virginia Transportation Authority (NVTA) to members of the General Assembly (GA) asking that the GA approve the provisions of HB 729 (Watts), HB 1414 (Filler-Corn), and SB 890 (Saslaw), that would provide \$70 million annually to NVTA to partially restore the regional funding that was diverted to the Washington Metropolitan Area Transit Authority (WMATA) by the 2018 GA (see handout on “Supplementary Documents” pages 143-144).

Marijuana Decriminalization Legislation: The Committee received a comparison of the pending House and Senate marijuana decriminalization proposals (see handout on “Supplementary Documents” pages 145-147).

## **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 1-116).

## **Historical Positions of the Board**

### **SUPPORT**

**SB 588** (Hanger) (Passed Senate; Reported from HFIN) modifies the restrictions that currently apply to county admission, cigarette, food and beverage, and transient occupancy taxes. The bill authorizes all counties to tax cigarettes at up to 40 cents per pack. The bill limits the cigarette tax

rate of cities and towns to 40 cents per pack or the rate in effect on January 1, 2020, whichever is greater. Under current law, there is no limit on the cigarette tax rate that may be imposed by a city or town. The bill authorizes all counties, except the counties of James City and York, to impose an admissions tax at a rate of up to ten percent. Under current law, only certain counties may impose an admissions tax, and the rate generally is capped at 10 percent. The bill authorizes all counties to impose a food and beverage tax (commonly referred to as the meals tax) at a rate of up to six percent. Under current law, counties are limited to a four percent rate. The bill removes the requirement that a county hold a referendum before imposing a meals tax. However, if a county held a meals tax referendum that failed within the past two years, it would be prohibited from imposing a tax by ordinance until July 1, 2022. The bill authorizes all counties to impose a transient occupancy tax at a rate of up to five percent; however, if a county currently imposes the tax at a higher rate, it may continue to impose the tax at that rate. Under current law, counties generally are limited to a maximum rate of two percent, although certain counties may impose the tax at higher rates. The bill directs the Division of Legislative Services to convene a work group to develop recommendations as to any additional legislative changes that may be needed to effectuate the provisions of the bill. The bill also directs the Division to study the different legal authorities and requirements that apply to cities and counties that are not related to taxation. The bill directs the Department of Taxation to convene a workgroup to study modernizing the cigarette tax stamping process and unifying it so that it would be administered only at the state level. The bill has a delayed effective date of July 1, 2021, and incorporates SB 484, SB 921, SB 682, and SB 799. Support with amendments to eliminate restrictions on local revenue authority. Board has historically supported equal taxing authority for counties and cities. (20108310D-H1)

## **New Bills – 2020 GA**

### **Miscellaneous**

**HB 854** (Murphy) (Passed House; SRUL) requests the Department of Housing and Community Development and the Virginia Housing and Development Authority to convene a stakeholder advisory group to (i) determine the quantity and quality of affordable housing across the Commonwealth, (ii) conduct a review of current programs and policies to determine the effectiveness of current housing policy efforts, (iii) develop an informed projection of future housing needs in the Commonwealth and determine the order of priority of those needs, and (iv) make recommendations for the improvement of housing policy in the Commonwealth. Support. Local representation on the work group would be helpful. (20107775D-H1)

**HB 1222** (Tran) (Passed House; Reported from SJUD) allows expired state issued driver's licenses or state issued identification cards and expired passports to be used as a means of identification for notarial purposes for individuals residing in nursing homes or assisted living facilities, provided such expired documents expired within five years of the date of use for such identification purposes. Support. (20104149D)

**HB 1288** (Murphy) (Passed House; SJUD) prohibits a person who has been convicted of stalking, sexual battery, assault and battery of a family or household member, or assault and battery when

the person intentionally selects the person against whom a simple assault is committed because of his race, religious conviction, color, or national origin from purchasing, possessing, or transporting a firearm. A person who violates this provision is guilty of a Class 1 misdemeanor. The bill provides for a process by which a person convicted of such crime may petition the circuit court for a reinstatement of his right to possess or transport a firearm and the factors a court shall consider in determining such reinstatement. This bill incorporated HB 78, HB 900, and HB 459. Support. (20107549D-H1)

**HB 1587** (Hope) (Passed House; Senate Floor) allows ratings by Fitch Ratings to be used for determining whether certain investments are permissible for public funds. Under current law, only ratings by Standard & Poor's or Moody's Investors Service may be used. The bill contains technical amendments, including the removal of obsolete references to ratings by Duff & Phelps. Support. (20107152D-H1)

**SB 735** (Newman) (Passed Senate; HAPP) establishes insurance, taxation, recordkeeping, disclosure, and safety recall requirements for peer-to-peer vehicle sharing platforms, defined in the bill. Monitor. (20108534D-H1)

### **Elections**

**HB 19** (Lindsey) (Passed House; Senate Floor) removes the requirement that voters show a form of identification containing a photograph in order to be allowed to vote. The bill requires a voter to show either his voter registration confirmation documents; his valid Virginia driver's license, his valid United States passport, or any other identification issued by the Commonwealth, one of its political subdivisions, or the United States; any valid student identification card issued by any institution of higher education located in the Commonwealth or any private school located in the Commonwealth; any valid student identification card issued by any institution of higher education located in any other state or territory of the United States; any valid employee identification card containing a photograph of the voter and issued by an employer of the voter in the ordinary course of the employer's business; or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter. The bill also provides that the expiration date on a Virginia driver's license is not considered when determining the validity of a driver's license offered for voter identification purposes. A voter who does not show one of the required forms of identification when offering to vote is required to sign a statement that he is the named registered voter he claims to be in order to be permitted to cast a ballot. Such statement is signed subject to felony penalties for making false statements, punishable as a Class 5 felony. A voter who does not show one of the required forms of identification and does not complete or sign the statement shall be offered a provisional ballot according to the provisions of current law. The bill adds language regarding identification requirements for certain voters pursuant to the federal Help America Vote Act of 2002. Support. (20108329D-S1)

**SB 65** (Locke) (Passed Senate; 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. Support. (20108457D-H1)

### **Health and Human Services**

**SB 668** (Boysko) (Passed Senate; HHWI) 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. Support. (20102503D)

**SB 739** (Deeds) (Passed Senate; House Floor) directs the Department of Behavioral Health and Developmental Services to establish a work group to evaluate the role of, and make recommendations related to improving the structure and effectiveness of the, psychiatric bed registry. The work group shall report its findings, conclusions, and recommendations to the Governor and the Chairmen of the Senate Committee on Education and Health, the House Committee on Health, Welfare and Institutions, and the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the Twenty-First Century by November 1, 2020. Support. (20106120D-S1)

**SB 903** (Vogel) (Passed Senate; HHWI) requires the Board of Health to amend regulations governing hospitals to require each hospital with an emergency department to establish a protocol for treatment of individuals experiencing a substance use-related emergency to include the completion of appropriate assessments or screenings to identify medical interventions necessary for the treatment of the individual in the emergency department. The protocol may also include a process for patients that are discharged directly from the emergency department for the recommendation of follow-up care following discharge for any identified substance use disorder, depression, or mental health disorder, as appropriate, which may include instructions for distribution of naloxone, referrals to peer recovery specialists and community-based providers of behavioral health services, or referrals for pharmacotherapy for treatment of drug or alcohol dependence or mental health diagnoses. Support. (20106163D-S1)

**SB 391** (McPike) (Passed Senate; HHWI) requires financial institutions to report to the local department of social services or the adult protective services hotline within five business days any refusal to execute a transaction, delay of a transaction, or refusal to disburse funds based on a good faith belief that such transaction or disbursement may involve financial exploitation of an adult. Support. (20107209D-S1)

## **Legislation Provided for Discussion**

### **Transportation**

**HB 1414** (Filler-Corn) (Passed House; SFIN) amends numerous law related to transportation funds, revenue sources, construction, and safety programs. The bill adopts numerous structural changes to the transportation funding system in the Commonwealth. Most transportation revenues are directed to a new Commonwealth Transportation Fund and the existing Highway Maintenance and Operating Fund. Funds are then disbursed, based on codified formulas, to subfunds established to meet the varying transportation needs of different modes of transportation. The bill contains transitional provisions phasing in the new funding structure over a period of four years. The existing gas tax based on a percentage of the wholesale price of gasoline and diesel fuel is converted to a cents-per-gallon tax. A rate of \$0.282 per gallon of gasoline will be phased in over three years, and then indexed every year thereafter. The regional gas tax will be converted to a rate of \$0.076 per gallon of gasoline. Registration fees for motor vehicles will be lowered. The Department of Motor Vehicles will implement a Highway Use Fee for alternative fuel and fuel efficient vehicles. Alternatively, a person whose vehicles would be subject to this new fee may elect to instead enroll in a mileage-based user fee program to be developed by the Department. In Northern Virginia, the regional transportation improvement fee, used to support WMATA, is lowered to \$0.10 per \$100 for the recordation of conveyance of a deeds. A new regional congestion fee is imposed at a rate of \$0.15 per \$100 for the recordation of conveyance of a deed. The regional transient occupancy tax is raised from \$2 to \$3. The bill authorizes the use of transportation bonds to complete the final section of Corridor Q of the Appalachian Development Highway System, and authorizes a bond issuance for improvements in the Interstate 81 and Interstate 66 corridors. The bill establishes a new Virginia Passenger Rail Authority. The bill adopts several safety initiatives, 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 changes the requirement for a vehicle inspection from once every 12 months to once every 24 months. The bill also creates numerous new transportation safety programs, including an Interstate Operations and Enhancement Program, a Virginia Highway Safety Improvement Program, the Statewide Special Structures Program, and a Transit Incentive Program. (20107735D-H2)

**SB 890** (Saslaw) (Passed Senate; HAPP) amends numerous law related to transportation funds, revenue sources, construction, and safety programs. The bill adopts numerous structural changes to the transportation funding system in the Commonwealth. Most transportation revenues are directed to a new Commonwealth Transportation Fund and the existing Highway Maintenance and Operating Fund. Funds are then disbursed, based on codified formulas, to subfunds established to meet the varying transportation needs of different modes of transportation. The bill contains

transitional provisions phasing in the new funding structure over a period of four years. The existing gas tax based on a percentage of the wholesale price of gasoline and diesel fuel is converted to a cents-per-gallon tax. A rate of \$0.242 per gallon of gasoline will be phased in over two years, and then indexed every year thereafter. The regional gas tax will be converted to a rate of \$0.076 per gallon of gasoline. The regional gas tax will be imposed in all counties and cities in the Commonwealth not currently paying a regional gas tax. The Department of Motor Vehicles will implement a Highway Use Fee for alternative fuel and fuel efficient vehicles. Alternatively, a person whose vehicles would be subject to this new fee may elect to instead enroll in a mileage-based user fee program to be developed by the Department. In Northern Virginia, the regional transportation improvement fee, used to support WMATA, is lowered to \$0.10 per \$100 for the recordation of conveyance of a deeds. A new regional congestion fee is imposed at a rate of \$0.10 per \$100 for the recordation of conveyance of a deed. The regional transient occupancy tax is raised from \$2 to \$3. The bill authorizes the use of transportation bonds to complete the final section of Corridor Q of the Appalachian Development Highway System, and authorizes a bond issuance for improvements in the Interstate 81 and Interstate 66 corridors. The bill establishes a new Virginia Passenger Rail Authority. The bill also creates numerous new transportation safety programs, including an Interstate Operations and Enhancement Program, a Virginia Highway Safety Improvement Program, the Robert O. Norris Bridge and Statewide Special Structures Program, and a Transit Incentive Program. (20108058D-S2)

**HB 729** (Watts) (Passed House; SFIN) reduces the existing grantor's tax that is placed on jurisdictions that are members of Northern Virginia Transportation Commission (NVTC) and separately to the Northern Virginia non-NVTC jurisdictions (from \$.15/ \$100 valuation to \$.10/\$100 valuation). Separately imposes grantor's tax that is placed on jurisdictions that are members of Northern Virginia Transportation Authority (NVTa) to \$.10/\$100 valuation to be deposited in the Northern Virginia Transportation Authority Fund. Increases the transient occupancy tax for NVTa jurisdictions (from 2 percent to 3 percent). For funding raised in NVTC-jurisdictions, funding would be provided to the WMATA Capital Fund. In Northern Virginia non-NVTC jurisdictions, two-thirds of the revenue collected pursuant to this section shall be used only for public transportation purposes, and the remaining revenue may be used for any transportation purpose. Dedicates \$40 million of existing state recordation taxes that are no longer needed for debt service on existing transportation bonds. (20108032D-H2)

**HB 1439** (Jones) (Passed House; SFIN) adopts several initiatives related to transportation and safety, including (i) making it illegal to possess an open container of alcohol in a motor vehicle; (ii) requiring all passengers in a vehicle to wear safety belts and making failure to wear a safety belt a primary offense; (iii) prohibiting the use of handheld personal communication devices; (iv) establishing a speed monitoring program in highway safety corridors that uses a vehicle sensor to take a picture of a vehicle traveling more than 10 miles over the speed limit, subjecting the driver to a monetary fine; and (v) allowing localities to lower the speed limit below 25 miles per hour in business and residential districts. The bill directs the Commissioner of the Department of Motor Vehicles to establish an advisory committee to oversee education and training materials and implementation and enforcement of policies such as the bill's safety belt and handheld personal communications device provisions. The bill decreases the frequency of vehicle inspections from

every 12 months to every 24 months. The bill contains numerous technical amendments. Support. (20107985D-H2)

**SB 907** (Lucas) (Passed Senate; Reported from HTRAN) requires all passengers in a vehicle to wear safety belts and allows localities to lower the speed limit below 25, but not less than 15, miles per hour in business and residential districts. Support. (20108056D-S1)

### **Collective Bargaining**

**HB 582** (Guzman) (Passed House; SCL) repeals the existing prohibition on collective bargaining by public employees. The measure 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-EH1)

**SB 939** (Saslaw) (Passed Senate; HLC) permits counties, cities, and towns to adopt local ordinances authorizing them to (i) recognize any labor union or other employee association as a bargaining agent of any public officers or employees, except for Constitutional officers and their employees, and including public school employees and (ii) collectively bargain or enter into any collective bargaining contract with any such union or association or its agents with respect to any matter relating to them or their employment. The bill provides that prohibition against striking for public employees applies irrespective of any such local ordinance. Support. (20107464D-S1)

### **Marijuana Decriminalization**

**HB 972** (Herring) (Passed House; SFIN) decriminalizes simple marijuana possession and provides a civil penalty of no more than \$25. Current law imposes a maximum fine of \$500 and a maximum 30-day jail sentence for a first offense, and subsequent offenses are a Class 1 misdemeanor. The bill provides that any violation of simple possession of marijuana shall be charged by a summons in form the same as the uniform summons for motor vehicle law violations and that no court costs shall be assessed for such violations. The bill also provides that a person's criminal history record information shall not include records of any charges or judgments for such violations and records of such charges or judgments shall not be reported to the Central Criminal Records Exchange. Additionally, the bill provides that the suspended sentence/substance abuse screening provisions and driver's license suspension provisions apply only to criminal violations or to civil violations by a juvenile. The bill defines "marijuana" to include hashish oil and creates a rebuttable presumption that a person who possesses no more than one ounce of marijuana possesses it for personal use. 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. Support. (20108635D-S1)

**SB 2** (Ebbin) (Passed Senate; HAPP) decriminalizes simple marijuana possession and provides a civil penalty of no more than \$25. Current law imposes a maximum fine of \$500 and a maximum 30-day jail sentence for a first offense, and subsequent offenses are a Class 1 misdemeanor. The bill provides that any violation of simple possession of marijuana shall be charged by a summons in form the same as the uniform summons for motor vehicle law violations and that no court costs shall be assessed for such violations. The bill also provides that a person's criminal history record information shall not include records of any charges or judgments for such violations and records of such charges or judgments shall not be reported to the Central Criminal Records Exchange. Additionally, the bill provides that the suspended sentence/substance abuse screening provisions and driver's license suspension provisions apply only to criminal violations or to civil violations by a juvenile. The bill defines "marijuana" to include hashish oil and creates a rebuttable presumption that a person who possesses no more than one ounce of marijuana possesses it for personal use. The bill also (i) makes records relating to the arrest, criminal charge, or conviction of possession of marijuana not open to public inspection and disclosure, except in certain circumstances; (ii) prohibits employers and educational institutions from requiring an applicant for employment or admission to disclose information related to such arrest, criminal charge, or conviction; and (iii) prohibits agencies, officials, and employees of the state and local governments from requiring an applicant for a license, permit, registration, or governmental service to disclose information concerning such arrest, criminal charge, or conviction. 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. Support. (20108640D-H1)

## **Elections**

**HB 761** (VanValkenburg) (Passed House; SPE) requires the governing body of a covered jurisdiction, prior to enacting or seeking to administer any voting qualification or prerequisite to voting, or any standard, practice, or procedure with respect to voting, that is a covered practice, to either (i) institute an action in the circuit court for the jurisdiction for a declaratory judgment that the covered practice neither has the purpose or effect of denying or abridging the right to vote on account of race or color or membership in a language minority group nor will it result in the retrogression in the position of members of a racial or ethnic group with respect to their effective exercise of the electoral franchise or (ii) submit such covered practice to the Office of the Attorney General for issuance of a certification that no objection exists to the enactment or administration by the covered jurisdiction of the covered practice. A covered practice cannot be given effect until the circuit court has entered such judgment or the Attorney General has issued such certification. The bill provides to a covered jurisdiction the right to appeal an objection by the Attorney General and to an aggrieved citizen the right to appeal the Attorney General's issuance of a certification of no objection. A "covered jurisdiction" is defined to mean any county, city, or town that is determined by the Attorney General to have a voting age population that contains two or more

racial or ethnic groups, each constituting at least 20 percent of its voting age population. The bill also defines "covered practice." Monitor. (20106652D-H1)

### **Legislation Requiring Further Review**

**HB 624** (Hurst) (Passed House; SGL) provides that any company that employs 100 or more employees shall annually provide certain compensation information for each employee to the Division of Human Rights. The bill requires the Division, by November 30 of each year, to utilize such information to develop a standard for how to evaluate discrimination in compensation on the basis of gender. For purposes of the bill, "employer" is defined as an individual, partnership, association, corporation, legal representative, receiver, trustee, or trustee in bankruptcy doing business in or operating within the Commonwealth who employs another to work for wages or salaries or on commission. (20107023D-H1)

**HB 1452** (Hope) (Passed House; Reported from SEH)/**SB 738** (Deeds) (Passed Senate; House Floor) clarifies that a person can be subject to a temporary detention order for observation and treatment related to intoxication where the person is located, upon a finding that (i) probable cause exists to believe the person is incapable of making or communicating an informed decision regarding treatment due to intoxication and (ii) the medical standard of care calls for observation, testing, or treatment within the next 24 hours to prevent injury, disability, death, or other harm to the individual resulting from such intoxication. The duration of such a temporary detention shall not exceed 24 hours. The bill provides that a person subject to emergency custody due to a mental illness shall remain in custody until (a) a temporary detention order is issued in accordance with § 37.2-809; (b) an order for temporary detention for observation, testing, or treatment is entered in accordance with § 37.2-1104, ending law enforcement custody; (c) the person is released; or (d) the emergency custody order expires. The bill directs the Department of Behavioral Health and Developmental Services to convene a work group to develop standard policies and procedures regarding medical temporary detention orders. The work group shall complete its work no later than July 1, 2020. (20107324D-H1, 20106084D-S1)

**SB 1051** (Deeds) (Passed Senate; HGL) provides that upon a petition filed with the clerk, a judge may enter an order releasing any record in the custody of The Library of Virginia that was sealed prior to January 1, 1901. The bill also provides that any images of public records created prior to January 1, 1901, shall be in the public domain and free from certain restrictions. (20107856D-S1)

### **Courts and Public Safety**

**SB 667** (Boysko) (Passed Senate; HCT) 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. The bill also provides that no law-enforcement officer acting in a good faith shall be found liable for false arrest if it is later determined that the person arrested was immune from prosecution. 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-E2)

### **Environment and Energy**

**HB 75** (Kory) (Passed House; SCL) 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 (i) 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 and (ii) the primary purpose of electric school buses is student transportation and if the Phase II utility's use of the battery compromises the school boards' ability to transport the students either through bus unavailability or insufficient charge, then the Phase II utility will compensate the school board. 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. (20107881D-H1)

**HB 1136** (Lopez) (Passed House; SACNR) directs the Department of Environmental Quality to compile and maintain a Hazardous Waste Site Inventory, consisting of a list of sites permitted by or in corrective action under the Department at which the disposal of hazardous waste has occurred. The bill requires the Inventory to be published by July 1, 2021, and updated annually. (20107120D-H1)

### **Housing**

**SB 708** (McClellan) (Passed Both Houses) 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 nine months prior to any application submission date to (i) the Virginia Department of Housing and Community Development, (ii) any agency that would be responsible for administering tenant-based rental assistance to persons who would otherwise be displaced from the housing project, and (iii) 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 nine-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. The bill has a delayed effective date of January 1, 2021. (20108251D-H1)

**SB 905** (Stanley) (Passed Senate; HGL) permits a tenant, under certain circumstances, to have a condition that constitutes a material noncompliance by the landlord with the rental agreement or with provisions of law, or that if not promptly corrected will constitute a fire hazard or serious threat to the life, health, or safety of occupants of the premises, remedied by a third-party licensed contractor. The bill provides that, unless the tenant has been reimbursed by the landlord, the tenant may deduct from rent the actual costs incurred, not to exceed the amount of one month's periodic rent, after submitting to the landlord an itemized statement accompanied by receipts for purchased items and third-party contractor services. (20107742D-S1)

### **Land Use**

**HB 665** (Mullin) (Passed House; SCL) 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 or reasonably minimize adverse impact to the greatest extent reasonably practicable on the scenic assets, historic resources recorded with the Department of Historic Resources, and environment of the area concerned. 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-E)

**HB 831** (Carroll Foy) (Passed House; Senate Floor) declares that it is the policy of the Commonwealth that (i) easements for the location and use of electric and communications facilities may be used to provide or expand broadband or other communications services; (ii) the use of easements to provide or expand broadband or other communications services is in the public interest; (iii) the installation, replacement, or use of public utility conduit, including the costs of installation, replacement, or use of conduit of a sufficient size to accommodate the installation of infrastructure to provide or expand broadband or other communications services, is in the public interest; (iv) the use of easements to provide or expand broadband or other communications services (a) does not constitute a change in the physical use of the easement, (b) does not interfere with, impair, or take any vested or other rights of the owner or occupant of the servient estate, (c) does not place any additional burden on the servient estate other than a de minimis burden, if any; (iv) has value to the owner or occupant of the servient estate greater than any de minimis impact; and (v) the installation and operation of broadband or other communications services within easements, appurtenant or gross, are merely changes in the manner, purpose, or degree of the granted use as appropriate to accommodate a new technology. The measure further provides that (1) absent any express prohibition on the installation and operation of broadband or other communications services in an easement that is contained in a deed or other instrument by which the easement was granted, the installation and operation of broadband or other communications services within any easement shall 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 and communications facilities and (2) subject to compliance with any express prohibitions in a written easement, any incumbent utility or communications provider may use an easement to install, construct, provide, maintain, modify, lease, operate, repair, replace, or remove its communications equipment, system, or facilities, and provide communications services through the same, without such incumbent utility or communications provider paying additional compensation to the owner or occupant of the servient estate or to the incumbent utility, provided that no additional utility poles are installed. The measure provides that, in cases of a prescriptive easement, such easement is deemed to exist and that any incumbent utility or communications provider may use a prescriptive easement to install, construct, provide, maintain, modify, lease, operate, repair, replace, or remove its communications equipment, system, or facilities, and provide communications services through the same, without such incumbent utility or communications provider paying additional compensation to the owner or occupant of the servient estate or to the incumbent utility, provided that no additional utility poles are installed. (20108365D-S1)

**SB 794** (Lewis) (Passed Senate; House Floor) declares that it is the policy of the Commonwealth that (i) easements for the location and use of electric and communications facilities may be used to provide or expand broadband or other communications services; (ii) the use of easements to provide or expand broadband or other communications services is in the public interest; (iii) the installation, replacement, or use of public utility conduit, including the costs of installation, replacement, or use of conduit of a sufficient size to accommodate the installation of infrastructure to provide or expand broadband or other communications services, is in the public interest; (iv) the use of easements to provide or expand broadband or other communications services (a) does not constitute a change in the physical use of the easement, (b) does not interfere with, impair, or take any vested or other rights of the owner or occupant of the servient estate, (c) does not place any additional burden on the servient estate other than a de minimis burden, if any; (iv) has value to the owner or occupant of the servient estate greater than any de minimis impact; and (v) the installation and operation of broadband or other communications services within easements, appurtenant or gross, are merely changes in the manner, purpose, or degree of the granted use as appropriate to accommodate a new technology. The measure further provides that (1) absent any express prohibition on the installation and operation of broadband or other communications services in an easement that is contained in a deed or other instrument by which the easement was granted, the installation and operation of broadband or other communications services within any easement shall 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 and communications facilities and (2) subject to compliance with any express prohibitions in a written easement, any incumbent utility or communications provider may use an easement to install, construct, provide, maintain, modify, lease, operate, repair, replace, or remove its communications equipment, system, or facilities, and provide communications services through the same, without such incumbent utility or communications provider paying additional compensation to the owner or occupant of the servient estate or to the incumbent utility, provided that no additional utility poles are installed. The measure provides that, in cases of a prescriptive easement, such easement is deemed to exist and that any incumbent utility or communications provider may use a prescriptive easement to install, construct, provide, maintain, modify, lease, operate, repair, replace, or remove its

communications equipment, system, or facilities, and provide communications services through the same, without such incumbent utility or communications provider paying additional compensation to the owner or occupant of the servient estate or to the incumbent utility, provided that no additional utility poles are installed. (20108506D-H1)

### *Monuments*

**HB 1537** (McQuinn) (Passed House; 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. (20107987D-EH1)

**SB 183** (Locke) (Passed Senate; HCCT) provides that a locality may remove, relocate, contextualize, cover, or alter any monument or memorial for war veterans located in its public space, except in a publicly owned cemetery, regardless of when erected and removes certain criminal and civil penalties for such removal, relocation, or alteration. 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. The bill requires that such locality initiate such process by passing a resolution stating its intention and (i) formally request the Virginia Department of Historic Resources (Department) to prepare a report that, at a minimum, sets forth the background of the person or people depicted on the monument or memorial, the circumstances surrounding the establishment of the monument or memorial, and whether the monument or memorial qualifies for placement on the Virginia Landmarks Register or the National Register of Historic Places; (ii) no sooner than 30 days after publication of the report on its website, hold a public hearing to solicit comments; (iii) no sooner than 10 days after completion of the public hearing, vote whether to remove, relocate, contextualize, cover, or alter the monument or memorial; such motion requires an affirmative vote of two-thirds of the members elected to the governing body for passage. The bill authorizes the local governing body to call for an advisory referendum prior to voting on such motion; and (iv) for a period of 30 days, offer the monument or memorial for relocation and placement to any museum, historical society, government, or military battlefield. The bill provides that the local governing body shall have sole authority to determine the final disposition of the monument or memorial. The bill repeals an 1890 act of assembly related to the placement of a statue in the City of Alexandria and does not apply to a monument or memorial located on the property of a public institution of higher education within the City of Lexington. (20107671D-E2S2)

### **Workers' Compensation**

**HB 46** (Carter) (Passed House; SCL) 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 or a third party. If the employer is unable to make such a determination because it lacks sufficient information from the employee or a third party, 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-E)

**HB 617** (Guzman) (Passed House; SCL) directs the Virginia Workers' Compensation Commission to engage an independent and reputable national research organization to examine the implications of covering workers' injuries caused by repetitive motion through the Virginia workers' compensation system. (20107419D-H1)

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

### **Miscellaneous**

**HB 154** (Kilgore) (Passed Both Houses) 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 or capital ratio, as applicable, 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)

### **Administration of Government**

**HB 106** (Cole, M.) (Communicated to Governor) 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. (HB106ER)

**HB 150** (Samirah) (Communicated to Governor) allows certain localities to impose a civil penalty not exceeding \$500 per month on owners of derelict residential property that have not submitted a required plan to renovate or demolish the derelict structure. The bill prohibits the total of such fee from exceeding the cost to demolish the building. (HB150ER)

**HB 420** (Price) (Passed House; SFIN) 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 or access and functional 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. (20108688D-S1)

**HB 515** (Bulova) (Communicated to Governor) 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. (HB515ER)

**HB 760** (Aird) (Passed House; SLG) 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 1213** (Heretick) (Passed Both Houses) permits localities to appoint and train local government employees to enforce local ordinances by issuing summonses for misdemeanor violations of ordinances that are within the scope of the employee's employment. The bill provides that such employees shall not have the power and authority of constables at common law and their power shall be limited to issuing such summonses in their locality. (20108191D-S1)

### **Courts**

**HB 172** (Krizek) (Passed House; Senate Floor) 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. 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-E)

**HB 277** (Price) (Passed Both Houses)/**SB 736** (Obenshain) (Passed Both Houses) 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. This bill incorporates HB 965. (HB277ER, 20107103D-S1)

**HB 1605** (Hope) (Passed Both Houses)/**SB 553** (Ruff) (Passed Both Houses) incorporates major provisions of the Uniform Partition of Heirs Property Act. The bill provides that in partition actions the court shall order an appraisal to determine fair market value of the property, unless the parties have agreed to the value of the property or to another valuation method. The bill also

provides factors to be considered by the court when making an allotment of the property when there is a dispute among the parties. The bill further provides that if the court orders a sale of property in a partition action, the sale shall be conducted on the open market, unless the court finds that a sale by sealed bids or at auction would be more economically advantageous to the parties as a group. The bill outlines the procedure for such open-market sale. (HB1605ER, 20106043D-S1)

**HB 1725** (Campbell, J.) (Passed House; Reported from SJUD) 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. (20108661D-S1)

**SB 408** (Hashmi) (Passed Senate; HCT) provides that the clerk of the appellate court to which an order of protection is appealed shall have the parties served with notice of the appeal stating the date and time of the hearing and that such a hearing shall not take place unless the appellee has been served or has waived service. (20107785D-S1)

**SB 684** (Mason) (Passed Senate; HCT) 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)

#### *Driver's License Suspension – Non-Driving Related Offenses*

**HB 909** (Hayes) (Passed House; SFIN) 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-E)

**SB 513** (Edwards) (Passed Senate; HAPP) 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. The provisions of the bill are contingent on funding in a general appropriation act. (20107868D-ES1)

**SB 711** (McClellan) (Passed Senate; HCT) 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)

### *Expungement*

**SB 306** (Stanley) (Passed Senate; HCT) 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. As introduced, this bill was a recommendation of the Virginia Criminal Justice Conference. The provisions of the bill are contingent on funding in a general appropriation act. This bill incorporates SB 287. (20106744D-ES1)

**SB 608** (Norment) (Passed Senate; HCT) 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. The bill also allows a person to petition for an expungement of the police and court records relating to convictions of marijuana possession, underage alcohol or tobacco possession, and using a false ID to obtain alcohol, and for deferred disposition dismissals for possession of controlled substances or marijuana, underage alcohol or tobacco possession, and using a false ID to obtain alcohol, when 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. 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. This bill incorporates SB 118 and SB 517. (20106735D-ES1)

### *Specialty Dockets*

**SB 499** (Reeves) (Passed Senate; Reported from HCT) 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 818** (Morrissey) (Passed Senate; Reported from HCT) 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). (20108513D-H1)

### **Education and Schools**

**HB 256** (Mullin) (Passed Both Houses)/**SB 3** (McClellan) (Passed Both Houses) 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, on a school bus, or at any activity conducted or sponsored by any school. This bill incorporates HB 8. (HB256ER, 20105818D-S1)

**HB 292** (VanValkenburg) (Passed Both Houses) shortens from every five years to every two years the frequency of the review period for memorandums of understanding between school boards and local law-enforcement agencies. The bill also requires local school boards to conspicuously publish the current division memorandum of understanding on its division website and provide notice and opportunity for public input during each memorandum of understanding review period. This bill incorporates HB 897 and HB 1135. (HB292ER)

**HB 257** (Mullin) (Passed House; Passed Senate with Substitute) eliminates the requirement for reports to be made to division superintendents and school principals on incidents involving assault or assault and battery, without bodily injury, of any person on a school bus, on school property, or at a school-sponsored activity. The bill also eliminates the requirement that school principals report certain enumerated acts that may constitute a misdemeanor offense to law enforcement. This bill incorporates HB 695. (20108367D-S1)

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

### **Elections**

**HB 220** (Krizek) (Passed House; Senate Floor) requires the envelope provided to an absentee voter for the return of the absentee ballot to include prepaid postage. (20100609D)

**HB 1678** (Lindsey) (Passed House; SPE) extends from 7:00 p.m. to 8:00 p.m. the time at which polls close on election day. The bill aligns candidate filing deadlines and party nomination deadlines with the closing of polls. The bill provides that these changes will not become effective

unless reenacted by the 2021 Session of the General Assembly. The bill incorporates HB 1643. (20107627D-H1)

**SB 666** (Boysko) (Passed Senate; HPE) 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. This notice is required to be given in writing and in whatever form selected by the applicant on the voter registration application. The bill requires the registration application to request that the applicant provide his telephone number and email address and to allow the applicant to indicate a preferred method of communication. If the general registrar is able to reach the applicant by telephone, corrections may be made by the applicant by telephone. The bill contains technical amendments. (20101350D-E)

**SB 740** (Obenshain) (Passed Senate; HPE) 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. This bill incorporates SB 119 and SB 121. (20106352D-S1)

### **Employment and Grievances**

**HB 1407** (Ward) (Passed House; Passed Senate with Amendment) 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 it is demonstrated that such individual is an independent contractor. The Department of Taxation shall determine whether an individual is an independent contractor by applying 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-E)

**SB 744** (McPike) (Passed Senate; HAPP) 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 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. (20108163D-H1)

**HB 984** (Delaney) (Passed Both Houses)/**SB 894** (Saslaw) (Passed Senate, HLC) authorizes an individual who has not been properly classified as an employee to bring a civil action for damages against his employer for failing to properly classify the employee if the employer had knowledge of the individual's misclassification. The court may award damages in the amount of any wages, salary, employment benefits, including expenses incurred by the employee that would otherwise have been covered by insurance, or other compensation lost to the individual, a reasonable attorney fee, and the costs incurred by the employee in bringing the action. The measure provides that an individual who performs services for a person for remuneration shall be presumed to be an employee unless it is shown that the individual is an independent contractor as determined under the Internal Revenue Service guidelines. (20105116D, 20105117D)

**HB 1199** (Tran) (Passed Both Houses)/**SB 662** (Boysko) (Passed Senate, House Floor) prohibits an employer from discharging, disciplining, threatening, discriminating against, or penalizing an employee or independent contractor because the employee or independent contractor reported or plans to report that an employer or any officer or agent has failed to properly classify an individual as an employee and failed to pay required benefits or other contributions. The measure also prohibits such actions against an employee or independent contractor who is requested or subpoenaed by an appropriate authority to participate in an investigation, hearing, or inquiry by an appropriate authority or in a court action. These prohibitions apply only if an employee or independent contractor acts in good faith and upon a reasonable belief that the information is accurate. The measure authorizes the Commissioner of Labor and Industry to institute proceedings against an employer who has taken such prohibited retaliatory action. Available remedies include reinstatement of the employee and recovery of lost wages. An employer that violates these provisions is subject to a civil penalty equal to the employee's lost wages. (20103498D, 20103500D)

**HB 1646** (Krizek) (Passed House, SGL) provides that the Board for Contractors (the Board) shall require a contractor to appropriately classify all workers as employees or independent contractors, pursuant to law. Any contractor who is found to have intentionally misclassified any worker is subject to sanction by the Board. (20105545D)

### *Minimum Wage*

**HB 395** (Ward) (Passed House; Passed Senate with Substitute with Amendment) increases the minimum wage from its current federally mandated level of \$7.25 per hour to \$9 per hour effective July 1, 2020; to \$11 per hour effective July 1, 2021; to \$13 per hour effective July 1, 2022; and to \$15 per hour effective July 1, 2023, unless a higher minimum wage is required by the federal Fair Labor Standards Act. The measure also provides that the Virginia minimum wage applies to persons whose employment is covered by the FLSA and to public employees. (20108493D-S1)

**SB 7** (Saslaw) (Passed Senate; HLC) increases the minimum wage from its current federally mandated level of \$7.25 per hour to \$10 per hour, effective July 1, 2020; to \$11 per hour, effective July 1, 2021; to \$12 per hour, effective July 1, 2022; to \$13 per hour, effective July 1, 2023; to \$14 per hour, effective July 1, 2024; and to \$15 per hour, effective July 1, 2025, unless

a higher minimum wage is required by the federal Fair Labor Standards Act (FLSA). For July 1, 2026, and thereafter, the annual minimum wage shall be adjusted to reflect increases in the consumer price index. The measure also provides that the Virginia minimum wage applies to persons whose employment is covered by the FLSA. (20108108D-ES3)

### **Environment and Energy**

**HB 504** (Hope) (Passed House, Senate Floor) adds the preservation of mature trees or planting of trees, both as a water quality protection tool and as a means of providing other natural resource benefits, to the list of activities that the State Water Resources Board is directed to encourage and promote as it adopts criteria for local governments to use as they consider development in Chesapeake Bay Preservation Areas. (20102168D-E)

**HB 672** (Willett) (Passed House; SACNR) establishes a policy of the Commonwealth to prevent and to minimize actions that contribute to the detrimental effects of climate change in the Commonwealth. The bill requires any state agency to examine any new regulation in furtherance of this policy. The bill requires local and regional planning commissions to consider the impacts from and causes of climate change in adopting a comprehensive plan, regional strategic plan, or zoning ordinance. (20107166D-H1)

**HB 1205** (Tran) (Passed House; SFIN) requires the Department of Environmental Quality (DEQ) to give certain information about an unlawful discharge of a deleterious substance into state waters to the Virginia Department of Health, local newspapers, television stations, and radio stations, and to disseminate such information via official social media accounts and email notification lists within 12 hours of receipt of the information, unless DEQ makes an initial determination that the discharge will have a de minimis impact on state waters. 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 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 12 hours of receipt of such determination. This bill incorporates HB 1128. (20108508D-S1)

**SB 704** (Mason) (Passed Senate; Reported from HAG) requires any operator of at least 50 acres of cropland in the Chesapeake Bay watershed to maintain and implement a nutrient management plan for such cropland which must be prepared by a certified nutrient management planner and approved by the Department of Conservation and Recreation (DCR). The bill requires any person who owns 20 or more bovines in the watershed to install stream exclusion practices that satisfy regulations adopted by the Department of Environmental Quality (DEQ). The bill has a delayed effective date of July 1, 2026, and provides that it shall not become effective unless the Secretary of Natural Resources and the Secretary of Agriculture jointly determine that the Commonwealth's commitments in the Commonwealth's commitments in the Chesapeake Bay Total Maximum Daily Load Phase III Watershed Implementation Plan, as it applies to the agriculture and forestry sector, have not been satisfied. (20108599D-H1)

**SB 762** (Barker) (Passed Senate; HFIN) authorizes any locality by ordinance to assess a revenue share of up to \$1,400 per megawatt on any solar photovoltaic (electric energy) project with certain exceptions and expands an existing tax exemption for such projects under certain conditions. The bill authorizes such revenue share to apply to existing projects only if certain conditions are met. (20107247D-S1)

### *Environmental Justice*

**SB 406** (Hashmi) (Passed Senate; House Floor) requires state agencies to determine the likely effect of their actions on environmental justice and fenceline communities and to tailor those actions to reduce the potential for adverse impacts on such communities in a manner consistent with the environmental justice policy created by the agency. The bill also creates an interagency work group for the purpose of furthering environmental justice in the Commonwealth. (20108618D-H1)

**SB 883** (Locke) (Passed Senate, Reported from HGL) establishes the Virginia Council on Environmental Justice, consisting of 27 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 directs that 21 members of the Council be appointed by the Governor and six be specified Cabinet Secretaries. The bill has an expiration date of July 1, 2023. (20106392D-S1)

### **Firearms**

**HB 600** (Hope) (Passed House; SRSS) 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)

**SB 14** (Saslaw) (Passed Senate; HPS) prohibits the manufacture, importation, sale or offer to sell, possession, transfer, or transportation of a trigger activator, defined in the bill as a device designed to allow a semi-automatic firearm to shoot more than one shot with a single pull of the trigger by harnessing the recoil energy of any semi-automatic firearm to which it is affixed so that the trigger resets and continues firing without additional physical manipulation of the trigger by the shooter. A violation is punishable as a Class 6 felony. (20106402D-S1)

**SB 71** (Lucas) (Passed Senate; HPS) 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. The provisions of the bill regarding child day centers only apply when a child who attends such child day center is present upon the property. Under current law, the list of such schools only includes public, private, or religious elementary, middle, or high schools. The bill also provides that a child day center may hire an armed security officer to provide security services when certain conditions are met. (20107958D-S1)



**SB 173** (Hanger) (Passed Senate, HPS) allows the holder of a valid concealed handgun permit to possess a stun weapon on school property while in a motor vehicle in a parking lot, traffic circle, or other means of vehicular ingress or egress to the school. The bill also allows a stun weapon to be stored in a closed container in a motor vehicle while such vehicle is on school property. (20101379D-E)

**SB 263** (Bell) (Passed Senate, Passed House with Substitute) 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. The bill has a delayed effective date of January 1, 2021. (20108289D-H1)

**SB 436** (Surovell) (Passed Senate; HPS) 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 543** (Edwards) (Passed Senate; HPS) 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)

### **Freedom of Information Act**

**HB 321** (Levine) (Passed House; SGL) allows a public body to conduct a meeting through electronic communication means if, 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 he is unable to attend due to a serious medical condition of an immediate family member that prevents the member's physical attendance. The bill also limits such participation in an electronic meeting due to a personal matter to either two meetings per calendar year or 10 percent of the meetings held that calendar year, rounded up to the nearest whole number, whichever is greater. (20104275D-E)

### **Health and Human Services**

**HB 1209** (Tran) (Passed House; SRSS) establishes the Office of New Americans within the Department of Social Services and the Office of New Americans Advisory Board to assist with

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 annually to the Governor and the General Assembly on the activities of the Office of New Americans and provide recommendations for improving state policies and programs to support the economic, linguistic, and civic integration of new Americans throughout the Commonwealth. (20106907D-EH1)

**SB 991** (Hashmi) (Passed Senate; House Floor) 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 provisions of the bill are contingent on funding in a general appropriation act. (20107299D-ES1)

#### *Geriatric and Terminally Ill Prisoners*

**SB 493** (Bell) (Passed Senate, HCT) 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) (Passed Senate; HCT) 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 505** (Knight) (Passed Both Houses) provides that once the writ of certiorari is served 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. (HB505ER)

**HB 554** (VanValkenburg) (Passed House; Senate Floor) 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. (20107159D-H1)

**SB 24** (Petersen) (Passed Senate, HAG) adds horseback riding 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) (Passed Senate; HCT) eliminates specific provisions for the assessment of costs in eminent domain proceedings where the condemnor is a public service company, public service corporation, railroad, or government utility corporation and provides that all costs shall be assessed in the same manner, regardless of the identity of the condemnor. The bill exempts condemnation actions for easements adjudged at less than \$10,000. The bill also provides that its provisions apply only to condemnation actions filed on or after July 1, 2020. (20100603D-E)

**SB 360** (Cosgrove) (Passed Senate, HCCT) provides specific parameters to address the installation of reasonable and necessary sewerage and water facilities located on or outside the property limits of the land owned or controlled by the developer or subdivider 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 developer or subdivider shall be entitled to reimbursement of its costs, including a new mechanism for connection fee reimbursement, by any subsequent developer or subdivider that utilizes the installed sewerage or water facility, except for those costs associated with the installing developer's pro rata share. The bill provides authority, at the developer's option, for reimbursement for the water and sewer facility in exchange for entitlement to water or sewer connection or capacity fees otherwise due to the locality imposed upon the developer's lots within its development or subdivision. (20106122D-S1)

### **Procurement and Contracts**

**HB 1300** (Hurst) (Passed House; SJUD) provides that an action against the surety on a performance bond shall be brought within five years after the completion of the contract. The bill further provides that the statute of limitations on construction contracts and architectural and engineering contracts is 15 years after completion of the contract. The bill specifies that completion of the contract is the final payment to the contractor pursuant to the terms of the contract, but that if a final certificate of occupancy or written final acceptance of the project is issued prior to final payment, the period to bring an action shall commence no later than 12 months from the date of the certificate of occupancy or written final acceptance of the project. The bill incorporates HB 847. (20107490D-H1)

**SB 607** (Norment) (Passed Senate; Reported from HCT) provides that an action against the surety on a performance bond shall be brought within five years after the completion of the contract. The bill further provides that the statute of limitations on construction contracts and

architectural and engineering contracts is 15 years after completion of the contract. The bill specifies that completion of the contract is the final payment to the contractor pursuant to the terms of the contract, but that if a final certificate of occupancy or written final acceptance of the project is issued prior to final payment, the period to bring an action shall commence no later than 12 months from the date of the certificate of occupancy or written final acceptance of the project. This bill incorporates SB 195. (20105828D-S1)

**SB 487 (Bell)** (Passed Senate, Reported from HGL) increases the aggregate limit for architectural and engineering services contracts (i) for localities for projects performed in a one-year contract term from \$6 million to \$8 million and (i) 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 \$8 million. (20105815D-S1)

### **Public Safety/Criminal Justice**

**SB 798 (Morrissey)** (Passed Senate; HCT) 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 1015 (Marsden)** (Passed Senate; HCT) provides that a person who possesses marijuana in the form of cannabidiol oil or THC-A oil pursuant to a valid written certification issued by a practitioner in the course of his professional practice shall not be prosecuted for simple possession of marijuana. The bill also provides that no agent or employee of a pharmaceutical processor shall be prosecuted for possession or manufacture of marijuana or for possession, manufacture, or distribution of cannabidiol oil or THC-A oil, or subject to any civil penalty, denied any right or privilege, or subject to any disciplinary action by a professional licensing board if such agent or employee (i) possessed or manufactured such marijuana for the purposes of producing cannabidiol oil or THC-A oil or (ii) possessed, manufactured, or distributed such cannabidiol oil or THC-A oil in accordance with law. Current law provides that such possession of marijuana in the form of cannabidiol oil or THC-A oil in such circumstances is an affirmative defense to such charges. (20107741D-S1)

### **Taxation**

**HB 1268 (Helmer)** (Passed House; 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. (20102109D)

**HJ 103** (Helmer) (Agreed to by House; 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. (20101916D)

### **Transportation**

**HB 561** (Brewer) (Passed House; STRAN) requires the Office of Intermodal Planning to include in the results of screening candidate projects in the Six-Year Improvement Program whether such projects are located on a primary evacuation route. (20107098D-H1)

**HB 1635** (Lopez) (Passed House; STRAN)/**SB 995** (Surovell) (Passed Senate; House Floor) 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; HFIN) 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) (Passed Senate; HAPP) imposes a regional motor vehicle fuels sales tax at a rate of 7.6 cents per gallon and gasoline and 7.7 cents per gallon of diesel fuel in 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 new revenues will be returned to the transportation district in which the revenues are generated via the construction district grant program. The bill also converts the existing regional motor vehicle fuels sales in Northern Virginia, Hampton Roads, and the Interstate 81 Corridor from tax from a percentage of the distributor price of a gallon of gasoline to this same cents per gallon rate. The rate will be indexed each year beginning July 1, 2021. (20107603D-S1)

**SB 1038** (Lucas) (Passed Senate; Reported from HFIN) 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 (i) regional grantor's tax at a rate of \$0.15 per \$100 of the consideration for the conveyance, and (ii) regional transient occupancy tax at a rate of one percent of the charge for the occupancy, both imposed in localities in the Hampton Roads Transportation District. The moneys would be deposited into the Hampton Roads Regional Transit Fund, created by the bill. (20108698D-H1)

*Undergrounding*

**HB 576** (Keam) (Passed Both Houses) 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 782** (Saslaw) (Passed Senate; House Floor) 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)

**Virginia Health Benefit Exchange**

**HB 1428** (Sickles) (Passed House; SFIN) creates the Virginia Health Benefit Exchange, which will be established and operated by a new division within the State Corporation Commission (SCC). The Exchange shall facilitate the purchase and sale of qualified health plans and qualified dental plans to qualified individuals and qualified employers. The Exchange shall make qualified plans available to qualified individuals and qualified employers by July 1, 2023, unless the SCC postpones this date. The measure authorizes the SCC to review and approve accident and sickness insurance premium rates applicable to health benefit plans in the individual and small

group markets and health benefit plans providing health insurance coverage in the individual market through certain non-employer group plans. The Exchange will be funded by assessments on health insurers. A health plan will not be required to cover any state-mandated health benefit if federal law does not require it to be covered as part of the essential benefits package. The essential health benefits are items and services included in the benchmark health insurance plan, which is the largest plan in the largest product in the Commonwealth's small group market as supplemented in order to provide coverage for the items and services within the statutory essential health benefits categories. The SCC may contract with other eligible entities and enter into memoranda of understanding with other agencies of the Commonwealth to carry out any of the functions of the Exchange, including agreements with other states or federal agencies to perform joint administrative functions. Such contracts are not subject to the Virginia Public Procurement Act (§ 2.2-4300 et seq.). The measure repeals a provision enacted in 2013 that prohibits an agent, employee, officer, or agency of the Commonwealth from taking any action to establish a health benefit exchange. The measure requires the Department of Taxation to include on the appropriate individual tax return forms a checkoff box or similar mechanism for indicating whether the individual, or spouse in the case of a married taxpayer filing jointly, (i) is an uninsured individual at the time the return is filed and (ii) consents to the Department of Taxation providing the individual's tax information to the Department of Medical Assistance Services for purposes of determining the uninsured individual's or spouse's eligibility for medical assistance. Finally, the measure requires the Secretary of Health and Human Resources to convene a work group that includes representatives from the SCC, the Department of Medical Assistance Services, the Department of Social Services, and the Department of Taxation to develop systems, policies, and practices to leverage state income tax returns to facilitate the enrollment of eligible individuals in insurance affordability programs through the Virginia Health Benefit Exchange established in this measure. The Secretary shall report the work group's recommendations to the Governor and the General Assembly by September 15, 2020. The provisions of the bill expire upon any ruling by the Supreme Court of the United States declaring unconstitutional, or action by the President or Congress that repeals or defunds, the provisions of the Patient Protection and Affordable Care Act in a manner that renders it impossible to perform the duties integral to the Virginia Health Benefit Exchange. (20108492D-S1)

**SB 732** (McClellan) (Passed Senate; HAPP) creates the Virginia Health Benefit Exchange, which will be established and operated by a new division within the State Corporation Commission (SCC). The Exchange shall facilitate the purchase and sale of qualified health plans and qualified dental plans to qualified individuals and qualified employers. The Exchange shall make qualified plans available to qualified individuals and qualified employers by July 1, 2023, unless the SCC postpones this date. The measure authorizes the SCC to review and approve accident and sickness insurance premium rates applicable to health benefit plans in the individual and small group markets and health benefit plans providing health insurance coverage in the individual market through certain non-employer group plans. The Exchange will be funded by an assessment on health insurers, which is limited to three percent of total monthly premiums. A health plan will not be required to cover any state-mandated health benefit if federal law does not require it to be covered as part of the essential benefits package. The essential health benefits are items and services included in the benchmark health insurance plan, which is the largest plan in the largest product in the Commonwealth's small group market as supplemented in order to

provide coverage for the items and services within the statutory essential health benefits categories. The SCC may contract with other eligible entities and enter into memoranda of understanding with other agencies of the Commonwealth to carry out any of the functions of the Exchange, including agreements with other states or federal agencies to perform joint administrative functions. Such contracts are not subject to the Virginia Public Procurement Act (§ 2.2-4300 et seq.). The measure repeals a provision enacted in 2013 that prohibits an agent, employee, officer, or agency of the Commonwealth from taking any action to establish a health benefit exchange. The measure requires the Department of Taxation to include on the appropriate individual tax return forms a checkoff box or similar mechanism for indicating whether the individual, or spouse in the case of a married taxpayer filing jointly, (i) is an uninsured individual at the time the return is filed and (ii) consents to the Department of Taxation providing the individual's tax information to the Department of Medical Assistance Services for purposes of determining the uninsured individual's or spouse's eligibility for medical assistance. Finally, the measure requires the Secretary of Health and Human Resources to convene a work group that includes representatives from the SCC, the Department of Medical Assistance Services, the Department of Social Services, and the Department of Taxation to develop systems, policies, and practices to leverage state income tax returns to facilitate the enrollment of eligible individuals in insurance affordability programs through the Virginia Health Benefit Exchange established in this measure. The Secretary shall report the work group's recommendations to the Governor and the General Assembly by September 15, 2020. This bill incorporates SB 226 and SB 598. (20108554D-H1)

### **Legislation Provided for Information**

**HB 340** (Price) (Passed House; Reported from SGL) provides a 60-day stay of an unlawful detainer for nonpayment of rent for tenants and a 30-day stay of foreclosure proceedings for homeowners and owners who rent to a tenant a one-family to four-family residential dwelling unit who request a stay and provide written proof, defined in the bill, that they are (i) an employee of the United States government, (ii) an independent contractor for the United States government, or (iii) an employee of a company under contract with the United States government who was furloughed or was or is otherwise not receiving wages or payments as a result of a closure of the United States government, defined in the bill. The bill requires homeowners and owners who rent to a tenant a one-family to four-family residential dwelling unit to request such stay of foreclosure proceedings within 90 days of a closure of the United States government or 90 days following the end of such closure, whichever is later. (20104151D-E)

**HB 1244** (Heretick) (Passed Both Houses) provides that for the purposes of the Virginia Telephone Privacy Act (the Act), "telephone solicitation call" includes any text message sent to any wireless telephone with a Virginia area code, or to a wireless telephone registered to any natural person who is a resident of the Commonwealth, for the purpose of offering or advertising any property, goods, or services for sale, lease, license, or investment, including offering or advertising an extension of credit or for the purpose of fraudulent activity. The bill prohibits a telephone solicitor from engaging in any conduct that results in the display of false or misleading caller identification information on the called party's telephone. The bill increases the amount of



damages and the amount of the civil penalty for violations of the Act from \$500 for each such violation to \$500 for a first violation, \$1,000 for a second violation, and \$5,000 for each subsequent violation and increases to \$5,000 the maximum civil penalty the court may impose for a willful first or second violation. (20105168D-E)

**SB 17** (Ebbin) (Passed Both Houses) 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). This bill incorporates SB 39. (20105902D-S1)

**SB 62** (Suetterlein) (Passed Senate; House Floor) 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. This bill incorporates SB 19. (20105900D-S1)

**SB 888** (McClellan) (Passed Senate; HRUL) establishes the Commission on School Construction and Modernization for the purpose of providing guidance and resources to local school divisions related to school construction and modernization and making funding recommendations to the General Assembly and the Governor. The bill has a sunset date of July 1, 2026, with a provision that if the Commission does not receive funding in the appropriation act after its first year, it will sunset on July 1 of the following year. (20103055D-E)

**SB 987** (Stuart) (Passed Senate; Reported from HAG) prohibits hunting or shooting migratory waterfowl in the public waters of the Commonwealth from a boat, float, raft, or other buoyant craft or device within 150 yards of a residence without the consent of the landowner, except when in active pursuit of a visibly crippled waterfowl that was legally shot by the person. The bill requires a person hunting waterfowl or applying to license a stationary blind in public waters to also have a state and federal duck stamp. (20106967D-S1)

### **Administration of Government**

**HB 166** (Knight) (Passed Both Houses) provides that if a locality in Planning District 23 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, such 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. The bill has an expiration date of July 1, 2022. (HB166ER)

**HB 406** (Subramanyam) (Communicated to Governor) changes the annual deadline for local submittal of the comparative report of local government revenues and expenditures to the Auditor of Public Accounts from November 30 to December 15 and the annual deadline for the statement of the Auditor of Public Accounts showing in detail the total and per capita revenues

and expenditures of all localities for the preceding fiscal year from January 31 to February 15. (HB406ER)

**HB 558** (Lindsey) (Passed House; Passed Senate with amendment) allows any locality to enact an ordinance to enhance micro-business participation in local government procurement practices. Such measures may include special designation of local micro-businesses, providing technical support to micro-businesses, setting target goals for micro-business participation in the local procurement process, and other reasonable measures intended to promote micro-business participation in the locality. "Micro-business" is defined as a small, women-owned, or minority-owned business with no more than 25 employees. (20100477D)

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

**SB 465** (Reeves) (Passed Senate; HCCT) 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)

### **Courts**

**HB 100** (Lindsey) (Passed Both Houses) allows the court and counsel for either party in a criminal case to inform any juror or potential juror as to the potential range of punishments to ascertain if the person can sit impartially in the sentencing phase of the case. (20108209D-S1)

**HB 305** (Hope) (Passed Both Houses) increases from \$2 to \$5 the fee that the circuit court clerk is required to charge for lodging, indexing, and preserving a will. (HB305ER)

**HB 306** (Hope) (Passed Both Houses) 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. (HB306ER)

**HB 477** (Guzman) (Senate Substitute Rejected by House) 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; however, if the juvenile is 14 years of age or older but younger than 16 years of age the court, on motion of the attorney for the Commonwealth, shall hold a transfer hearing. The minimum age is also raised from 14 to 16 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 the charges that under current law 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 the court services unit or other qualified agency and (ii) the attorney for the Commonwealth provide written notice that he intends to proceed

with a preliminary hearing for trial of such juvenile as an adult, including affirmation that he has read the report. This bill incorporates HB 1440. (20108212D-S1)

**SB 375** (Edwards) (Passed Senate; HCT) 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. (20107641D-S1)

**SB 545** (Edwards) (Passed Senate; Reported from HCT) provides that any appeal of right taken from a court not of record in a civil case to a court of record shall serve as an appeal of all claims in the lower court, including any counterclaims, cross-claims, and third-party claims. (20108555D-H1)

**SB 546** (Edwards) (Passed Senate; Reported from HCT) increases from 14 years of age to 16 years of age the minimum age at which a juvenile can be tried as an adult in circuit court for a felony. (20108510D-H1)

**HB 780** (Roem) (Passed Both Houses) provides that a photocopy, facsimile, or other copy of the original proof of service shall be accepted by the clerk's office as if it were an original proof of service for the purposes of complying with the return of service process to the clerk's office, provided that the submitter provides a statement that any such copy is a true copy of the original. (20100889D-E)

**HB 781** (Mullin) (Passed Both Houses) provides that a diagnosis of a nonmalignant asbestos-related injury or disease shall not accrue an action based upon the subsequent diagnosis of a malignant asbestos-related injury or disease, and such subsequent diagnosis shall constitute a separate injury that shall accrue action when such diagnosis is first communicated to the person or his agent by a physician. The bill is intended to reverse *Kiser v. A.W. Chesteron*, 285 Va. 12 (2013). This bill is identical to SB 661. (HB781ER)

**HB 873** (Bourne) (Passed House; 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 that discovery shall be provided at a reasonable time before trial but that in no case shall it be provided later than (i) 14 days before trial on a misdemeanor in circuit court, (ii) 30 days before trial on a felony or multiple felony counts punishable by confinement in a state correctional facility for an aggregate of 30 years or less, or (iii) 90 days before trial on a felony or multiple felony counts punishable by confinement in a state correctional facility for an aggregate of more than 30 years. The bill also provides a mechanism for redaction of certain personal identifying information and creates a procedure for either party to move the court to enter a protection order with regard to discovery. Finally, the bill grants the

court the ability to impose various remedies it deems just if a party fails to comply with any of the requirements. This bill incorporates HB 1153. (20107766D-H1)

**HB 974** (Herring) (Passed House; Reported from SJUD) 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 biological evidence or nonbiological evidence regardless of the type of plea he entered at trial. Under current law, such person may petition for a writ based on biological evidence if he entered a plea of not guilty, and any person, regardless of the type of plea he entered at trial, may petition for such writ 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 (i) allows a writ of actual innocence based on nonbiological evidence to be granted if scientific testing of previously untested evidence, regardless of whether such evidence was available or known at the time of conviction, proves that no trier of fact would have found proof of guilt of the person petitioning for the writ, provided that the testing procedure was not available at the time of conviction, and (ii) eliminates the provision that limits a petitioner to only one writ of actual innocence based on nonbiological evidence for any conviction. The bill provides that the petitioner must prove the allegations supporting either type of writ of actual innocence by a preponderance of the evidence. Currently, the petitioner must prove such allegations by clear and convincing evidence. 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. (20104714D)

**SB 511** (Edwards) (Passed Senate; HAPP) 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 biological evidence or nonbiological evidence regardless of the type of plea he entered at trial. Under current law, such person may petition for a writ based on biological evidence if he entered a plea of not guilty, and any person, regardless of the type of plea he entered at trial, may petition for such writ 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 (i) allows a writ of actual innocence based on nonbiological evidence to be granted if scientific testing of previously untested evidence, regardless of whether such evidence was available or known at the time of conviction, proves that no trier of fact would have found proof of guilt of the person petitioning for the writ, provided that the testing procedure was not available at the time of conviction, and (ii) eliminates the provision that limits a petitioner to only one writ of actual innocence based on nonbiological evidence for any conviction. The bill provides that the petitioner must prove the allegations supporting either type of writ of actual innocence by a preponderance of the evidence. Currently, the petitioner must prove such allegations by clear and convincing evidence. 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. The provisions of the bill are contingent on funding in a general appropriation act. (20104713D-E)

**HB 995** (Lindsey) (Passed Both Houses)/**SB 788** (McClellan) (Passed Senate; Reported from HCT) 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. This bill incorporates HB 263. (HB995ER, 20103374D)

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

**SB 811** (Morrissey) (Passed Senate; HCT) provides that in a criminal case the court shall ascertain the extent of the punishment, unless the accused has requested that the jury ascertain punishment or was found guilty of capital murder. (20107869D-S1)

### **Elections**

**HB 43** (Cole, M.) (Passed House; SPE) 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)

**HB 108** (Lindsey) (Passed House; SRUL) 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 177** (Levine) (Passed House; SPE) enters Virginia into an interstate compact known as the Agreement Among the States to Elect the President by National Popular Vote. Article II of the Constitution of the United States gives the states exclusive and plenary authority to decide the manner of awarding their electoral votes. Under the compact, Virginia agrees to award its electoral votes to the presidential ticket that receives the most popular votes in all 50 states and the District of Columbia. The compact goes into effect when states cumulatively possessing a majority of the electoral votes have joined the compact. A state may withdraw from the compact; however, a withdrawal occurring within six months of the end of a President's term shall not become effective until a President or Vice President has qualified to serve the next term. This bill incorporates HB 199. (20107262D-H1)

**HB 179** (Levine) (Passed House; Senate Floor) requires recount officials to segregate all ballots for which there is a question regarding the ballot's validity prior to the conclusion of the recount of each precinct. The bill provides that the recount court may not consider the validity of any ballots not set aside prior to the conclusion of the recount of each precinct. (20101013D)

**HB 196** (Gooditis) (Passed House; Senate Floor) prohibits discrimination in employment against electoral board members and assistant general registrars on the basis of service on election day

or at a meeting of the electoral board following the election to ascertain the results of the election. Current law prohibits such employment discrimination only on the basis of election day service and only against officers of election. A violation of the bill's provisions is a Class 3 misdemeanor. (20100919D)

**HB 202** (Tran) (Passed House; Senate Floor) requires the additional training for officers of elections occurring after a change in an election law or regulation to take place not less than three days prior to the first election occurring in the locality after the law or regulation has taken effect. 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-E)

**HB 213** (Sullivan) (Passed House; Senate Floor) 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 241** (Sickles) (Passed House; SPE) 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) (Passed House; SFIN) 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 1103** (Hudson) (Passed House; SFIN) 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) (Passed House; Senate Floor) 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. The bill clarifies that a person must be a qualified voter of the county or city in order to be eligible to serve as an electoral board member of that county or city. (20100224D-E)

**HB 1362** (Aird) (Passed House; SFIN) 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 authorized to grant a waiver requested by a local electoral board to extend, on a case-by-case basis, the 12-month deadline. 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 annual training. No fees shall be charged to a general registrar for any required training as part of the certification program. (20102712D-E)

**HB 1402** (Ward) (Passed House; Senate Floor) removes the requirement that the officer of election audibly repeat the residence address of a voter offering to vote. The bill provides that the officer of the election is required to verify with the voter his full name and address and to audibly repeat the voter's full name. (20102067D-E)

**SB 469** (Reeves) (Passed Senate; HPE) 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)

**SB 737** (Obenshain) (Passed Senate; 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. (20103945D)

### *Absentee Voting*

**HB 207** (VanValkenburg) (Passed House; Senate Floor) 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, an absentee ballot sent to the voter is returned as undeliverable, or the voter moves to a different address not in the same county or city of his

registration. The provisions of the bill providing for a permanent absentee voter list do not become effective until July 1, 2021. (20102060D-E)

**HB 238** (Sickles) (Passed House; Senate 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 239** (Sickles) (Passed House; Senate Floor) 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 240** (Sickles) (Passed House; Senate Floor) provides that any person who is eligible for an absentee ballot pursuant to law and who is likely to remain so eligible for the remainder of the calendar year shall be eligible to file a special annual application to receive ballots for all elections in which he is eligible to vote in that calendar year. This application requires a statement signed by the voter that he is eligible for an absentee ballot pursuant to law and is likely to remain so eligible for the remainder of the calendar year. Under current law, such a special annual application is available to persons who are eligible to vote absentee due to a disability or illness and are likely to remain eligible to vote absentee due to such disability or illness. (20101466D)

**HB 242** (Sickles) (Passed House; Senate Floor) 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 872** (Bourne) (Passed House; SPE) 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. The bill incorporates HB 185. (20107265D-H1)

**SB 859** (Ebbin) (Passed Senate; HPE) amends the definition of hospital, for purposes of emergency absentee voting by or late absentee ballot applications for persons who have been hospitalized, so that it is not limited to hospitals in Virginia, the District of Columbia, or a state contiguous to Virginia. The bill also removes the requirement that a person submitting a late absentee ballot application due to the hospitalization of himself or a member of his immediate family or to the death of a member of his immediate family must be absent from his county or city on election day in order to be eligible for the late absentee ballot application. (20103568D)



*Redistricting*

**HB 105** (Lindsey) (Passed House; SRUL) removes the requirement that the Division of Legislative Services prepare written descriptions of the boundaries of congressional and state legislative districts. The bill does not affect provisions under current law that district boundaries are legally defined by the county and city boundaries reported in the decennial Census reports and by reference to precincts, parts of precincts, and census blocks listed in the Statistical Reports for each district. (20102534D)

**HB 758** (VanValkenburg) (Passed House; 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, racial and ethnic fairness, communities of interest, contiguity, and compactness. The bill prohibits a map of districts from unduly favoring or disfavoring any political party when considered on a statewide basis. The bill provides for the preparation and use of adjusted population data for redistricting and reapportionment purposes to reflect the reallocation of persons incarcerated in federal, state, and local correctional facilities. Persons incarcerated in such a facility whose address at the time of incarceration was in the Commonwealth are to be counted at that address and persons incarcerated in such a facility whose address at the time of incarceration was outside of the Commonwealth or cannot be determined are to be counted at the facility. 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 two special masters to assist in the establishment of districts, from lists submitted by the legislative leaders of the majority and minority political parties. 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. (20106862D-H1)

**HB 784** (VanValkenburg) (Passed House; 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. (20100576D)

**HB 1255** (Price) (Passed House; SPE) provides criteria by which congressional and state legislative districts are to be drawn. Such criteria include equal population requirements, with a deviation of no more than five percent permitted for state legislative districts; compliance with laws and judicial decisions relating to racial and ethnic fairness; preservation of communities of interest, which are defined to mean a neighborhood or any geographically defined group of people living in an area who share similar social, cultural, and economic interests; and compactness and contiguity. The bill also includes provisions of the Voting Rights Act of 1965, as amended, related to redistricting, prohibiting the drawing of districts in ways that improperly dilute minority populations' voting power. Maps of districts, when considered on a statewide basis, are prohibited from unduly favoring or disfavoring any political party. The bill further provides for the preparation and use of adjusted population data for redistricting and reapportionment purposes to reflect the reallocation of persons incarcerated in federal, state, and local correctional facilities. Persons incarcerated in such a facility whose address at the time of incarceration was in the Commonwealth are to be counted at that address and persons incarcerated in such a facility whose address at the time of incarceration was outside of the Commonwealth or cannot be determined are to be counted at the facility. (20107097D-H1)

**HB 1256** (Price) (Passed House; SPE) establishes the Virginia Redistricting Advisory Commission (the Commission), a statutory legislative 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 that will be submitted for consideration and adoption by the General Assembly. The Commission 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, communities of interest, contiguity, and compactness. The bill prohibits a map of districts from unduly favoring or disfavoring any political party when considered on a statewide basis. The bill provides for the preparation and use of adjusted population data for redistricting and reapportionment purposes to reflect the reallocation of persons incarcerated in federal, state, and local correctional facilities. Persons incarcerated in such a facility whose address at the time of incarceration was in the Commonwealth are to be counted at that address and persons incarcerated in such a facility whose address at the time of incarceration was outside of the Commonwealth or cannot be determined are to be counted at the facility. Provisions to ensure public participation in the redistricting process are included, including requirements that meetings are video recorded and transcribed and the archived videos and transcripts be made available on the Commission's website. The bill also requires a series of public hearings to be conducted prior receipt of Census data and at least public hearings to be held prior to voting to submit any plan to the General Assembly. 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. (20107764D-H1)

**SB 203** (Lucas) (Passed Senate; 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, communities of interest, contiguity, and compactness. The bill prohibits a map of districts from unduly favoring or disfavoring any political party when considered on a statewide basis. The bill provides for the preparation and use of adjusted population data for redistricting and reapportionment purposes to reflect the reallocation of persons incarcerated in federal, state, and local correctional facilities. Persons incarcerated in such a facility whose address at the time of incarceration was in the Commonwealth are to be counted at that address and persons incarcerated in such a facility whose address at the time of incarceration was outside of the Commonwealth or cannot be determined are to be counted at the facility. 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 two special masters to assist in the establishment of districts, from lists submitted by the legislative leaders of the majority and minority political parties. 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. (20107237D-S1)

**SB 236** (Barker) (Passed Senate; HPE) 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. This bill incorporates SB 358 and SB 974. (20107754D-S1)

**SB 717** (McClellan) (Passed Senate; HPE) provides criteria by which congressional and state legislative districts are to be drawn. Such criteria include equal population requirements, with a deviation of no more than five percent permitted for state legislative districts; compliance with laws and judicial decisions relating to racial and ethnic fairness; preservation of communities of interest, which are defined to mean a neighborhood or any geographically defined group of people living in an area who share similar social, cultural, and economic interests; and compactness and contiguity. The bill also includes provisions of the Voting Rights Act of 1965, as amended, related to redistricting, prohibiting the drawing of districts in ways that improperly dilute minority populations' voting power. Maps of districts, when considered on a statewide basis, are prohibited from unduly favoring or disfavoring any political party. The bill further provides for the preparation and use of adjusted population data for redistricting and reapportionment purposes to reflect the reallocation of persons incarcerated in federal, state, and local correctional facilities. Persons incarcerated in such a facility whose address at the time of

incarceration was in the Commonwealth are to be counted at that address and persons incarcerated in such a facility whose address at the time of incarceration was outside of the Commonwealth or cannot be determined are to be counted at the facility. (20107234D-S1)

**SJ 18** (Barker) (Agreed to by Senate; HPE) establishes the Virginia Redistricting Commission, a 16-member Commission tasked with establishing districts for the United States House of Representatives and for the Senate and the House of Delegates of the General Assembly. The Commission consists of eight legislative members and eight citizen members. The legislative members consist of four members of the Senate of Virginia and four members of the House of Delegates, with equal representation given to the political parties having the highest and next highest number of members in their respective houses. The citizen members are selected by a selection committee consisting of five retired judges of the circuit courts of Virginia, 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. This resolution incorporates SJ 12 and SJ 70. (20107759D-S1)

#### *State Board of Elections*

**HB 236** (Sickles) (Passed House; Senate Floor) increases the membership of the State Board of Elections from three members to five members. 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-E)

**HB 539** (Carr) (Passed House; Senate Floor) 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. This bill is a recommendation of the Joint Legislative Audit and Review Commission. (20102244D-E)

**SB 856** (Ebbin) (Passed Senate; HPE) increases the membership of the State Board of Elections from three members to five members. 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. (20103597D-E)

#### *Voter Registration*

**HB 235** (Cole, J.) (Passed House; Senate Floor) 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. (20106926D-H1)

**SB 219** (Marsden) (Passed Senate; HPE) 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. The provisions of the bill are contingent on funding in a general appropriation act. This bill incorporates SB 278. (20106190D-S2)

### **Environment and Energy**

**HB 520** (Bulova) (Passed House; Senate Floor) 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 an urban 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) (Passed House; SCL) 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) (Passed House; Passed Senate with Amendments) authorizes a locality to include in its zoning ordinance provisions to incorporate generally accepted national environmental protection and product safety 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. (20107292D-H1)

**SB 875** (Marsden) (Passed Senate; HCCT) 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. (20107535D-S1)

**HB 882** (Bulova) (Passed House; Senate Floor) directs the State Water Control Board to adopt regulations providing for the use of a proprietary best management practice only if another state,

regional, or national certification program has verified and certified its nutrient or sediment removal effectiveness. (20108441D-S1)

**HB 1136** (Lopez) (Passed House; SACNR) directs the Department of Environmental Quality to compile and maintain a Hazardous Waste Site Inventory, consisting of a list of sites permitted by or in corrective action under the Department at which the disposal of hazardous waste has occurred. The bill requires the Inventory to be published by July 1, 2021, and updated annually. (20107120D-H1)

**HB 1310** (Webert) (Passed House; SACNR) requires the Department of Environmental Quality to establish a process whereby any person that receives coverage under the General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Discharges of Stormwater from Construction Activities and that will be transporting fill from a project site for disposal shall disclose certain information about the disposal to the Department. The bill provides that the Department shall disclose such information to every locality where such fill will be disposed of. (20107731D-H1)

**HB 1329** (Kory) (Passed House; SACNR) directs localities in Tidewater Virginia to incorporate certain penalties into their ordinances protecting the quality of state waters in Chesapeake Bay Preservation Areas. (20106882D-H1)

**HB 1352** (Gooditis) (Passed House; Senate Floor) 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 1609** (Mugler) (Passed House; SACNR) 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, point source phosphorus credits, and sediment 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, to adopt a ratio of 10 point source nitrogen credits for each point source phosphorus credit used, and to classify the credits as permanent using a means acceptable to the Department. The bill limits to 10 pounds per year the application of point source phosphorus credits to a single project other than a water reclamation and reuse project. (20107579D-H1)

**HJ 47** (Sickles) (Agreed to by House; 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. (20104996D)

**SB 320** (Lewis) (Passed Senate) 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. (20108073D-S2)

**SB 769** (Reeves) (Passed Senate; HAG) directs the Department of Environmental Quality (DEQ) to give deference to findings of fact by a presiding officer based on the evidence presented in any formal proceeding where the parties are operating under a consent decree. The bill directs a court to give deference to a factual recommendation by a hearing officer, and creates a rebuttable presumption with respect to such facts. The bill requires that the Director give the factual and legal basis for the decision to revoke or amend a solid waste management permit. 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. (20107726D-S1)

**SB 1061** (Petersen) (Continued to 2021 in SGL) removes an exclusion for residential dwellings with fewer than five dwelling units and condominium projects from certain requirements related to a voluntary special assessment lien that secures a loan for the initial acquisition and installation of clean energy, resiliency, or stormwater management improvements. (20100602D)

### **Firearms**

**SB 248** (Favola) (Passed Senate; HAPP) establishes the Virginia Violence Intervention and Prevention Fund to be administered by the Department of Criminal Justice Services for the purpose of supporting violence intervention and prevention programs, including street outreach, hospital-based violence intervention, and group violence intervention programs. The provisions of the bill are contingent on funding in a general appropriation act. (20106494D-ES1)

**SB 268** (Bell) (Passed Both Houses) establishes an exemption from retail sales tax for a gun safe with a selling price of \$1,000 or less. The bill defines a gun safe as a safe or vault that is (i)

commercially available, (ii) secured with a digital or dial combination locking mechanism or biometric locking mechanism, and (iii) designed for the storage of a firearm or of ammunition for use in a firearm. Under the bill, a gun safe does not include a glass-faced cabinet. The bill sunsets on July 1, 2025. (20108161D-H1)

### **Health and Human Services**

**HB 586** (Guzman) (Passed House; SFIN) directs the Commissioner of Health to convene a work group to study the occurrence of perfluorooctanoic acid (PFOA), perfluorooctane sulfonate (PFOS), perfluorobutyrate (PFBA), perfluoroheptanoic acid (PFHpA), perfluorohexane sulfonate (PFHxS), perfluorononanoic acid (PFNA), and other perfluoroalkyl and polyfluoroalkyl substances (PFAS), as deemed necessary, in the Commonwealth's public drinking water and to develop recommendations for specific maximum contaminant levels for PFOA, PFOS, PFBA, PFHpA, PFHxS, PFNA, and other PFAS, as deemed necessary, for inclusion in regulations of the Board of Health applicable to waterworks. (20106820D-H1)

**HB 687** (Aird) (Passed House; SFIN) provides that no person shall use or assume the title "state certified doula," as defined in the bill, unless such person is a community-based doula who has received training and education as a doula from an entity approved by a body approved by the Board of Health for such purpose and been certified as a doula by a body approved by the Board of Health for such purpose and that no entity shall hold itself out as providing training and education necessary to meet the requirements for certification as a doula unless its curriculum and training program has been approved by a body approved by the Board of Health for such purpose. The bill also directs the Board of Health to adopt regulations setting forth the requirements for (i) use of the title "state certified doula" and (ii) training and education necessary to satisfy the requirements for certification by the Department of Health as a state-certified doula. (20106550D-H1)

**HB 728** (Hope) (Passed House; Reported from SEH) 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-E)

**HB 826** (Carroll Foy) (Passed House; SEH) directs the Department of Medical Assistance Services to convene a work group to (i) evaluate the potential costs and benefits, including potential reductions in maternal and infant mortality rates, of amending the state plan for medical assistance services to include a provision for the payment of medical assistance for antepartum, intrapartum, or postpartum services provided to a pregnant person or to a person who is up to one year postpartum for labor and delivery support by a certified doula and at least four visits during the antenatal period and at least seven visits during the postpartum period with a certified doula and (ii) develop recommendations related to an appropriate reimbursement rate for such services provided by certified doulas. The work group shall report its findings and

recommendations to the Governor and the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations by December 1, 2020. (20107706D-H1)

**HB 887** (Filler-Corn) (Passed House; SFIN) 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 1570** (VanValkenburg) (Passed House; Reported from SJUD) 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)

**HB 1719** (McQuinn) (Passed House; SRUL) directs the Commissioner of Social Services 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-E)

**SB 482** (Favola) (Passed Senate; HHWI) 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 501** (Reeves) (Passed Senate; HHWI) 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-E)

**SB 656** (Boysko) (Passed Senate; HAPP) provides that a health care provider who has provided services within the last year to a person committed to a local or regional correctional facility shall disclose to such correctional facility any information and records necessary to ensure

continuity of care. The bill provides immunity from civil liability for such disclosures absent bad faith or malicious intent. This bill incorporates SB 748. (20108229D-H1)

**SB 675** (Mason) (Passed Senate; House Floor) 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 715** (McClellan) (Passed Senate; HHWI) requires the Board of Social Services to provide monthly payments for menstrual supplies 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 menstrual supplies. The provisions of the bill are contingent on funding in a general appropriation act. (20104304D-E)

**SB 937** (Surovell) (Passed Senate; HAPP) directs the Virginia Community College System (VCCS) to establish and administer a two-year Temporary Assistance for Needy Families (TANF) Scholarship Pilot Program, 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. The provisions of the bill are contingent on funding in a general appropriation act. (20105208D-E)

**SB 1034** (Chafin) (Passed Senate; HRUL) 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)

**SB 1072** (Mason) (Passed Senate; HCT) prohibits the court from appointing as guardian or conservator for an incapacitated person (i) the attorney for the petitioner or an attorney or employee of the same law firm as the attorney for the petitioner or (ii) except for good cause shown, any attorney, or attorney associated with or employee of the same law firm, who has represented the petitioner in any other matter within the three calendar years preceding the appointment. The bill permits the court to order the costs for the guardian or conservator to be paid by the petitioner. (20107702D-S1)

### **Land Use**

**HB 1655** (Orrock) (Passed House; Passed Senate with Amendment) 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)

**HB 1688** (McQuinn) (Passed House; SLG) exempts land used for the interment of human remains owned by an individual, family, property owners' association, or church from a local ordinance requiring certain owners of property to cut the grass, weeds, and other foreign growth on such property. (20107083D-EH1)

**SB 647** (Boysko) (Passed Senate; HCCT) 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)

**SB 673** (Mason) (Passed Senate; Reported from HAG) 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 and requires that such regulations specify the information required to be submitted to the Department of Environmental Quality (the Department) by a golf course or any other person seeking a determination from the Department that either the quantity or quality of the ground water in a surficial aquifer is not adequate to meet a proposed beneficial use. The bill requires such regulations require the Department, within 30 days of receipt of a complete request, to make a determination as to the adequacy of the quantity or quality of the ground water in a surficial aquifer. (20105741D-S1)

**SB 674** (Mason) (Passed Senate; Reported from HAG) 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 minimum 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)

### **Political Campaigns**

**HB 214** (Sullivan) (Passed House; SPE) removes the requirement that a person circulating a petition of qualified voters be a legal resident of the Commonwealth. The bill requires a nonresident petition circulator to sign a statement on the affidavit accompanying the petition that he consents to the jurisdiction of the courts of Virginia in resolving any disputes concerning the circulation of petitions, or signatures contained therein, by that person. The signatures of qualified voters collected by a nonresident petition circulator who fails to sign such statement, or who later fails to appear or produce documents when properly served with a subpoena to do so, shall not be counted towards the minimum number of signatures required by law. (20100434D)

**HB 1062** (Adams) (Passed House; SPE) adds text messages to the definition of campaign telephone calls. The bill also defines "telephone call" as any single telephone call or text message, electronic or otherwise, that when combined with other telephone calls constitutes campaign telephone calls. (20101982D)

**HB 1116** (Hudson) (Passed House; SPE) directs the state political party chairmen, or their designees, to notify the Department of Elections of the party's adoption of a primary election for any office. The bill also directs state political party chairmen, or their designees, to certify to the Department of Elections the names of any candidate who has been nominated by the party through a nomination method other than a primary. Currently, these notification and certification responsibilities are shared by the state, district, and political subdivision party committee chairmen for their respective offices. The bill also provides that if a state party chairman, or his designee, fails to certify the name of a candidate for an office, the Department of Elections shall declare that there is no candidate nominated by the party for that office. The bill contains technical amendments that reflect the current administrative responsibilities of the Department of Elections. (20102715D)

### ***Campaign Advertisements***

**HB 849** (Simon) (Passed House; Senate Floor) subjects any message that is placed or promoted for a fee on an online platform to the same disclosure requirements to which print media, television, and radio advertisements are subject. The bill defines "online platform" as any public-facing website, web application, or digital application, including a social network, ad network, or search engine, that sells advertisements. The bill expands the definition of "print media" to include any non-video or non-audio message placed or promoted for a fee on an online platform,

subjects advertisements in video format that are placed or promoted for a fee on an online platform to the same disclosure requirements to which television advertisements are subject, and subjects advertisements in audio format that are placed or promoted for a fee on an online platform to the same disclosure requirements to which radio advertisements are subject. (20108333D-S1)

**HB 1238** (Wilt) (Passed House; Senate Floor) changes the requirement that print media disclosures be displayed in a minimum font size of seven point to a requirement that such disclosures be displayed in a font size proportionate to the size of the advertisement. The bill tasks the State Board of Elections with creating standards for meeting the requirement that disclosure statements be displayed in a conspicuous manner in a size proportionate to the size of the advertisement and requires such standards to be promulgated no later than July 1, 2021, with enforcement delayed until January 1, 2024. The provisions of the bill affecting regulants also have a delayed effective date of January 1, 2024. Print media advertisements paid for or distributed prior to July 1, 2024, will not be subject to the State Board of Elections regulations promulgated pursuant to the bill. (20102971D-E)

**HB 1556** (Watts) (Passed House; Senate Floor) requires that when a disclosure statement for any political campaign advertisement includes the candidate's name for the purpose of meeting the disclosure requirement, the name must be the same as it appears on the ballot. When a disclosure statement includes the name of a campaign committee, the name must be the same as it appears on the statement of organization. The bill also requires candidates, when filing a statement of qualification, to state how he would like his name to appear on the ballot; currently, this is optional. The bill has a delayed effective date of January 1, 2021, and further provides that any print media advertisement paid for or distributed prior to the effective date of the bill shall not be subject to the requirements of the bill. (20108245D-S1)

### *Campaign Finance*

**HB 88** (Carter) (Passed House; Senate Floor) requires any person who is named as the candidate on the statement of organization for more than one campaign committee to file reports for all such committees on the same schedule as any such committee. (20101119D)

**HB 1061** (Adams) (Passed House; Senate Floor) clarifies that committee treasurers may pay expenses by electronic debit drawn on a designated committee depository. Current law only allows for a check drawn on such depository. The bill also clarifies that reimbursements may be made for electronic debit payments made by an authorized committee representative. The bill contains technical amendments. (20101981D)

**SB 217** (Suetterlein) (Passed Senate; HPE) 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 January 15. The bill requires these contributions to also be reported on the first regular report following the date of the contribution. (20106179D-S1)

**Public Safety/Criminal Justice**

**HB 744** (Watts) (Passed House; SFIN) provides that a court, in the case of a juvenile tried as an adult and convicted of a felony, may depart from any mandatory minimum sentence required by law and suspend any portion of an otherwise applicable sentence. The bill also requires the court, when sentencing a juvenile as an adult, to consider the juvenile's exposure to adverse childhood experiences, early childhood trauma, or any child welfare agency and the differences between juvenile and adult offenders. (20104812D-E)

**HB 746** (Watts) (Passed House; Reported from SJUD) requires that prior to the custodial interrogation of a child, the child's parent, guardian, or legal custodian shall be notified of the child's arrest and the child shall have contact with his parent, guardian, or legal custodian in person, by telephone, or by video conference. However, notification and contact prior to a custodial interrogation is not required if the parent, guardian, or legal custodian is a codefendant in the alleged offense; the parent, guardian, or legal custodian has been arrested for, has been charged with, or is being investigated for a crime against the child; the person cannot reasonably be located or refuses contact with the child; or the law-enforcement officer conducting the custodial interrogation reasonably believes the information sought is necessary to protect life, limb, or property from an imminent danger and the questions are limited to those that are reasonably necessary to obtain that information. (20108764D-S1)

**HB 962** (Marshall) (Passed House; Reported from SJUD) prohibits the sale to persons under age 21 of hemp products intended for smoking. (20107964D-H1)

**HB 1093** (Hope) (Passed House; SFIN) requires the Department of Corrections and the sheriff, jail superintendent, or other jail administrator of a local correctional facility to, upon request, assist any prisoner who does not already possess a valid government-issued identification card with all of the paperwork necessary for such prisoner to obtain a special identification card issued by the Department of Motor Vehicles to a prisoner upon his release. Current law authorizes local correctional institutions to issue such identification cards but does not require it. (20102519D-E)

**HB 262** (Lopez) (Passed House; Passed Senate with Substitute) prohibits law-enforcement officers from inquiring into the immigration status of a person who (i) reports that he is a victim of a crime or a parent or guardian of a minor victim of a crime or (ii) is a cooperating witness in the investigation of a crime or the parent or guardian of a minor witness to a crime. However, a law-enforcement officer is not prohibited from making such an inquiry if the parent or guardian has been arrested for, has been charged with, or is being investigated for a crime against the minor victim. (20108387D-S1)

**HB 1150** (Lopez) (Senate Substitute Rejected by House) 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. This bill incorporates HB 244. (20108215D-S1)

**SB 491** (Surovell) (Passed Senate; HCT) provides that the provisions requiring (i) jail officers to ascertain the citizenship of any inmate taken into custody at a jail, (ii) officers in charge of correctional facilities to inquire as to the citizenship of any person committed to a correctional facility, and (iii) 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, are limited to felony offenses. The bill also provides that the clerk of court report to the Bureau of Immigration and Customs Enforcement of the U.S. Department of Homeland Security any juvenile adjudicated of delinquency or finding of guilt for a violent juvenile felony. (20107555D-S1)

**HB 1467** (Aird) (Passed House; SFIN) requires the Department of Corrections and the sheriff, jail superintendent, or other jail administrator of a local correctional facility to provide to any prisoner who does not already possess a government-issued identification card a special identification card issued by the Department of Motor Vehicles upon his release. Prior to the release of any prisoner after a period of confinement of 90 days or more, if such prisoner does not already possess an original birth certificate or a Social Security card, the bill also requires the Department of Corrections and the sheriff, jail superintendent, or other jail administrator of a local correctional facility to offer to (i) provide the assistance necessary for the prisoner to apply to the appropriate state and obtain an official copy of the prisoner's birth certificate and (ii) provide the assistance necessary for the prisoner to apply to the Social Security Administration and obtain a replacement Social Security card. The bill requires the correctional institutions to establish procedures for (a) securing such special identification cards through the Department of Motor Vehicles, (b) applying for and obtaining official copies of birth certificates or replacement Social Security cards, and (c) forwarding such documentation if it is not obtained prior to the prisoner's release or discharge. Such procedures shall include an offer to provide, or to assist the prisoner with providing, all paperwork necessary for such prisoner to be issued a special identification card, an official copy of a birth certificate, or a replacement Social Security card. The bill further provides that all costs and fees associated with obtaining such identification documentation shall be paid by the prisoner unless the prisoner is determined to be indigent. Current law authorizes local correctional institutions to issue special identification cards prior to the release of any prisoner and requires the prisoner to pay all costs and fees associated with obtaining such card. (20107239D-H1)

**HJ 200** (Hayes) (Agreed to by House; SRUL) expresses the opposition of the General Assembly to the enactment or enforcement of a law requiring a six-month revocation or suspension of a person's driver's license upon conviction of a drug offense. Absent a resolution from the General Assembly expressing such opposition, the failure to enforce such a law results in the withholding

of certain federal highway funding by the U.S. Secretary of Transportation from the Commonwealth. Currently, such a law is codified in §§ 18.2-259.1 and 46.2-390.1. (20107902D)

**SB 64** (Lucas) (Passed Senate; HCT) provides that a person is guilty of unlawful paramilitary activity if such person brandishes a firearm or any air or gas operated weapon or any object similar in appearance while assembled with one or more persons with the intent of intimidating any person or group of persons with any firearm, any explosive or incendiary device, or any components or combination thereof. Such unlawful paramilitary activity is punishable as a Class 5 felony. (20106379D-S1)

**SB 805** (Morrissey) (Passed Senate; HCT) defines "robbery" and creates degrees of punishment corresponding to the severity of a robbery offense. Any person who commits a robbery by causing serious bodily injury is guilty of robbery in the first degree, which is punishable by confinement in a state correctional facility for a maximum term of life. Any person who commits robbery by displaying a firearm in a threatening manner is guilty of robbery in the second degree, which is punishable by confinement in a state correctional facility for a maximum term of 20 years. Any person who commits robbery by using physical force not resulting in serious bodily injury, or by displaying a deadly weapon other than a firearm in a threatening manner, is guilty of robbery in the third degree, which is punishable as a Class 5 felony. Any person who commits robbery by any other means is guilty of robbery in the fourth degree, which is punishable as a Class 6 felony. Under current law, any robbery is punishable by confinement in a state correctional facility for life or any term not less than five years. (20107417D-S1)

### *Hate Crimes*

**HB 276** (Sullivan) (Passed Both Houses) includes within the definition of "hate crime" a criminal act committed against a person because of disability, sexual orientation, gender, or gender identification and requires the reporting of the commission of such crime to the State Police. This bill incorporates HB 1058. (20108222D-S1)

**HB 787** (Bagby) (Passed House; Senate Floor) adds the following to the list of crimes that a multi-jurisdiction grand jury may investigate: (i) simple assault or assault and battery where the victim was intentionally selected because of his race, religious conviction, gender, disability, gender identity, sexual orientation, color, or national origin; (ii) entering the property of another for purposes of damaging such property or its contents or interfering with the rights of the owner, user, or occupant where such property was intentionally selected because of the race, religious conviction, gender, disability, gender identity, sexual orientation, color, or national origin of the owner, user, or occupant; and (iii) various offenses that tend to cause violence. (20102657D-E)

**SB 179** (Favola) (Passed Senate; HCT) 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. The bill also eliminates the mandatory minimum terms of confinement for such hate crimes. The provisions of the bill are contingent on funding in a general appropriation act. (20105706D-ES1)

### **Studies/Designated Days**

**HJ 10** (Kory) (Agreed to by House; SRUL) designates June 1, in 2020 and in each succeeding year, as Gun Violence Awareness Day in Virginia. (20100169D)

**HJ 21** (Kory) (Agreed to by House; SRUL) designates August 26, in 2020 and in each succeeding year, as Women's Equality Day in Virginia. (20100305D)

**HJ 29** (Tyler) (Agreed to by House; SRUL) establishes a joint committee of the House Committee on Health, Welfare and Institutions; the House Committee on Public Safety; the Senate Committee on the Judiciary; and the Senate Committee on Rehabilitation and Social Services to study staffing levels, employment conditions, and compensation at the Virginia Department of Corrections. The resolution directs the joint committee to conclude its work by November 30, 2020, and to report its findings and recommendations no later than the first day of the 2021 Regular Session of the General Assembly. (20107185D-H1)

**HJ 51** (Sickles) (Agreed to by House; SRUL) directs the Departments of Behavioral Health and Developmental Services, Education, and Social Services to jointly study the feasibility of developing an early childhood mental health consultation program available to all early care and education programs serving children from birth to five years of age. The Departments shall complete their meetings by November 30, 2020, and shall submit to the Governor and the General Assembly an executive summary and a report of their findings and recommendations for publication as a House or Senate document by the first day of the 2021 Regular Session of the General Assembly. (20104885D)

**HJ 64** (Reid) (Agreed to by House; SRUL) requests the Virginia Information Technologies Agency (VITA) to study the Commonwealth's susceptibility, preparedness, and ability to respond to ransomware attacks. In conducting its study, the Agency shall (i) assess the Commonwealth's susceptibility to ransomware attacks at the state and local levels of government; (ii) develop guidelines and best practices to prevent ransomware attacks; (iii) evaluate current data encryption and backup strategies; (iv) evaluate the availability of tools to monitor unusual access requests, viruses, and network traffic; (v) develop guidance for state agencies and localities on responding in the event of a ransomware attack; (vi) develop a coordinated law-enforcement response strategy that utilizes forensic investigative techniques to

identify the source of ransomware attacks; and (vii) provide recommendations on legislative or regulatory changes to better protect state and local government entities from ransomware. The bill requires VITA to report its findings to the Governor and the General Assembly no later than the first day of the 2021 Regular Session. (20104858D)

**HJ 136** (Guzman) (Agreed to by House; SRUL) expresses the sense of the General Assembly in recognizing that global warming caused by human activity that increases emissions of greenhouse gases has resulted in a climate and ecological emergency. (20103339D)

**SB 486** (Favola) (Passed Senate; HRUL) directs the Virginia Department of Agriculture and Consumer Services (the Department) to study, in consultation with the Department of Environmental Quality and stakeholders, the sources, scale, and prevention of food waste in the Commonwealth. In conducting its study, the Department shall (i) assess the total annual statewide rate of preventable food waste received by landfills within the Commonwealth; (ii) identify the industry sectors within the Commonwealth that contribute to preventable food waste, and determine their rate of contribution to such waste; (iii) identify alternative uses of food that is wasted; and (iv) recommend policies to reduce the annual rate of preventable food waste in the Commonwealth with data-driven reduction targets and timelines, including food donation requirements for certain food waste from grocery stores and restaurants. The provisions of the bill are contingent on funding in a general appropriation act. (20104878D-E)

**SB 734** (Deeds) (Passed Senate; Reported from HRUL) directs the Secretaries of Education and Health and Human Resources to establish a work group, co-chaired by the Commissioner of Behavioral Health and Developmental Services and the Director of Medical Assistance Services, 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. (20108571D-H1)

**SJ 15** (Locke) (Agreed to by Senate; HRUL) requests the Department of Education to study the teacher licensure process and the assessment requirements therein for any inherent biases that may prevent minority teacher candidates from entering the profession. The provisions of the resolution are contingent on funding in a general appropriation act. (20101660D-E)

**SJ 35** (Edwards) (Agreed to by Senate; HRUL) 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)

**SJ 38** (Cosgrove) (Agreed to by Senate; HAPP) 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. The provisions of the resolution are contingent on funding in a general appropriation act. (20105279D-E)

**SJ 39** (Edwards) (Agreed to by Senate; HRUL) directs the Virginia State Crime Commission to (i) identify the most common charges tried before juries within the Commonwealth and determine the average sentence per charge as recommended by a jury; (ii) compare the jury-recommended sentence to the average sentence for each identified charge, factoring in alternative sentences and suspended time, as determined by a judge during a bench trial; (iii) identify any perceived negative impacts to the judicial system associated with abolishing the practice of jury sentencing and make recommendations as to how these potential negative impacts could be avoided; and (iv) determine the feasibility of abolishing jury sentencing for noncapital offenses within the Commonwealth. (20104551D)

**SJ 42** (Hanger) (Agreed to by Senate; HRUL) requests the Department of Environmental Quality to establish a Waste Diversion and Recycling Task Force to study ways to increase waste diversion and recycling. The resolution requests that the Task Force work with stakeholders to (i) study methods of improving recycling, reducing waste, and diverting waste from landfills; (ii) develop recommendations to reduce waste at the source, such as composting and recycling of organic material; and (iii) consider whether current recycling rates required by Virginia law should be increased and whether state policy should be changed to give landfills a greater role in the management of organic material. It also requests that the Task Force study potential improvements in the goals and efficiency of the grant program funded by the Litter Control and Recycling Fund, which under current law is used to fund local litter prevention, recycling grants to localities, and statewide and regional litter prevention and recycling educational program grants. (20104669D-E)

**SJ 47** (Surovell) (Agreed to by Senate; HRUL) requests the Judicial Council of Virginia to study the jurisdiction and organization of the Court of Appeals of Virginia and make recommendations on providing an appeal of right from the circuit courts to the Court of Appeals and organizing the Court of Appeals into four geographic circuits. (20104383D)

**SJ 50** (McClellan) (Agreed to by Senate; HAPP) requests the Department of Rail and Public Transportation to study the feasibility of an east-west Commonwealth Corridor passenger rail service connecting Hampton Roads, Richmond, and the New River Valley. (20102924D-E)

**SJ 53** (Lewis) (Agreed to by Senate; HAPP) directs the Department of Environmental Quality (DEQ) (the Department) to study revised priority ranking criteria for grants from the Stormwater Local Assistance Fund (the Fund) to include reduction of nitrogen pollution and report its findings and recommendations for publication as a House or Senate document. In conducting its study, the Department shall (i) analyze the benefits and costs of nitrogen pollution reduction in Virginia's waters and compare to the benefits and costs of reductions in phosphorous pollution, and (ii) determine comparable criteria to award grants from the Fund based on nitrogen reductions and revise the Fund's award criteria accordingly. The provisions of the bill are contingent on funding in a general appropriation act. (20104062D-E)

**SJ 81** (Dunnvant) (Agreed to by Senate; HRUL) directs the Joint Commission on Technology and Science to establish an advisory committee to study consumer data privacy in the Commonwealth. The advisory committee is directed to review and document prevalent means of data collection by both the public and private sector, identify uses of data that should be encouraged and incentivized, recommend how to best protect personal and consumer data from misuse, and develop potential legislative recommendations. (20106135D-E)

### **Transportation**

**HB 465** (Keam) (Passed House; STRAN) 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; Reported from SGL) 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 885** (Sickles) (Passed House; SFIN) 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. 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. The bill also provides that any person who

drives a motor vehicle at a speed in excess of 80 miles per hour but below 86 miles per hour on any highway in the Commonwealth having a maximum speed limit of 65 miles per hour shall be subject to an additional fine of \$100. (20106070D-EH1)

**HB 1427** (Krizek) (Passed House; STRAN) 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-E)

**HB 1560** (Brewer) (Passed House; STRAN) 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)

**HB 1700** (Tran) (Continued to 2021 in HTRAN) limits the release by the Department of Motor Vehicles (the Department) of information regarding proof documents or of an individual's photograph or signature provided to the Department. The bill prohibits any federal agency that primarily enforces immigration law from accessing information stored by the Department without a judicial warrant or court order. The bill limits the use of and prohibits the State Board of Elections from distributing certain immigration information provided by the Department. The bill prohibits the Department from sharing information with an entity that is in the business of selling information to a third party. The bill prohibits the use of Department information for facial recognition purposes prior to July 1, 2022, except when used by (i) the Department to ensure compliance with the REAL ID Act of 2005 or (ii) law-enforcement agencies to identify victims of sex trafficking. The bill requires the Department, in consultation with the Department of Criminal Justice Services and the Office of the Attorney General and other stakeholders, to develop recommendations on using facial recognition technology and protecting the privacy of the citizens of Virginia and to report such findings to the Governor and the General Assembly on or before December 1, 2021. The bill requires the Department of State Police to review policies related to the access of information through the Virginia Criminal Information Network. (20104588D)

**HB 1726** (Askew) (Passed House; SFIN) raises additional revenues for the Hampton Roads Transportation Fund by levying a regional grantors tax and a regional transient occupancy tax. 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. (20107332D-H1)

### *Distracted Driving*

**HB 675** (Robinson) (Passed House; STRAN) 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) (Passed Both Houses) 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. This bill incorporates HB 377, HB 387, HB 512, and HB 1672. (20108193D-S1)

**SB 160** (Surovell) (Passed Senate; Reported from 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. This bill incorporates SB 136 and SB 944. (20108445D-H1)

**SB 437** (Surovell) (Passed Senate; Reported from HTRAN) 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)

Attachments: Supplementary documents

cc: Joe Mondoro, Chief Financial Officer  
Tisha Deeghan, Deputy County Executive  
Rachel Flynn, Deputy County Executive  
Dave Rohrer, Deputy County Executive  
Elizabeth Teare, County Attorney  
Jill G. Cooper, Clerk to the Board  
Richmond Team  
Tom Biesiadny, Director, Department of Transportation



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February 25, 2020

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**FAIRFAX COUNTY  
LEGISLATIVE SUMMARY**

***2020 GENERAL ASSEMBLY***

February 22, 2020

# Fairfax County Legislative Summary 2020 General Assembly

## Board of Supervisors Report Key

Bill No. – Patron, (District No.) Bill Title	Committee/Floor Actions	<b>Bold</b> = Date Position taken by full Board of Supervisors <b>[ ]</b> = Date position taken by BOS Legislative Committee <i>Italics</i> = Date position recommended by staff
<a href="#"><b>HB 589</b></a> - 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	<b>12/5/2005</b>
<b>Initiate</b> (067916260) <b>Summary:</b> 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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<a href="#"><u>SB 2</u></a> Ebbin, A	Marijuana; decriminalization of simple possession, civil penalty.
<a href="#"><u>SB 8</u></a> Saslaw, R	Prevailing wage; public works contracts, penalty, effective clause.
<a href="#"><u>SB 11</u></a> Ebbin, A	Disposable plastic bags; local taxation per bag in Planning District 8 when provided to consumers.
<a href="#"><u>SB 34</u></a> Surovell, S	Driver privilege cards; definitions, effective date, report.
<a href="#"><u>SB 35</u></a> Surovell, S	Firearms, etc.; permitted events.

<a href="#"><u>SB 40</u></a> DeSteph, B	Line of Duty Act; eligible dependents.
<a href="#"><u>SB 65</u></a> Locke, M	Voter identification; repeal of photo identification requirements.
<a href="#"><u>SB 69</u></a> Locke, M	Handguns; limitation on purchases, penalty.
<a href="#"><u>SB 70</u></a> Lucas, L	Firearm transfers; criminal history record information check, penalty.
<a href="#"><u>SB 94</u></a> Favola, B	Virginia Energy Plan; relating to the Commonwealth Energy Policy.
<a href="#"><u>SB 111</u></a> Howell, J	Absentee voting; no excuse required.
<a href="#"><u>SB 124</u></a> Locke, M	Food stamps and TANF; eligibility, drug-related felonies.
<a href="#"><u>SB 149</u></a> Howell, J	Courthouse and courtroom security; assessment.
<a href="#"><u>SB 182</u></a> Saslaw, R	Public works; contracts with government agencies, agreements with labor organizations.
<a href="#"><u>SB 209</u></a> Petersen, J	Judges; increases maximum number in judicial district.
<a href="#"><u>SB 212</u></a> Favola, B	Alcoholic beverage control; creates annual mixed beverage performing arts facility license.
<a href="#"><u>SB 240</u></a> Barker, G	Firearms; removal from persons posing substantial risk of injury to himself, etc., penalties.
<a href="#"><u>SB 253</u></a> Chafin, A	Deeds of trust; fiduciary duties.
<a href="#"><u>SB 272</u></a> Bell, J	Tethering animals; adequate shelter and space.
<a href="#"><u>SB 277</u></a> Barker, G	Income tax, state and corporate; deduction for commuter benefits provided by an employer.
<a href="#"><u>SB 297</u></a> Favola, B	Virginia Sexual and Domestic Violence Prevention Fund; created, report.
<a href="#"><u>SB 316</u></a> Kiggans, J	Elections; date of June primary election.
<a href="#"><u>SB 391</u></a> McPike, J	Adult abuse; financial exploitation, required report by financial institution.
<a href="#"><u>SB 435</u></a> Surovell, S	Waterfowl blinds; blinds in locality where certain hunting prohibited.
<a href="#"><u>SB 479</u></a> Howell, J	Protective orders; possession of firearms, surrender or transfer of firearms, penalty.
<a href="#"><u>SB 561</u></a> Vogel, J	Workers' compensation; post-traumatic stress disorder, law-enforcement officers and firefighters.
<a href="#"><u>SB 566</u></a> Edwards, J	Naloxone or other opioid antagonist; possession and administration.
<a href="#"><u>SB 570</u></a> Mason, T	State-Funded Kinship Guardianship Assistance program; created.

<a href="#"><u>SB 588</u></a>	Localities; authority to levy taxes.
Hanger, Jr., E	
<a href="#"><u>SB 593</u></a>	Licensed family day homes; storage of firearms.
Hanger, Jr., E	
<a href="#"><u>SB 631</u></a>	Abandoned and stolen shopping carts; local regulation.
Surovell, S	
<a href="#"><u>SB 649</u></a>	Town taxes; collection by county.
Boysko, J	
<a href="#"><u>SB 668</u></a>	Child care providers; out-of-state background checks.
Boysko, J	
<a href="#"><u>SB 678</u></a>	Central registry; electronic requests and responses.
Mason, T	
<a href="#"><u>SB 706</u></a>	Human trafficking; assessments by local departments.
Obenshain, M	
<a href="#"><u>SB 710</u></a>	Distributed renewable energy; sale of electricity under third-party sales agreements.
McClellan, J	
<a href="#"><u>SB 739</u></a>	Acute psychiatric bed registry; DBHDS shall establish work group to evaluate, etc.
Deeds, R	
<a href="#"><u>SB 746</u></a>	Comprehensive plan; adoption or disapproval by governing body.
Bell, J	
<a href="#"><u>SB 848</u></a>	Northern Virginia Transportation Commission; changes report date.
Ebbin, A	
<a href="#"><u>SB 851</u></a>	Electric utility regulation; environmental goals.
McClellan, J	
<a href="#"><u>SB 864</u></a>	Comprehensive harm reduction programs; public health emergency, repeal sunset provision.
Pillion, T	
<a href="#"><u>SB 903</u></a>	Hospitals; screening emergency department patients, etc.
Vogel, J	
<a href="#"><u>SB 907</u></a>	Transportation safety; occupants of motor vehicles not equipped with seat belts.
Lucas, L	
<a href="#"><u>SB 939</u></a>	Employees of local governments; collective bargaining.
Saslaw, R	
<a href="#"><u>SB 1018</u></a>	Sentence reductions; substantial assistance to prosecution.
Stanley, Jr., W	
<a href="#"><u>SB 1027</u></a>	Clean Energy and Community Flood Preparedness Act; fund.
Lewis, Jr., L	
<a href="#"><u>SJ 1</u></a>	United States Constitution; ratifies and affirms Equal Rights Amendment.
McClellan, J	
<a href="#"><u>SJ 66</u></a>	Cannabis and medical cannabis; joint subcommittee to study development of framework for regulation.
Ebbin, A	
<a href="#"><u>SJ 67</u></a>	Marijuana; JLARC to study legalization of growth, sale, and possession.
McClellan, J	



***Fairfax County Positions  
(Monitor):***

***Pages 70-83***

<a href="#"><u>HB 9</u></a> Bourne, J	Firearms; reporting those lost or stolen, civil penalty.
<a href="#"><u>HB 655</u></a> Heretick, S	Solar photovoltaic projects; conditional zoning.
<a href="#"><u>HB 761</u></a> VanValkenburg, S	Elections; preclearance of certain covered practices required, definitions.
<a href="#"><u>HB 860</u></a> Bell, R	Inhaled asthma medication; professional use by practitioners.
<a href="#"><u>HB 902</u></a> Sickles, M	Long-term care services and supports; preadmission screenings.
<a href="#"><u>HB 983</u></a> Delaney, K	Traffic incident management vehicles; equipped with certain lights.
<a href="#"><u>HB 1137</u></a> Lopez, A	TANF & Va. Initiative for Education & Work; hardship exception.
<a href="#"><u>HB 1147</u></a> Kearney, M	Epinephrine; certain public places may make available for administration.
<a href="#"><u>HB 1174</u></a> Lopez, A	Inhaled asthma medications; school nurse, etc., may administer to a student.
<a href="#"><u>HB 1511</u></a> McQuinn, D	Towing fees; raises to \$30 additional fee that can be charged for towing a vehicle at night, etc.
<a href="#"><u>HB 1586</u></a> Watts, V	Washington Metropolitan Area Transit Authority; allocation of funds.
<a href="#"><u>HB 1699</u></a> Aird, L	Temporary detention; DBHDS to study who may evaluate.
<a href="#"><u>SB 31</u></a> Petersen, J	Eminent domain; costs for petition for distribution of funds, interest rate.
<a href="#"><u>SB 310</u></a> Stanley, Jr., W	Public animal shelters; notice to euthanize.
<a href="#"><u>SB 585</u></a> Dunnavant, S	Guardianship; special education transition materials, etc.
<a href="#"><u>SB 589</u></a> Hanger, Jr., E	Zoning administrators; notice of decisions and determinations.
<a href="#"><u>SB 617</u></a> Deeds, R	Absentee voting; voter satellite offices for absentee voting in person.
<a href="#"><u>SB 687</u></a> Vogel, J	Bicycles; signage, effective clause.
<a href="#"><u>SB 735</u></a> Newman, S	Peer-to-peer vehicle sharing platforms; definitions, establishes requirements.
<a href="#"><u>SB 747</u></a> Hanger, Jr., E	Nutrient and sediment credit generation and transfer; limits certain transfers to private sector.
<a href="#"><u>SB 768</u></a> Barker, G	Temporary detention; DBHDS shall study who may evaluate.

<a href="#"><u>SB 826</u></a> McDougle, R	Water and sewer service charges; tenant or lessee.
<a href="#"><u>SB 870</u></a> Marsden, D	Solar photovoltaic projects; conditional zoning.
<a href="#"><u>SB 902</u></a> Barker, G	Long-term care services and supports; preadmission screenings.
<a href="#"><u>SB 916</u></a> Marsden, D	Towing fees; raises to \$30 additional fee that can be charged for towing a vehicle at night, etc.
<a href="#"><u>SB 977</u></a> Suetterlein, D	Local governing body meetings; public comment.
<a href="#"><u>SB 1046</u></a> Deeds, R	Clinical social workers; patient records, involuntary detention orders.
<a href="#"><u>SB 1049</u></a> Deeds, R	Involuntary commitment; notice and participation, discharge plans.

### ***Fairfax County Positions***

***Pages 84-89***

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

<a href="#"><u>HB 93</u></a> Kory, K	Flavored tobacco products; sale or distribution prohibited, civil penalty.
<a href="#"><u>HB 221</u></a> Mugler, M	Tree conservation ordinance; Chesapeake Bay Preservation Act locality, designated trees.
<a href="#"><u>HB 869</u></a> Bourne, J	Public defender or any deputies or employees; proportionally supplementing compensation.
<a href="#"><u>HB 892</u></a> Sickles, M	Peer-to-peer vehicle sharing platforms; definition, taxation.
<a href="#"><u>HB 1119</u></a> Hope, P	Flavored tobacco products; sale prohibited, civil penalty.
<a href="#"><u>HB 1120</u></a> Hope, P	Tobacco products; tax on all tobacco products, penalties.
<a href="#"><u>HB 1192</u></a> Lopez, A	Hazardous Substance Aboveground Storage Tank Fund; created.
<a href="#"><u>HB 1279</u></a> O'Quinn, I	Animal shelters; confinement and disposition of animals.
<a href="#"><u>HB 1293</u></a> Helmer, D	Shirley Gate Road; extension in Fairfax County, funding.
<a href="#"><u>HB 1351</u></a> Watts, V	Temporary detention; expands category of individuals who may evaluate a person.
<a href="#"><u>HB 1464</u></a> Gooditis, W	Restrict nutrient credit usage; local authority.
<a href="#"><u>HB 1480</u></a> Gooditis, W	Pet shops; local regulation on sale of animals.
<a href="#"><u>SB 626</u></a> Surovell, S	Hazardous Substance Aboveground Storage Tank Fund; created.

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

<a href="#"><u>HB 3</u></a> McQuinn, D	Va. Fair Housing Law; unlawful discriminatory housing practices, sexual orientation and gender, etc.
<a href="#"><u>HB 16</u></a> Krizek, P	Safety belt system; all occupants of motor vehicles to utilize.
<a href="#"><u>HB 17</u></a> Foy, J	Driver's license; suspension for nonpayment of fines or costs.
<a href="#"><u>HB 20</u></a> Lindsey, J	Va. Alternative Energy & Coastal Protection Act; DEQ to implement final carbon trading regulation.
<a href="#"><u>HB 25</u></a> Lindsey, J	Absentee voting; no excuse required.
<a href="#"><u>HB 110</u></a> Ware, R	Regional Greenhouse Gas Initiative; trading allowance reserve account, etc.
<a href="#"><u>HB 151</u></a> Samirah, I	Accessory dwelling units; development and use.
<a href="#"><u>HB 152</u></a> Samirah, I	Single-family residential use; middle housing allowed on lots zoned for units.
<a href="#"><u>HB 209</u></a> Murphy, K	Absentee voting; no excuse required.
<a href="#"><u>HB 217</u></a> Convirs- Fowler, K	Va. Fair Housing Law; unlawful discriminatory housing practices, sexual orientation and gender, etc.
<a href="#"><u>HB 283</u></a> Cole, J	Highway construction and maintenance; time limitations.
<a href="#"><u>HB 302</u></a> McNamara, J	Litter tax; repeals annual tax.
<a href="#"><u>HB 311</u></a> Gooditis, W	Unmanned aerial systems; local regulation.
<a href="#"><u>HB 357</u></a> Lopez, A	Virginia Fair Housing Law; unlawful discriminatory housing practices.
<a href="#"><u>HB 364</u></a> Cole, M	Statewide prioritization process; project selection.
<a href="#"><u>HB 381</u></a> Cole, M	Redistricting; Virginia Redistricting Commission, local redistricting commissions.
<a href="#"><u>HB 382</u></a> Convirs- Fowler, K	Virginia Shoreline Resiliency Fund; grant program.
<a href="#"><u>HB 508</u></a> Willett, R	Animal care; cruelty, dangerous dogs.
<a href="#"><u>HB 589</u></a> Guzman, E	Community services boards; funding formula, population and need.

<a href="#"><u>HB 608</u></a> Miyares, J	Health Enterprise Zone Program and Fund; established, report.
<a href="#"><u>HB 619</u></a> Cole, J	Commonwealth Mass Transit Fund; allocation to Fredericksburg Regional Transit.
<a href="#"><u>HB 620</u></a> Cole, J	Statewide prioritization process; project selection.
<a href="#"><u>HB 621</u></a> Willett, R	Speed monitoring systems; local ordinances.
<a href="#"><u>HB 636</u></a> LaRock, D	Town residents; provision of county services.
<a href="#"><u>HB 642</u></a> LaRock, D	Transportation funding; statewide prioritization process.
<a href="#"><u>HB 650</u></a> Hope, P	Naloxone or other opioid antagonist; possession and administration.
<a href="#"><u>HB 662</u></a> Mullin, M	Local grievance procedure; incorporates certain provisions.
<a href="#"><u>HB 677</u></a> LaRock, D	Interstate 66; reverse tolling, toll revenue on Interstate 66 and Interstate 395.
<a href="#"><u>HB 679</u></a> LaRock, D	Real and personal property tax exemptions; repeals exemptions.
<a href="#"><u>HB 713</u></a> Hope, P	Mandatory outpatient treatment orders; judicial review conferences.
<a href="#"><u>HB 774</u></a> LaRock, D	Commonwealth Transportation Board; increases revenue-sharing funds.
<a href="#"><u>HB 891</u></a> Sickles, M	Peer-to-peer vehicle sharing platforms; establishes sale of insurance, etc., for platforms.
<a href="#"><u>HB 912</u></a> Simon, M	Distributed renewable energy; promotes establishment of solar and other renewable energy.
<a href="#"><u>HB 948</u></a> Webert, M	License taxes; prohibition on rate increases, prohibition on new taxes.
<a href="#"><u>HB 977</u></a> Krizek, P	County food and beverage tax; allowable tax rate, removal of referendum requirement.
<a href="#"><u>HB 1152</u></a> Lopez, A	Carbon dioxide cap and trade program; establishes program, etc.
<a href="#"><u>HB 1170</u></a> Poindexter, C	Regional electric utility programs; participation by Commonwealth.
<a href="#"><u>HB 1202</u></a> Tran, K	Project labor agreements; public procurement by local governments.
<a href="#"><u>HB 1203</u></a> Tran, K	Prevailing wage; public works contracts with localities, penalty.
<a href="#"><u>HB 1204</u></a> Tran, K	Fall cankerworm; spraying prohibited except through opt-in program.
<a href="#"><u>HB 1214</u></a> Simonds, S	Family day homes; licensure threshold.
<a href="#"><u>HB 1216</u></a> Tran, K	State of good repair funds; bridges subject to repeated flooding.

[HB 1227](#) Unmanned aerial systems; local regulation.  
LaRock, D

[HB 1308](#) Stormwater management; grandfathered land-disturbing activities.  
Walker, W

[HB 1312](#) Dangerous weapons; prohibits possessing or transporting in local government buildings.  
Kory, K

[HB 1389](#) Transportation funds; use of funds for projects.  
LaRock, D

[HB 1510](#) Weapons; carrying into building owned or used by the Commonwealth or political subdivision thereof.  
McQuinn, D

[HB 1673](#) Plastic bag tax; use of revenues.  
Ware, R

[HJ 31](#) Commonwealth-wide housing needs; Department of Housing and Community Development to study.  
Lopez, A

[HJ 57](#) Route 50; Department of Transportation to study traffic congestion.  
Subramanyam, S

[HJ 63](#) Blockchain technology; joint subcommittee to study emergence & integration in the economy.  
Rush, N

[HJ 82](#) Blockchain technology; VEDPA to study the emergence, etc., in the economy.  
Ayala, H

[HJ 105](#) Blockchain technology; joint subcommittee to study emergence & integration in the economy.  
Subramanyam, S

[HJ 132](#) Cannabis and medical cannabis; joint subcommittee to study development of framework for regulation.  
Herring, C

[SB 26](#) Plastic bags; tax in the Chesapeake Bay Watershed.  
Petersen, J

[SB 66](#) Va. Fair Housing Law; unlawful discriminatory housing practices, sexual orientation and gender, etc.  
McClellan, J

[SB 67](#) Firearms; reporting those lost or stolen, civil penalty.  
McClellan, J

[SB 117](#) Family day homes; licensure threshold.  
Favola, B

[SB 151](#) School personnel; staffing ratios, school nurses.  
Stuart, R

[SB 159](#) Public employment; prohibits discrimination on basis of sexual orientation or gender identity.  
Boysko, J

[SB 180](#) Prevailing wage; public works contracts, penalty.  
Favola, B

[SB 184](#) Tree conservation ordinance; Chesapeake Bay Preservation Act locality, designated trees.  
Locke, M

[SB 193](#) Single-use plastic and expanded polystyrene products; local prohibition, local tax.  
Favola, B

[SB 198](#) Disposable plastic shopping bags; local option.  
Locke, M

<a href="#"><u>SB 276</u></a> Barker, G	Safety belt system; use in motor vehicles.
<a href="#"><u>SB 475</u></a> Bell, J	Virginia Public Procurement Act; use of best value contracting.
<a href="#"><u>SB 484</u></a> Favola, B	Local taxing authority; equalizes city and county taxing authorities.
<a href="#"><u>SB 532</u></a> Edwards, J	Third-party power purchase agreements; regulation of retail sales of electricity under agreements.
<a href="#"><u>SB 581</u></a> Howell, J	Minors; allowing access to firearms, Class 6 felony.
<a href="#"><u>SB 638</u></a> Surovell, S	Affordable housing; location near Metrorail station.
<a href="#"><u>SB 643</u></a> Boysko, J	Motor Vehicles, Department of; issuance of certain documents.
<a href="#"><u>SB 644</u></a> Boysko, J	Traffic incident management vehicles; exempt from certain regulations.
<a href="#"><u>SB 682</u></a> Mason, T	Food and beverage tax; county imposing a tax greater than four percent.
<a href="#"><u>SB 749</u></a> Cosgrove, Jr., J	Peer-to-peer vehicle sharing platforms; establishes sale of insurance, etc., for platforms.
<a href="#"><u>SB 750</u></a> Cosgrove, Jr., J	Peer-to-peer vehicle sharing platforms; definition, taxation.
<a href="#"><u>SB 759</u></a> Marsden, D	Photo speed monitoring devices; civil penalty.
<a href="#"><u>SB 839</u></a> Ebbin, A	Zoning; permitted provisions in ordinance, worker protection.
<a href="#"><u>SB 852</u></a> Ebbin, A	Tobacco products; tax on all tobacco products, penalties.
<a href="#"><u>SB 893</u></a> Marsden, D	Comprehensive plan; solar facilities review.
<a href="#"><u>SB 921</u></a> Locke, M	Cigarette tax, local; authorizes all counties to impose without rate limit.
<a href="#"><u>SJ 32</u></a> Bell, J	Electric vehicles; DEQ to study the impact of and develop Clean Transportation Plan, report.
<a href="#"><u>SJ 57</u></a> Lewis, Jr., L	JLARC; costs of education, report.

## ***Fairfax County Initiatives***

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

Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>SB 651</u></a> - Boysko (33) Fairfax County; policemen's pension and retirement board.	1/7/2020 Senate: Referred to Committee on Finance and Appropriations 1/28/2020 Senate: Reported from Finance and Appropriations (16-Y 0-N) 1/31/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Appropriations	<b>1/28/2020</b>
<b>Initiate</b> (20104013D) <b>Summary:</b> 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.		
<a href="#"><u>SB 652</u></a> - Boysko (33) Fairfax County; policemen's retirement system.	1/7/2020 Senate: Referred to Committee on Finance and Appropriations 1/28/2020 Senate: Reported from Finance and Appropriations (16-Y 0-N) 1/31/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Appropriations	<b>1/28/2020</b>
<b>Initiate</b> (20104020D) <b>Summary:</b> 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.		
<a href="#"><u>SB 868</u></a> - Ebbin (30) Discrimination; prohibited in public accommodations, etc., causes of action.	1/8/2020 Senate: Referred to Committee on General Laws and Technology 1/29/2020 Senate: Incorporates SB 66 (McClellan) 1/29/2020 Senate: Incorporates SB 159 (Boysko) 1/29/2020 Senate: Reported from General Laws and Technology with substitute (12-Y 0-N 2-A) 2/6/2020 Senate: Read third time and passed Senate (30-Y 9-N) 2/13/2020 House: Referred to Committee on General Laws 2/13/2020 House: Reported from General Laws (13-Y 9-N)	<b>1/28/2020</b>
<b>Initiate</b> (20104737D) <b>Summary:</b> 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		

**Bold** – Indicates BOS formal action

[ ] Indicates BOS Legislative Committee Action

*Italics*- Indicates Staff Recommended Position Change



Bills	General Assembly Actions	Date of BOS Position
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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 on the basis of sexual orientation and gender identity. The bill also codifies for state and local government employment the current prohibitions on discrimination in employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran. Additionally, the bill (a) prohibits discrimination in public accommodations on the basis of sexual orientation, gender identity, or status as a veteran; (b) prohibits discrimination in credit on the basis of sexual orientation, gender identity, pregnancy, childbirth or related medical conditions, disability, and status as a veteran; and (c) adds discrimination on the basis of an individual's sexual orientation, gender identity, or status as a veteran as an unlawful housing practice. The bill makes technical amendments. This bill incorporates SB 66 and SB 159.

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

# ***Fairfax County Positions***

***(Oppose or Amend)***

**\* \* \***

Bills	General Assembly Actions	Date of BOS Position
<a href="#"><b>HB 657</b></a> - Heretick (79) Comprehensive plan; solar facilities review.	1/6/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 1/15/2020 House: Referred from HAG by voice vote 1/15/2020 House: Referred to Committee on Labor and Commerce 1/30/2020 House: Subcommittee recommends reporting with substitute (10-Y 0-N) 2/4/2020 House: Reported from Labor and Commerce with substitute (18-Y 4-N) 2/7/2020 House: Read third time and passed House (59-Y 41-N) 2/10/2020 Senate: Referred to Committee on Local Government	<b>1/28/2020</b>
<b>Oppose</b> (20102662D) - See also SB 893 (Marsden). <b>Summary:</b> 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 if the zoning ordinance of the locality permits solar facilities with a conditional use permit and the locality waives the requirement that solar facilities be reviewed.		
<a href="#"><b>SB 485</b></a> - DeSteph (8) Eminent domain; remnants and remainders.	1/7/2020 Senate: Referred to Committee on the Judiciary (SJUD) 1/29/2020 Senate: Reported from SJUD with substitute (15-Y 0-N) 1/29/2020 Senate: Re-referred to Finance and Appropriations (SFIN) 2/5/2020 Senate: Reported from SFIN (15-Y 0-N) 2/7/2020 Senate: Passed Senate (39-Y 0-N) 2/12/2020 House: Referred to Committee for Courts of Justice 2/17/2020 House: Subcommittee recommends laying on the table (5-Y 2-N)	<b>1/28/2020</b>
<b>Oppose</b> (20104245D) <b>Summary:</b> Repeals the provision of the Code of Virginia declaring that the acquisition of residual parcels when acquiring land for highway rights-of-way is in the public interest and is a public use. The bill provides that, upon petition of either party, the court may determine whether property remaining after a partial taking is an uneconomic remnant prior to the trial on just compensation. The bill further provides that if the court rules in favor of the owner, it may award costs and fees to be paid by the condemnor.		
<a href="#"><b>SB 1007</b></a> - Reeves (17) Stormwater management; inspections.	1/16/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources (SACNR) 2/4/2020 Senate: Reported from SACNR with amendments (13-Y 2-N) 2/10/2020 Senate: Read third time and passed Senate (37-Y 1-N) 2/13/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/17/2020 House: Subcommittee recommends laying on the table (5-Y 3-N)	<b>2/11/2020</b>
<b>Oppose</b> (20105334D) <b>Summary:</b> Directs the Water Control Board to adopt regulations that require that a long-term maintenance agreement for any best management practice that is a wet pond provide for inspections no more frequently than every three years.		

**Bold** – Indicates BOS formal action

[ ] Indicates BOS Legislative Committee Action

*Italics*- Indicates Staff Recommended Position Change

# ***Fairfax County Positions***

*(Support)*

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Bills	General Assembly Actions	Date of BOS Position
<p><b><u>HB 1</u></b> - Herring (46) Absentee voting; no excuse required.</p>	<p>11/18/2019 House: Referred to Committee on Privileges and Elections (HPE) 1/21/2020 House: Subcommittee recommends reporting with substitute (4-Y 2-N) 1/24/2020 House: Incorporates HB 25 (Lindsey) 1/24/2020 House: Incorporates HB 208 (Murphy) 1/24/2020 House: Incorporates HB 209 (Murphy) 1/24/2020 House: Reported from HPE with substitute (14-Y 8-N) 1/30/2020 House: Read third time and passed House (65-Y 35-N) 1/31/2020 Senate: Referred to Committee on Privileges and Elections (SPE) 2/18/2020 Senate: Reported from SPE with amendment (10-Y 4-N)</p>	<p><b>1/28/2020</b></p>
<p><b>Support</b> (20101095D) - Collaborate with stakeholders to ensure bill can be successfully implemented. See also HB 25 (Lindsey) and HB 209 (Murphy). <b>Summary:</b> 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 incorporates HB 25, HB 208, and HB 209.</p>		
<p><b><u>HB 2</u></b> - 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><b>1/28/2020</b></p>
<p><b>Support</b> (20101194D) <b>Summary:</b> Firearm transfers; criminal history record information checks; penalty. Requires a background check for any firearm transfer and directs the Department of State Police (the Department) to establish a process for transferors to obtain such a check from licensed firearms dealers. A transferor who sells a firearm to another person without obtaining the required background check is guilty of a Class 6 felony. The bill also provides that a transferee who receives a firearm from another person without obtaining the required background check is guilty of a Class 1 misdemeanor. The bill exempts transfers (i) between immediate family members; (ii) that occur by operation of law; (iii) by the executor or administrator of an estate or by the trustee of a testamentary trust; (iv) at firearms shows in accordance with law; (v) that are part of a buy-back or give-back program; (vi) of antique firearms; (vii) that occur at a shooting range, shooting gallery, or any other area designed for the purpose of target shooting, for use during target practice, a firearms safety or training course or class, a shooting competition, or any similar lawful activity; or (viii) that are temporary transfers that (a) occur within the continuous presence of the owner of the firearm or (b) are necessary to prevent imminent death or great bodily harm. The bill removes the provision that makes background checks of prospective purchasers or transferees at firearms shows voluntary. The bill also provides that the Department shall have three business days to complete a criminal history record information check before a firearm may be transferred. The bill establishes an appropriation for the fiscal impact of the bill and authorizes the Director of the Department of Planning and Budget to allocate such appropriation among the agencies and programs impacted by the bill. This bill incorporates HB 355.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><b>HB 6</b></a> - 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) 2/10/2020 Senate: Referred to Committee on General Laws and Technology 2/19/2020 Senate: Reported from General Laws and Technology with amendment (8-Y 6-N) 2/19/2020 Senate: Re-referred to Finance and Appropriations	<b>1/28/2020</b>
<p><b>Support</b> (20100177D) - Board has historically supported.</p> <p><b>Summary:</b> Virginia Fair Housing Law; unlawful discriminatory housing practices; source of funds. Adds discrimination on the basis of a person's source of income to the list of unlawful discriminatory housing practices. The bill creates an exemption for an owner or owner's managing agent, provided that such owner does not own more than four rental dwelling units or more than a 10 percent interest in more than four rental dwelling units in the Commonwealth at the time of the alleged discriminatory housing practice. The bill defines "source of income" as any source that lawfully provides funds to or on behalf of a renter or buyer of housing, including any assistance, benefit, or subsidy program, whether such program is administered by a governmental or nongovernmental entity. This bill incorporates HB 357.</p>		
<a href="#"><b>HB 19</b></a> - Lindsey (90) Voter identification; signed statement in lieu of required form of identification, penalty.	11/19/2019 House: Referred to Committee on Privileges and Elections (HPE) 2/4/2020 House: Subcommittee recommends reporting with substitute (5-Y 1-N) 2/7/2020 House: Incorporates HB 190 (Levine) 2/7/2020 House: Incorporates HB 878 (Sickles) 2/7/2020 House: Reported from HPE with substitute (14-Y 8-N) 2/11/2020 House: Read third time and passed House (57-Y 43-N) 2/12/2020 Senate: Referred to Committee on Privileges and Elections 2/18/2020 Senate: Reported from Privileges and Elections with substitute (10-Y 3-N 1-A)	[2/21/2020]
<p>[Support] (20108329D-S1)</p> <p><b>Summary:</b> removes the requirement that voters show a form of identification containing a photograph in order to be allowed to vote. The bill requires a voter to show either his voter registration confirmation documents; his valid Virginia driver's license, his valid United States passport, or any other identification issued by the Commonwealth, one of its political subdivisions, or the United States; any valid student identification card issued by any institution of higher education located in the Commonwealth or any private school located in the Commonwealth; any valid student identification card issued by any institution of higher education located in any other state or territory of the United States; any valid employee identification card containing a photograph of the voter and issued by an employer of the voter in the ordinary course of the</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>employer's business; or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter. The bill also provides that the expiration date on a Virginia driver's license is not considered when determining the validity of a driver's license offered for voter identification purposes. A voter who does not show one of the required forms of identification when offering to vote is required to sign a statement that he is the named registered voter he claims to be in order to be permitted to cast a ballot. Such statement is signed subject to felony penalties for making false statements, punishable as a Class 5 felony. A voter who does not show one of the required forms of identification and does not complete or sign the statement shall be offered a provisional ballot according to the provisions of current law. The bill adds language regarding identification requirements for certain voters pursuant to the federal Help America Vote Act of 2002.</p>		
<p><b>HB 22</b> - Lindsey (90) Virginia Community Flood Preparedness Fund; loan and grant program.</p>	<p>11/19/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 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) 2/7/2020 House: Incorporates HB751 (Jones) 2/11/2020 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/12/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/18/2020 Senate: Reported from Agriculture, Conservation and Natural Resources (13-Y 0-N) 2/18/2020 Senate: Re-referred to Finance and Appropriations</p>	<p><b>1/28/2020</b></p>
<p><b>Support</b> (20100479D) - See also HB 382 (Convirs-Fowler). <b>Summary:</b> Continues the Virginia Shoreline Resiliency Fund as the Virginia Community Flood Preparedness Fund (the Fund), directs the Department of Conservation and Recreation to administer the Fund, and authorizes localities to lend or grant money from the Fund to implement flood prevention and protection projects and studies. The bill requires that at least 25 percent of the money disbursed from the Fund each year be used for projects in low-income geographic areas. The measure also authorizes any locality to forgive the principal of a loan it grants in a low-income geographic area so long as the total amount of loans forgiven by all localities does not exceed 30 percent of the amount appropriated to the Fund during the fiscal year. The bill provides that any locality that forgives such a loan remains obligated to pay the principal to the Commonwealth. This bill incorporates HB 751.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>HB 57</u></a> - Fowler, Jr. (55) Elections; date of June primary election.	12/2/2019 House: Referred to Committee on Privileges and Elections (HPE) 1/22/2020 House: Subcommittee recommends reporting (5-Y 1-N) 1/24/2020 House: Reported from HPE (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 (SPE) 2/18/2020 Senate: Reported from SPE (10-Y 2-N) 2/21/2020 Senate: Defeated by Senate (18-Y 19-N)	<b>1/28/2020</b>
<b>Support</b> (20101716D) - Board has historically supported. See also SB 316 (Kiggans). <b>Summary:</b> 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.		
<a href="#"><u>HB 173</u></a> - Krizek (44) Waterfowl blinds; blinds in locality where certain hunting prohibited.	12/26/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 1/20/2020 House: Subcommittee recommends reporting with substitute (5-Y 3-N) 1/22/2020 House: Reported from HAG with substitute (13-Y 9-N) 1/28/2020 House: Read third time and passed House (60-Y 36-N 1-A) 1/29/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/18/2020 Senate: Reported from Agriculture, Conservation and Natural Resources (13-Y 0-N) 2/21/2020 Senate: Passed Senate (33-Y 5-N)	<b>1/28/2020</b>
<b>Support</b> (20100497D) <b>Summary:</b> 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.		
<a href="#"><u>HB 201</u></a> - Ayala (51) Elections; same-day registration, same-day registration.	12/27/2019 House: Referred to Committee on Privileges and Elections (HPE) 1/28/2020 House: Subcommittee recommends reporting with substitute (4-Y 2-N) & referring to Committee on Appropriations 1/31/2020 House: Reported from HPE with substitute (13-Y 9-N) 1/31/2020 House: Referred to Committee on Appropriations 1/31/2020 House: Incorporates HB187 (Simon) 2/4/2020 House: Subcommittee recommends reporting (3-Y 2-N) 2/5/2020 House: Reported from Appropriations (12-Y 9-N) 2/10/2020 House: Read third time and passed House (53-Y 44-N) 2/11/2020 Senate: Referred to Committee on Privileges and Elections (SPE) 2/18/2020 Senate: Reported from SPE (9-Y 4-N) 2/18/2020 Senate: Re-referred to Finance and Appropriations	<b>2/11/2020</b>

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Bills	General Assembly Actions	Date of BOS Position
<p><b>Support</b> (20106843D) - Support with adequate state funding for implementation.  <b>Summary:</b> Elections; voter registration; extended time for persons to register in person. Provides any person who is qualified to vote is entitled to register to vote in person up to and including the day of the election at the office of the general registrar in the locality in which the person resides or at the polling place for the precinct in which the person resides. Under current law, registration records close for registration purposes, whether in person or by other means, 21 days prior to a primary or general election. The bill has a delayed effective date of October 1, 2022. The bill incorporates HB 187.</p>		
<p><a href="#"><b>HB 275</b></a> - Sullivan, Jr. (48) Judges; increases maximum number in judicial district.</p>	<p>12/30/2019 House: Referred to Committee for Courts of Justice  1/15/2020 House: Subcommittee recommends reporting (7-Y 1-N)  1/22/2020 House: Reported from Courts of Justice (20-Y 2-N)  1/28/2020 House: Read third time and passed House (87-Y 11-N)  1/29/2020 Senate: Referred to Committee on the Judiciary  2/12/2020 Senate: Reported from Judiciary (11-Y 0-N)  2/12/2020 Senate: Re-referred to Finance and Appropriations  2/19/2020 Senate: Reported from Finance and Appropriations (14-Y 0-N)  2/21/2020 Senate: Passed Senate (38-Y 0-N)</p>	<p><b>1/28/2020</b></p>
<p><b>Support</b> (20103853D) - Board has historically supported. See also SB 209 (Petersen).  <b>Summary:</b> 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>		
<p><a href="#"><b>HB 358</b></a> - Lopez (49) Project labor agreements; public procurement.</p>	<p>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)  1/31/2020 House: Incorporates HB 1202 (Tran)  1/30/2020 House: Reported from General Laws with substitute (13-Y 8-N)  2/5/2020 House: Read third time and passed House (54-Y 44-N)  2/6/2020 Senate: Referred to Committee on Commerce and Labor  2/17/2020 Senate: Reported from Commerce and Labor (8-Y 3-N 4-A)</p>	<p><b>1/28/2020</b></p>
<p><b>Support</b> (20101674D)  <b>Summary:</b> Authorizes any public body, including any state or local government, when engaged in procuring products or services or letting contracts for construction, manufacture, maintenance, or operation of public works, to require bidders to enter into or adhere to project labor agreements on the public works projects. The bill incorporates HBs 122, 1202, and 1311.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>HB 378</u></a> - Rasoul (11) Comprehensive harm reduction programs; public health emergency, repeal sunset provision.	1/2/2020 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 1/21/2020 House: Reported from HHWI (22-Y 0-N) 1/27/2020 House: Read third time and passed House (95-Y 3-N) 1/28/2020 Senate: Referred to Committee on Education and Health (SEH) 2/13/2020 Senate: Reported from SEH (13-Y 0-N) 2/13/2020 Senate: Re-referred to Finance and Appropriations 2/19/2020 Senate: Reported from Finance and Appropriations (15-Y 0-N) 2/21/2020 Senate: Passed Senate (38-Y 0-N)	<b>1/28/2020</b>
<b>Support</b> (20102454D) - See also SB 864 (Pillion). <b>Summary:</b> 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.		
<a href="#"><u>HB 421</u></a> - 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	<b>1/28/2020</b>
<b>Support</b> (20100939D) <b>Summary:</b> 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.		
<a href="#"><u>HB 438</u></a> - 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) 2/10/2020 House: Committee on Labor and Commerce substitute rejected 20106944D-H1	<b>1/28/2020</b>

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Bills	General Assembly Actions	Date of BOS Position
	2/11/2020 House: Committee on Appropriations substitute agreed to 20108008D-H2 2/11/2020 House: Read third time and passed House (96-Y 0-N) 2/12/2020 Senate: Referred to Committee on Commerce and Labor (SCL) 2/17/2020 Senate: Reported from SCL (13-Y 1-N) 2/17/2020 Senate: Re-referred to Finance and Appropriations	
<p><b>Support</b> (20102221D)</p> <p><b>Summary:</b> 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. "Qualifying event" includes an event occurring in the line of duty on or after July 1, 2020, that results in serious bodily injury or death to any person or persons; involves a minor who has been injured, killed, abused, or exploited; involves an immediate threat to the life of the claimant or another individual; involves mass casualties; or occurs while responding to a crime scene for investigation. 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 also establishes requirements for resilience and self-care technique training.</p>		
<p><b><u>HB 534</u></b> - Carr (69)            Disposable plastic bag; local tax.</p>	1/5/2020 House: Referred to Committee on Finance 1/29/2020 House: Referred from Finance by voice vote 1/29/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/5/2020 House: Subcommittee recommends reporting with substitute (6-Y 2-N) 2/5/2020 House: Reported from Agriculture, Chesapeake and Natural Resources with substitute (13-Y 9-N) 2/11/2020 House: Read third time and defeated by House (50-Y 49-N) 2/11/2020 House: Requires 51 affirmative votes for passage 2/11/2020 House: Reconsideration of defeated action agreed to by House 2/11/2020 House: Passed House (52-Y 46-N) 2/12/2020 Senate: Referred to Committee on Finance and Appropriations	<p><b>1/28/2020</b></p>

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Bills	General Assembly Actions	Date of BOS Position
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**Support** (20101570D) - Support effort to reduce waste from plastic bags, but revenue generated should be directed to localities as they are responsible for solid waste management.

**Summary:** Plastic bag fee. Imposes, beginning July 1, 2021, a statewide fee of five cents per bag on disposable plastic bags provided to consumers of tangible personal property, with certain bags being exempt from the fee. Revenues from the fee are collected by the Tax Commissioner and distributed equally into the Virginia Water Quality Improvement Fund and the Litter Control and Recycling Fund. The bill also allows every retailer that collects the fee to retain one cent of the five-cent fee, provided that such retailer discounts are accounted for in the form of a deduction when submitting the tax return and the amount due is paid in a timely manner.

**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)  
2/10/2020 House: Read third time and passed House (55-Y 44-N)  
2/11/2020 Senate: Referred to Committee on Rehabilitation and Social Services  
2/21/2020 Senate: Reported from Rehabilitation and Social Services (9-Y 4-N)

**1/28/2020**

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

**Summary:** Eligibility for food stamps and TANF; drug-related felonies. Provides that a person who is otherwise eligible to receive food stamp benefits shall not be denied such assistance solely because he has been convicted of a drug-related felony. Under current law, such individuals may not be denied food stamp benefits based on a felony conviction of possession of a controlled substance in violation of § 18.2-250, provided that such person is complying with, or has already complied with, all obligations imposed by the criminal court, is actively engaged in or has completed a substance abuse treatment program, participates in periodic drug screenings, and meets any other obligations as determined by the Department of Social Services. The bill also provides that a person who is otherwise eligible to receive TANF benefits shall not be denied such assistance solely because he has been convicted of a drug-related felony. This bill incorporates HB 391, HB 786, HB 814, and HB 1130.

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>HB 572</u></a> - Keam (35) Distributed renewable energy; promotes the establishment thereof.	1/6/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/15/2020 House: Referred from Agriculture, Chesapeake and Natural Resources by voice vote 1/15/2020 House: Referred to Committee on Labor and Commerce 1/30/2020 House: Subcommittee recommends reporting (8-Y 2-N) 2/4/2020 House: Incorporates HB 912 (Simon) 2/4/2020 House: Reported from Labor and Commerce with substitute (16-Y 6-N) 2/7/2020 House: Read third time and passed House (67-Y 31-N) 2/10/2020 Senate: Referred to Committee on Commerce and Labor	<b>1/28/2020</b>

**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.

<a href="#"><u>HB 590</u></a> - Guzman (31) Eligible housing areas; tax credit for participating landlords, expands definition.	1/6/2020 House: Referred to Committee on Finance (HFIN) 1/15/2020 House: Incorporates HB 1014 (Herring) 1/15/2020 House: Reported from HFIN with substitute (14-Y 7-N) 1/21/2020 House: Read third time and passed House (63-Y 36-N) 1/22/2020 Senate: Referred to Committee on Finance and Appropriations 2/18/2020 Senate: Reported from Finance and Appropriations with amendments (13-Y 0-N) 2/20/2020 Senate: Passed Senate with amendments (40-Y 0-N)	<b>1/28/2020</b>
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**Support** (20105800D-H1)

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

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>HB 598</u></a> - 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 (SRSS) 2/7/2020 Senate: Reported from SRSS (13-Y 1-N) 2/11/2020 Senate: Passed Senate (40-Y 0-N) 2/13/2020 House: Enrolled 2/13/2020 House: Signed by Speaker 2/13/2020 Senate: Signed by President 2/17/2020 House: Enrolled Bill communicated to Governor on February 17, 2020 2/17/2020 Governor: Governor's Action Deadline 11:59 p.m., February 24, 2020	<b>2/11/2020</b>

**Support** (20104949D-E) - See also SB 212 (Favola).

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

<a href="#"><u>HB 674</u></a> - 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	<b>2/11/2020</b>
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**Support** (20104741D) - Support concept of substantial risk orders as set forth in SB 240.

**Summary:** Firearms; removal from persons posing substantial risk; penalties. Creates a procedure by which any attorney for the Commonwealth or 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

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Bills	General Assembly Actions	Date of BOS Position
<p>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>		
<p><b><u>HB 696</u></b> - Roem (13) Local human rights ordinances; sexual orientation and gender identity.</p>	<p>1/6/2020 House: Referred to Committee on Counties, Cities and Towns 1/31/2020 House: Reported from Counties, Cities and Towns (19-Y 2-N) 2/6/2020 House: Read third time and passed House (75-Y 24-N) 2/7/2020 Senate: Referred to Committee on Local Government 2/17/2020 Senate: Reported from Local Government (13-Y 1-N 1-A) 2/19/2020 Senate: Passed Senate (34-Y 5-N) 2/21/2020 House: Enrolled</p>	<p><b>1/28/2020</b></p>
<p><b>Support</b> (20104504D) - Board has historically supported. <b>Summary:</b> Provides that localities may prohibit discrimination in housing, employment, public accommodations, credit, and education on the basis of sexual orientation and gender identity.</p>		
<p><b><u>HB 714</u></b> - Reid (32) Virginia Energy Plan; climate change pressing challenge.</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 2/4/2020 House: Subcommittee recommends reporting with substitute (6-Y 4-N) 2/6/2020 House: Reported from Labor and Commerce with substitute (13-Y 9-N) 2/11/2020 House: Read third time and passed House (55-Y 45-N) 2/12/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/18/2020 Senate: Re-referred to Commerce and Labor</p>	<p><b>2/11/2020</b></p>

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Bills	General Assembly Actions	Date of BOS Position
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**Support** (20104864D)

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

**HB 726** - Reid (32)  
Comprehensive plan;  
adoption or disapproval  
by governing body.

1/6/2020 House: Referred to Committee on Counties, Cities and Towns  
1/31/2020 House: Reported from Counties, Cities and Towns with amendments (21-Y 0-N)  
2/6/2020 House: Read third time and passed House (99-Y 0-N)  
2/7/2020 Senate: Referred to Committee on Local Government  
2/17/2020 Senate: Reported from Local Government (13-Y 2-N)  
2/19/2020 Senate: Passed Senate (38-Y 1-N)  
2/21/2020 House: Enrolled

**1/28/2020**

**Support** (20104803D) - See also SB 746 (Bell).

**Summary:** Comprehensive plan. Extends the time by which a governing body is required to approve or disapprove a locality-initiated comprehensive plan amendment for more than 25 parcels from 90 to 150 days.

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>HB 742</u></a> - Bulova (37) Unmanned aircraft; political subdivision may regulate take-off and landing of system, etc.	1/6/2020 House: Referred to Committee on Communications, Technology and Innovation 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 Communications, Technology and Innovation 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 2/17/2020 Senate: Reported from Local Government with substitute (15-Y 0-N) 2/19/2020 Senate: Passed Senate with substitute (39-Y 0-N) 2/19/2020 Senate: Reconsideration of Senate passage agreed to by Senate (39-Y 0-N) 2/19/2020 Senate: Passed Senate with substitute (39-Y 0-N) 2/21/2020 House: Senate substitute agreed to by House 20108316D-S1 (96-Y 0-N)	<b>2/11/2020</b> <del>1/28/2020</del>
<p><b>Support</b> (20106234D-H1) <del><b>Support</b> (20102308D)</del> <del>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).</del></p> <p><b>Summary:</b> 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>		
<a href="#"><u>HB 778</u></a> - 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 2/7/2020 Senate: Reported from Rehabilitation and Social Services (14-Y 0-N) 2/11/2020 Senate: Passed Senate (40-Y 0-N) 2/11/2020 Senate: Reconsideration of Senate passage agreed to by Senate (33-Y 6-N) 2/11/2020 Senate: Passed Senate (40-Y 0-N)	<b>1/28/2020</b>

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Bills	General Assembly Actions	Date of BOS Position
	2/13/2020 House: Enrolled 2/13/2020 House: Signed by Speaker 2/13/2020 Senate: Signed by President 2/17/2020 House: Enrolled Bill communicated to Governor on February 17, 2020 2/17/2020 Governor: Governor's Action Deadline 11:59 p.m., February 24, 2020	
<b>Support</b> (20100614D) <b>Summary:</b> 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.		
<a href="#"><b>HB 785</b></a> - Watts (39) Local taxing authority; equalizes city and county taxing authorities.	1/7/2020 House: Referred to Committee on Finance (HFIN) 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 HFIN with substitute (13-Y 9-N) 2/11/2020 House: Read third time and passed House (60-Y 38-N 1-A) 2/12/2020 Senate: Referred to Committee on Finance and Appropriations (SFIN) 2/19/2020 Senate: Reported from SFIN with substitute (15-Y 1-N) 2/21/2020 Senate: Passed Senate with substitute (23-Y 12-N)	<b>1/28/2020</b>
<b>Support</b> (20104813D) - <b><u>Support with amendments to eliminate restrictions on local revenue authority. Board has historically supported equal taxing authority for counties and cities.</u></b> <b>Summary:</b> 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.		
<a href="#"><b>HB 812</b></a> - 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	<b>1/28/2020</b>
<b>Support</b> (20103354D) - See also SB 69 (Locke). <b>Summary:</b> Purchase of handguns; limitation on handgun purchases; penalty. Prohibits any person who is not a licensed firearms dealer from purchasing more than one handgun in a 30-day period and makes such an offense a Class 1 misdemeanor. The bill exempts from this provision (i) persons who have been issued a certificate by the Department of State Police under certain circumstances and with an enhanced background check, (ii) law-enforcement agencies and officers, (iii) state and local correctional facilities, (iv) licensed private security companies, (v) persons whose handgun has been stolen or irretrievably lost or who are trading in a handgun, and (vi) purchases of antique firearms. This bill incorporates HB 1502.		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>HB 854</u></a> - Murphy (34) Affordable housing; VHDA, et al., to study ways to develop.	1/7/2020 House: Referred to Committee on Rules 2/3/2020 House: Subcommittee recommends reporting (5-Y 0-N) 2/7/2020 House: Reported from Rules with substitute (17-Y 0-N) 2/11/2020 House: Read third time and passed House (99-Y 0-N) 2/12/2020 Senate: Referred to Committee on Rules 2/21/2020 Senate: Reported from Rules (15-Y 0-N)	[2/21/2020]
<p>[Support] (20107775D-H1) - Local representation on the work group would be helpful.</p> <p><b>Summary:</b> Study; Department of Housing and Community Development and Virginia Housing and Development Authority; ways to incentivize the development of affordable housing in the Commonwealth of Virginia. Requests the Department of Housing and Community Development and the Virginia Housing and Development Authority to convene a stakeholder advisory group to (i) determine the quantity and quality of affordable housing across the Commonwealth, (ii) conduct a review of current programs and policies to determine the effectiveness of current housing policy efforts, (iii) develop an informed projection of future housing needs in the Commonwealth and determine the order of priority of those needs, and (iv) make recommendations for the improvement of housing policy in the Commonwealth.</p>		
<a href="#"><u>HB 972</u></a> - Herring (46) Marijuana; possession and consumption, penalty.	1/7/2020 House: Referred to Committee for Courts of Justice 2/5/2020 House: Incorporates HB 265 (Heretick) 2/5/2020 House: Incorporates HB 481 (Kory) 2/5/2020 House: Incorporates HB 301 (Levine) 2/5/2020 House: Reported from Courts of Justice with substitute (13-Y 9-N) 2/5/2020 House: Reported from Courts of Justice with substitute (13-Y 8-N) 2/10/2020 House: Read third time and passed House (64-Y 34-N) 2/11/2020 Senate: Referred to Committee on the Judiciary 2/19/2020 Senate: Reported from Judiciary with substitute (10-Y 4-N) 2/19/2020 Senate: Re-referred to Finance and Appropriations	[2/21/2020]
<p>[Support] (20108635D-S1)</p> <p><b>Summary:</b> Decriminalizes simple marijuana possession and provides a civil penalty of no more than \$25. Current law imposes a maximum fine of \$500 and a maximum 30-day jail sentence for a first offense, and subsequent offenses are a Class 1 misdemeanor. The bill provides that any violation of simple possession of marijuana shall be charged by a summons in form the same as the uniform summons for motor vehicle law violations and that no court costs shall be assessed for such violations. The bill also provides that a person's criminal history record information shall not include records of any charges or judgments for such violations and records of such charges or judgments shall not be reported to the Central Criminal Records Exchange. Additionally, the bill provides that the suspended sentence/substance abuse screening provisions and driver's license suspension provisions apply only to criminal violations or to civil violations by a juvenile. The bill defines "marijuana" to include hashish oil and creates a rebuttable presumption that a person who possesses no more than one ounce of marijuana possesses it for personal use. 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.</p>		

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<a href="#"><b>HB 1004</b></a> - Mullin (93) Protective orders; possession of firearms, surrender or transfer of firearms, penalty.	1/7/2020 House: Referred to Committee on Public Safety 1/24/2020 House: Incorporates HB 856 (Murphy) 1/24/2020 House: Reported from Public Safety 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	<b>2/11/2020</b>
<p><b>Support</b> (20106626D-H1) - Board has historically supported. See also SB 479 (Howell).  <b>Summary:</b> 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. This bill incorporates HB 856.</p>		
<a href="#"><b>HB 1078</b></a> - Hope (47) Virginia Public Procurement Act; process for competitive negotiation, etc.	1/7/2020 House: Referred to Committee on General Laws (HGL) 1/28/2020 House: Subcommittee recommends reporting with amendment (5-Y 3-N) 1/30/2020 House: Reported from HGL 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	<b>1/28/2020</b>
<p><b>Support</b> (20104594D)  <b>Summary:</b> Virginia Public Procurement Act; process for competitive negotiation; including employment of persons with a disability as a factor in evaluating proposals. Provides that, except with regard to contracts for architectural or professional engineering services, a public body may include a proposer's employment of persons with disabilities to perform the specifications of the contract as a factor in evaluating a proposal.</p>		

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<a href="#"><u>HB 1083</u></a> - Hayes, Jr. (77) Minors; allowing access to firearms, Class 6 felony.	1/7/2020 House: Referred to Committee on Public Safety 1/24/2020 House: Incorporates HB 463 (Hayes) 1/24/2020 House: Incorporates HB 72 (Kory) 1/24/2020 House: Reported from Public Safety with substitute (13-Y 9-N) 1/30/2020 House: Read third time and passed House (54-Y 46-N) 1/31/2020 Senate: Referred to Committee on the Judiciary	<b>1/28/2020</b>
<b>Support</b> (20102956D) - See also SB 581 (Howell). <b>Summary:</b> 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. This bill incorporates HB 463 and HB 72.		
<a href="#"><u>HB 1151</u></a> - Lopez (49) Plastic bag tax; use of revenues.	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) 2/10/2020 House: Read third time and passed House (50-Y 46-N) 2/12/2020 Senate: Referred to Committee on Finance and Appropriations	<b>1/28/2020</b>
<b>Support</b> (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. <b>Summary:</b> Allows localities to impose a five-cent (\$0.05) per bag tax on plastic bags provided to customers by retailers in grocery stores, convenience stores, restaurants, or drugstores. Certain products are exempt from the tax. The bill directs revenue from the local tax to be deposited into the Virginia Water Quality Improvement Fund and the Virginia Natural Resources Commitment Fund. The bill allows every restaurant or retailer that collects the tax to retain one cent of the five-cent tax if the tax is paid in a timely manner. The bill incorporates HB 1673.		
<a href="#"><u>HB 1184</u></a> - 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) 2/11/2020 House: Read third time and passed House (56-Y 44-N) 2/12/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/18/2020 Senate: Re-referred to Commerce and Labor	<b>1/28/2020</b>
<b>Support</b> (20104922D) - Board has historically supported.		

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**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.

**HB 1196** - Lopez (49)  
Driver's license;  
suspension for  
nonpayment of fines or  
costs.

1/7/2020 House: Referred to Committee on Transportation  
1/21/2020 House: Referred from Transportation by voice vote  
1/21/2020 House: Referred to Committee for Courts of Justice  
1/29/2020 House: Subcommittee recommends reporting with  
substitute (7-Y 1-N)  
1/31/2020 House: Incorporates HB 17 (Carroll Foy)  
1/31/2020 House: Reported from Courts of Justice with  
substitute (14-Y 3-N)  
2/7/2020 House: Read third time and passed House (72-Y 27-  
N)  
2/10/2020 Senate: Referred to Committee on Transportation  
2/20/2020 Senate: Reported from Transportation with  
amendments (13-Y 2-N)  
2/20/2020 Senate: Re-referred to Finance and Appropriations

**1/28/2020**

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

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

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Bills	General Assembly Actions	Date of BOS Position
<b><u>HB 1201</u></b> - 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) 2/11/2020 House: Read third time and passed House (56-Y 43-N) 2/12/2020 Senate: Referred to Committee on General Laws and Technology 2/19/2020 Senate: Reported from General Laws and Technology with substitute (12-Y 0-N 1-A)	<b>1/28/2020</b>
<b>Support</b> (20105099D) <b>Summary:</b> Virginia Public Procurement Act; determination of nonresponsibility; local option to include criteria in invitation to bid. Allows any locality to include in the invitation to bid criteria that may be used in determining whether a bidder who is not prequalified by the Virginia Department of Transportation is a responsible bidder. Such criteria may include a history or good faith assurances of (i) completion by the bidder and any potential subcontractors of specified safety training programs established the U.S. Department of Labor, Occupational Safety and Health Administration; (ii) participation by the bidder and any potential subcontractors in apprenticeship training programs approved by state agencies or the U.S. Department of Labor; or (iii) maintenance by the bidder and any potential subcontractors of records of compliance with applicable local, state, and federal laws.		
<b><u>HB 1210</u></b> - 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	<b>2/11/2020</b>
<b>Support with Amendment</b> (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. <b>Summary:</b> 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		

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Bills	General Assembly Actions	Date of BOS Position
age within the Indian reservation are members of a single language minority and are unable to speak or understand English adequately enough to participate in the electoral process and (ii) the illiteracy rate of the citizens of the language minority as a group is higher than the national illiteracy rate. The bill also allows the State Board to make available voting and election materials in any additional languages other than those required as it deems necessary and appropriate. The State Board may accept voting and election materials translated by volunteers but shall verify the accuracy of such translations prior to making the translated materials available to a county, city, or town, or any voter. The bill has a delayed effective date of September 1, 2021.		
<a href="#"><u>HB 1211</u></a> - 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 (12-Y 8-N) 2/11/2020 House: Read third time and passed House (57-Y 42-N) 2/12/2020 Senate: Referred to Committee on Transportation 2/20/2020 Senate: Reported from Transportation with substitute (8-Y 7-N) 2/20/2020 Senate: Re-referred to Finance and Appropriations	<b>1/28/2020</b>
<b>Support</b> (20103891D) <b>Summary:</b> Department of Motor Vehicles; driver documents and reexamination fees. Removes the citizenship and legal presence requirements for obtaining a driver's license or special identification card. The bill requires the Department of Motor Vehicles to cancel any (i) REAL ID-compliant driver's license or special identification card and (ii) commercial driver's license or commercial learner's permit if the Department is notified by a federal agency that the individual to whom such document was issued is not in compliance with the citizenship and lawful residency requirements for such license, card, or permit. The bill prohibits the release, with some exceptions, of proof documents and information about them, applications relating to the issuance of a driving credential or a special identification card, and photographs of the applicant. The bill creates a \$5 reexamination fee for the administration of a knowledge or skills test for obtaining a driver's license, learner's permit, motorcycle license, or commercial driver's license. The bill has a delayed effective date of January 1, 2021, and contains technical amendments.		
<a href="#"><u>HB 1217</u></a> - 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	<b>1/28/2020</b>

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Bills	General Assembly Actions	Date of BOS Position
<b>Support</b> (20104450D) <b>Summary:</b> 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.		
<a href="#"><b>HB 1222</b></a> - Tran (42) Notaries; satisfactory evidence of identity, persons in nursing homes or assisted living facilities.	1/7/2020 House: Referred to Committee for Courts of Justice 1/24/2020 House: Subcommittee recommends reporting (8-Y 0-N) 1/27/2020 House: Reported from Courts of Justice (20-Y 0-N) 1/31/2020 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/3/2020 Senate: Referred to Committee on the Judiciary 2/19/2020 Senate: Reported from Judiciary (13-Y 0-N)	[2/21/2020]
<b>[Support]</b> (20104149D) <b>Summary:</b> Notaries; satisfactory evidence of identity; persons in nursing homes or assisted living facilities. Allows expired state issued driver's licenses or state issued identification cards and expired passports to be used as a means of identification for notarial purposes for individuals residing in nursing homes or assisted living facilities, provided such expired documents expired within five years of the date of use for such identification purposes.		
<a href="#"><b>HB 1288</b></a> - Murphy (34) Firearms; purchase, possession, etc., following certain convictions, penalty.	1/8/2020 House: Referred to Committee on Public Safety 2/4/2020 House: Subcommittee recommends reporting with substitute (5-Y 3-N) 2/7/2020 House: Incorporates HB 78 (Kory) 2/7/2020 House: Incorporates HB 900 (Levine) 2/7/2020 House: Incorporates HB 459 (Sullivan) 2/7/2020 House: Reported from Public Safety with substitute (11-Y 9-N) 2/11/2020 House: Read third time and passed House (52-Y 47-N) 2/12/2020 Senate: Referred to Committee on the Judiciary	[2/21/2020]
<b>[Support]</b> (20107549D-H1) <b>Summary:</b> Purchase, possession, or transportation of firearms following conviction for assault and battery of a family or household member; permit to restore rights; penalties. Prohibits a person who has been convicted of stalking, sexual battery, assault and battery of a family or household member, or assault and battery when the person intentionally selects the person against whom a simple assault is committed because of his race, religious conviction, color, or national origin from purchasing, possessing, or transporting a firearm. A person who violates this provision is guilty of a Class 1 misdemeanor. The bill provides for a process by which a person convicted of such crime may petition the circuit court for a reinstatement of his right to possess or transport a firearm and the factors a court shall consider in determining such reinstatement. This bill incorporated HB 78, HB 900, and HB 459.		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><b>HB 1391</b></a> - 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) 2/10/2020 House: Read third time and passed House (79-Y 20-N) 2/11/2020 Senate: Referred to Committee on the Judiciary	<b>2/11/2020</b> <del>1/28/2020</del>
<p><b>Support</b> (20106945D) - Bill has been amended to include language that would protect the County's affordable dwelling unit program. See also SB 253 (Chafin). <del><b>Oppose</b> (20102582D) - See also SB 253 (Chafin).</del></p> <p><b>Summary:</b> Specifies that a trustee under a deed of trust has only the duties, rights, and obligations imposed and conferred on it by the deed of trust or by statute. The bill further requires that a trustee shall comply with all restrictive covenants regarding the affordability of the property and that a trustee under a deed of trust is a fiduciary for both the debtor and the creditor. This bill is in response to Crosby v. ALG Trustee, LLC, 296 Va. 561 (2018).</p>		
<a href="#"><b>HB 1439</b></a> - Jones (89) Transportation safety; adopting several initiatives.	1/8/2020 House: Referred to Committee on Transportation 1/27/2020 House: Subcommittee recommends reporting with substitute (5-Y 2-N) and referring to Committee on Appropriations (HAPP) 1/30/2020 House: Reported from Transportation with substitute (12-Y 10-N) 1/30/2020 House: Referred to HAPP 2/7/2020 House: Subcommittee recommends reporting with substitute (5-Y 2-N) 2/7/2020 House: Reported from HAPP with substitute (12-Y 9-N) 2/10/2020 House: Committee on Transportation substitute rejected 20107173D-H1 2/10/2020 House: HAPP substitute agreed to 20107985D-H2 2/11/2020 House: Read third time and passed House (52-Y 48-N) 2/12/2020 Senate: Referred to Committee on Transportation 2/20/2020 Senate: Reported from Transportation with substitute (10-Y 5-N) 2/20/2020 Senate: Re-referred to Finance and Appropriations	[2/21/2020]
<p>[Support] (20107985D-H2)</p> <p><b>Summary:</b> Transportation safety. Adopts several initiatives related to transportation and safety, including (i) making it illegal to possess an open container of alcohol in a motor vehicle; (ii) requiring all passengers in a vehicle to wear safety belts and making failure to wear a safety belt a primary offense; (iii) prohibiting the use of handheld personal communication devices; (iv) establishing a speed monitoring program in highway safety corridors that uses a vehicle sensor to take a picture of a vehicle traveling more than 10 miles over the speed limit, subjecting the driver to a monetary fine; and (v) allowing localities to lower the speed limit below 25 miles per hour in business and residential districts. The bill directs the Commissioner of the Department of Motor Vehicles to establish an advisory committee to oversee education and training materials and implementation and enforcement of policies such as the bill's safety belt and handheld personal communications device provisions. The bill decreases the frequency of vehicle inspections from every 12 months to every 24 months. The bill contains numerous technical amendments.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><b><u>HB 1518</u></b> - McQuinn (70) Primary and secondary highways; compensation of counties for certain construction.</p>	<p>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) 2/10/2020 Senate: Referred to Committee on Transportation</p>	<p><b>1/28/2020</b></p>
<p><b>Support</b> (20103783D) <b>Summary:</b> 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>		
<p><b><u>HB 1526</u></b> - Sullivan, Jr. (48) Virginia Clean Economy Act.</p>	<p>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) 2/11/2020 House: Read third time and passed House (52-Y 47-N) 2/12/2020 Senate: Referred to Committee on Commerce and Labor</p>	<p><b>2/11/2020</b></p>
<p><b>Support</b> (20105072D) - See also SB 851 (McClellan). <b>Summary:</b> 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.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>HB 1534</u></a> - Samirah (86) Town taxes; collection by county.	1/10/2020 House: Referred to Committee on Counties, Cities and Towns (HCCT) 1/30/2020 House: Subcommittee recommends reporting (6-Y 0-N) 2/7/2020 House: Reported from HCCT (22-Y 0-N) 2/11/2020 House: Read third time and passed House (99-Y 0-N) 2/12/2020 Senate: Referred to Committee on Local Government	<b>1/28/2020</b>
<p><b>Support</b> (20105339D) - See also SB 649 (Boysko).</p> <p><b>Summary:</b> 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>		
<a href="#"><u>HB 1552</u></a> - Levine (45) Tethering animals; adequate shelter and space.	1/11/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 1/29/2020 House: Subcommittee recommends reporting with substitute (5-Y 3-N) 2/5/2020 House: Reported from HAG with substitute (12-Y 10-N) 2/11/2020 House: Read third time and passed House (64-Y 33-N) 2/12/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources	<b>1/28/2020</b>
<p><b>Support</b> (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><b>Summary:</b> Tethering animals; adequate shelter. Provides that outdoor tethering of an animal does not meet the requirement that an animal be given adequate shelter (i) unless the animal is safe from predators and well suited and well equipped to tolerate its environment or (ii) during a heat advisory or during the effective period for a severe weather warning.</p>		
<a href="#"><u>HB 1587</u></a> - Hope (47) Investment of public funds; ratings agencies.	1/14/2020 House: Referred to Committee on General Laws 1/30/2020 House: Subcommittee recommends reporting with substitute (7-Y 0-N) 2/4/2020 House: Reported from General Laws with substitute (21-Y 0-N) 2/7/2020 House: Read third time and passed House (100-Y 0-N) 2/10/2020 Senate: Referred to Committee on Finance and Appropriations (SFIN) 2/19/2020 Senate: Reported from SFIN (15-Y 1-N) 2/21/2020 Senate: Passed Senate (35-Y 0-N)	[2/21/2020]
<p>[Support] (20107152D-H1)</p> <p><b>Summary:</b> Allows ratings by Fitch Ratings to be used for determining whether certain investments are permissible for public funds. Under current law, only ratings by Standard &amp; Poor's or Moody's Investors Service may be used. The bill contains technical amendments, including the removal of obsolete references to ratings by Duff &amp; Phelps.</p>		

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<a href="#"><u>HB 1644</u></a> - 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) 2/11/2020 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/12/2020 Senate: Referred to Committee on Transportation	<b>1/28/2020</b>
<b>Support</b> (20101622D) - Board has historically supported. <b>Summary:</b> 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.		
<a href="#"><u>HB 1705</u></a> - 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) 2/11/2020 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/12/2020 Senate: Referred to Committee on Transportation	<b>1/28/2020</b>
<b>Support</b> (20105498D) - Board has historically supported. <b>Summary:</b> 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.		
<a href="#"><u>HJ 1</u></a> - Foy (2) United States Constitution; ratifies and affirms Equal Rights Amendment.	11/18/2019 House: Referred to Committee on Privileges and Elections 1/14/2020 House: Reported from Privileges and Elections (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 1/21/2020 Senate: Reported from Privileges and Elections (10-Y 5-N) 1/27/2020 Senate: Agreed to by Senate (27-Y 12-N)	<b>1/28/2020</b>
<b>Support</b> (20105798D-H1) - Board has historically supported. See also SJ 1 (McClellan). <b>Summary:</b> 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.		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>HJ 130</u></a> - Heretick (79) Cannabis and medical cannabis; JLARC to study options for regulation of adult use.	1/10/2020 House: Referred to Committee on Rules 1/29/2020 House: Subcommittee recommends reporting (4-Y 2-N) 2/7/2020 House: Reported from Rules with substitute (12-Y 5-N) 2/10/2020 House: Agreed to by House (70-Y 26-N) 2/11/2020 Senate: Referred to Committee on Rules	<b>2/11/2020</b>
<p><b>Support</b> (20105363D) - See also HJ 132 (Herring) and SJ 66 (Ebbin).</p> <p><b>Summary:</b> Study; JLARC; regulation of adult use of cannabis and medical cannabis; report. Directs the Joint Legislative Audit and Review Commission to study options for the regulation of adult use of cannabis and medical cannabis. The bill directs JLARC 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>		
<a href="#"><u>SB 1</u></a> - Stanley, Jr. (20) Driver's license; suspension for nonpayment of fines or costs.	11/18/2019 Senate: Referred to Committee on the Judiciary (SJUD) 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 SJUD with substitute (14-Y 0-N) 1/15/2020 Senate: Re-referred to Finance and Appropriations 1/29/2020 Senate: Reported from Finance and Appropriations with amendment (13-Y 2-N 1-A) 2/3/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/18/2020 House: Referred to Committee for Courts of Justice 2/19/2020 House: Reported from Courts of Justice with amendment (18-Y 3-N) 2/19/2020 House: Referred to Committee on Appropriations 2/21/2020 House: Reported from Appropriations (16-Y 6-N)	<b>1/28/2020</b>
<p><b>Support</b> (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><b>Summary:</b> 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
<b>SB 2</b> - Ebbin (30) Marijuana; decriminalization of simple possession, civil penalty.	11/18/2019 Senate: Referred to Committee on the Judiciary 1/29/2020 Senate: Incorporates SB 815 (Morrissey) 1/29/2020 Senate: Reported from Judiciary with substitute (10-Y 3-N) 1/29/2020 Senate: Re-referred to Finance and Appropriations 2/6/2020 Senate: Reported from Finance and Appropriations (12-Y 3-N) 2/11/2020 Senate: Engrossed by Senate - committee substitute with amendment 20106511D-ES1 2/11/2020 Senate: Passed Senate (27-Y 13-N) 2/14/2020 House: Referred to Committee for Courts of Justice 2/19/2020 House: Reported from Courts of Justice with substitute (12-Y 8-N) 2/19/2020 House: Referred to Committee on Appropriations 2/21/2020 House: Reported from Appropriations with substitute (16-Y 6-N)	[2/21/2020]

[Support] (20108640D-H1)

**Summary:** Decriminalizes simple marijuana possession and provides a civil penalty of no more than \$25. Current law imposes a maximum fine of \$500 and a maximum 30-day jail sentence for a first offense, and subsequent offenses are a Class 1 misdemeanor. The bill provides that any violation of simple possession of marijuana shall be charged by a summons in form the same as the uniform summons for motor vehicle law violations and that no court costs shall be assessed for such violations. The bill also provides that a person's criminal history record information shall not include records of any charges or judgments for such violations and records of such charges or judgments shall not be reported to the Central Criminal Records Exchange. Additionally, the bill provides that the suspended sentence/substance abuse screening provisions and driver's license suspension provisions apply only to criminal violations or to civil violations by a juvenile. The bill defines "marijuana" to include hashish oil and creates a rebuttable presumption that a person who possesses no more than one ounce of marijuana possesses it for personal use. The bill also (i) makes records relating to the arrest, criminal charge, or conviction of possession of marijuana not open to public inspection and disclosure, except in certain circumstances; (ii) prohibits employers and educational institutions from requiring an applicant for employment or admission to disclose information related to such arrest, criminal charge, or conviction; and (iii) prohibits agencies, officials, and employees of the state and local governments from requiring an applicant for a license, permit, registration, or governmental service to disclose information concerning such arrest, criminal charge, or conviction. 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.

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Bills	General Assembly Actions	Date of BOS Position
<p><b><u>SB 8</u></b> - Saslaw (35) Prevailing wage; public works contracts, penalty, effective clause.</p>	<p>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) 2/11/2020 Senate: Passed Senate (21-Y 19-N) 2/18/2020 House: Referred to Committee on Labor and Commerce</p>	<p><b>1/28/2020</b></p>
<p><b>Support</b> (20100503D) <b>Summary:</b> 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 provisions of the bill would not apply to any contract for public works of \$250,000 or less. The Commissioner of Labor and Industry is required to determine the prevailing wage rate for such public contracts on the basis of applicable prevailing wage rate determinations made by the U.S. Secretary of Labor under the provisions of the federal Davis-Bacon Act. A contractor or subcontractor who willfully employs any mechanic, laborer, or worker to perform work contracted to be done under the public contract at a rate that is less than the prevailing wage rate is guilty of a Class 1 misdemeanor. In addition, such a contractor or subcontractor shall be liable to such individuals for the payment of all wages due plus interest and shall be disqualified from bidding on public contracts with any public body until full restitution has been paid to the individuals. The provisions of the bill are contingent on funding in a general appropriation act.</p>		
<p><b><u>SB 11</u></b> - Ebbin (30) Disposable plastic bags; local taxation per bag in Planning District 8 when provided to consumers.</p>	<p>11/18/2019 Senate: Referred to Committee on Finance and Appropriations (SFIN) 2/10/2020 Senate: Incorporates SB 26 (Petersen) 2/10/2020 Senate: Incorporates SB 198 (Locke) 2/10/2020 Senate: Reported from SFIN with substitute (10-Y 6-N) 2/11/2020 Senate: Committee on Finance and Appropriations substitute rejected 20108122D-S1 (20-Y 20-N); Chair votes No 2/11/2020 Senate: Substitute by Senator Newman agreed to 20108122D-S2 2/11/2020 Senate: Passed Senate (26-Y 14-N) 2/14/2020 House: Referred to Committee on Finance (HFIN) 2/19/2020 House: Reported from HFIN with substitute (13-Y 9-N)</p>	<p><b>1/28/2020</b></p>
<p><b>Support</b> (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. <b>Summary:</b> 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.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><b><u>SB 34</u></b> - Surovell (36) Driver privilege cards; definitions, effective date, report.</p>	<p>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) 2/11/2020 Senate: Engrossed by Senate - floor substitute with amendment 20108060D-ES2 2/11/2020 Senate: Passed Senate (22-Y 18-N) 2/14/2020 House: Referred to Committee on Transportation 2/18/2020 House: Subcommittee recommends reporting with substitute (6-Y 4-N) 2/20/2020 House: Reported from Transportation with substitute (13-Y 9-N) 2/20/2020 House: Referred to Committee on Appropriations 2/21/2020 House: Reported from Appropriations (14-Y 7-N)</p>	<p>2/14/2020 <b>2/11/2020</b></p>
<p><i>Support (20108060D-S2) - The County supports legislation to allow all qualified Virginians to drive legally, with a preference for allowing qualified Virginia drivers to obtain driver's licenses. <del>Support (20107461D-S1)</del></i></p> <p><b>Summary:</b> Driver privilege cards; penalty. Authorizes the issuance of new driver privilege cards by the Department of Motor Vehicles to an applicant who (i) has reported income from Virginia sources on an individual tax return filed with the Commonwealth in the preceding 12 months and (ii) is not in violation of the insurance requirements for the registration of an uninsured motor vehicle. The bill provides that driver privilege cards shall confer the same privileges and shall be subject to the same provisions as driver's licenses and permits; however, driver privilege cards shall not (a) confer voting privileges, (b) permit an individual to waive any part of the driver examination, or (c) have their issuance be contingent upon the applicant's ability to produce proof of legal presence in the United States. The bill limits the release of certain information stored by the Department. The bill provides for the term "driver's license" to consistently refer to all driver's licenses, permits, driver privilege cards, and special identification cards issued by the Commonwealth or the comparable law of another jurisdiction. The bill allows the issuance of a limited-duration driver's license and special identification card to an applicant presenting valid documentary evidence that a federal court or federal agency having jurisdiction over immigration has authorized the applicant to be in the United States for a period of at least 30 days from the date of application. The bill authorizes the Tax Commissioner to provide to the Commissioner of the Department information sufficient to verify that an applicant for a driver privilege card or permit reported income from Virginia sources on an individual tax return filed with the Commonwealth in the preceding 12 months. The bill has a delayed effective date of January 1, 2021. This bill incorporates SB 643.</p>		
<p><b><u>SB 35</u></b> - Surovell (36) Firearms, etc.; permitted events.</p>	<p>11/18/2019 Senate: Referred to Committee on the Judiciary (SJUD) 1/13/2020 Senate: Incorporates SB 615 (Deeds) 1/13/2020 Senate: Incorporates SB 450 (Edwards) 1/13/2020 Senate: Incorporates SB 505 (Edwards) 1/13/2020 Senate: Incorporates SB 506 (Edwards) 1/13/2020 Senate: Reported from Judiciary with substitute (9-Y 5-N) 1/16/2020 Senate: Read third time and passed Senate (21-Y 19-N) 2/21/2020 House: Referred to Committee on Public Safety (HPS) 2/21/2020 House: Reported from HPS with substitute (13-Y 9-N)</p>	<p><b>1/28/2020</b></p>

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Bills	General Assembly Actions	Date of BOS Position
<p><b>Support</b> (20105646D-S1) - Collaborate with stakeholders to ensure bill can be successfully implemented.</p> <p><b>Summary:</b> 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.</p>		
<p><b><u>SB 40</u></b> - DeSteph (8) Line of Duty Act; eligible dependents.</p>	<p>11/18/2019 Senate: Referred to Committee on Finance and Appropriations (SFIN) 1/28/2020 Senate: Reported from SFIN with substitute (15-Y 0-N) 1/31/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Appropriations</p>	<p><b>1/28/2020</b></p>
<p><b>Support</b> (20100676D) <b>Summary:</b> 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.</p>		
<p><b><u>SB 65</u></b> - Locke (2) Voter identification; repeal of photo identification requirements.</p>	<p>11/21/2019 Senate: Referred to Committee on Privileges and Elections (SPE) 1/28/2020 Senate: Incorporates SB 113 (Deeds) &amp; SB 123 (Barker) 1/28/2020 Senate: Reported from SPE with substitute (9-Y 6-N) 2/3/2020 Senate: SPE substitute rejected 20106752D-S1 2/3/2020 Senate: Substitute by Senator Surovell agreed to 20107007D-S2 2/4/2020 Senate: Read third time and passed Senate (21-Y 19-N) 2/4/2020 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) 2/4/2020 Senate: Passed Senate (21-Y 19-N) 2/13/2020 House: Referred to Committee on Privileges and Elections (HPE) 2/18/2020 House: Subcommittee recommends reporting with substitute (3-Y 2-N) 2/21/2020 House: Reported from HPE with substitute (12-Y 8-N)</p>	<p>[2/21/2020]</p>
<p>[Support] (20108457D-H1) <b>Summary:</b> 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.</p>		

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

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><b>SB 94</b></a> - 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) 2/13/2020 House: Referred to Committee on Labor and Commerce	<b>2/11/2020</b>
<p><b>Support</b> (20105660D-S1)</p> <p><b>Summary:</b> 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>		
<a href="#"><b>SB 111</b></a> - 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) 2/13/2020 House: Referred to Committee on Privileges and Elections (HPE) 2/18/2020 House: Subcommittee recommends reporting with amendment (5-Y 1-N) 2/21/2020 House: Reported from HPE with amendment (13-Y 7-N)	<b>1/28/2020</b>
<p><b>Support</b> (20105793D-S1) - Collaborate with stakeholders to ensure bill can be successfully implemented.</p> <p><b>Summary:</b> 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 incorporates SB 45, SB 137, SB 696, and SB 879.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><b><u>SB 124</u></b> - Locke (2) Food stamps and TANF; eligibility, drug-related felonies.</p>	<p>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) 2/13/2020 House: Referred to Committee on Health, Welfare and Institutions 2/18/2020 House: Reported from Health, Welfare and Institutions (13-Y 9-N) 2/21/2020 House: Passed House (53-Y 43-N)</p>	<p><b>1/28/2020</b></p>
<p><b>Support</b> (20105548D-S1) - Board has historically supported. See also HB 566 (Guzman). <b>Summary:</b> 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.</p>		
<p><b><u>SB 149</u></b> - Howell (32) Courthouse and courtroom security; assessment.</p>	<p>12/18/2019 Senate: Referred to Committee on the Judiciary 1/13/2020 Senate: Re-referred to Finance and Appropriations 1/30/2020 Senate: Reported from Finance and Appropriations (14-Y 2-N) 2/5/2020 Senate: Read third time and passed Senate (31-Y 9-N) 2/13/2020 House: Referred to Committee on Public Safety 2/18/2020 House: Subcommittee recommends reporting (8-Y 0-N) 2/21/2020 House: Reported from Public Safety (19-Y 2-N)</p>	<p><b>1/28/2020</b></p>
<p><b>Support</b> (20101599D) - Board has historically supported. <b>Summary:</b> Increases from \$10 to \$20 the maximum amount a local governing body may assess against a convicted defendant as part of the costs in a criminal or traffic case in district or circuit court to fund courthouse and courtroom security.</p>		

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<p><b><u>SB 182</u></b> - Saslaw (35) Public works; contracts with government agencies, agreements with labor organizations.</p>	<p>12/24/2019 Senate: Referred to Committee on General Laws and Technology 1/22/2020 Senate: Re-referred to Commerce and Labor (SCL) 2/3/2020 Senate: Reported from SCL with substitute (12-Y 2-N) 2/3/2020 Senate: Re-referred to Finance and Appropriations 2/6/2020 Senate: Reported from Finance and Appropriations (12-Y 4-N) 2/11/2020 Senate: Committee on Commerce and Labor substitute rejected 20107550D-S1 2/11/2020 Senate: Substitute by Senator Barker agreed to 20108119D-S2 2/11/2020 Senate: Passed Senate (21-Y 19-N) 2/18/2020 House: Referred to Committee on Labor and Commerce</p>	<p>[2/21/2020] <b>1/28/2020</b></p>
<p>[Support with Amendment] (20108119D-S2) - Support with amendment to eliminate restrictions on localities' use of project labor agreements. <b>Support</b> (20102362D) <b>Summary</b> Project labor agreements; public procurement. Maintains the provisions enacted in 2012 that require 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. Expands these provisions to all public bodies, including local governments.</p>		
<p><b><u>SB 209</u></b> - Petersen (34) Judges; increases maximum number in judicial district.</p>	<p>12/30/2019 Senate: Referred to Committee on the Judiciary 1/15/2020 Senate: Reported from Judiciary (14-Y 0-N) 1/15/2020 Senate: Re-referred to Finance and Appropriations 1/30/2020 Senate: Reported from Finance and Appropriations (13-Y 0-N) 2/5/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/21/2020 House: Referred to Committee for Courts of Justice</p>	<p><b>1/28/2020</b></p>
<p><b>Support</b> (20102142D) - Board has historically supported. See also HB 275 (Sullivan). <b>Summary:</b> 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>		
<p><b><u>SB 212</u></b> - Favola (31) Alcoholic beverage control; creates annual mixed beverage performing arts facility license.</p>	<p>12/30/2019 Senate: Referred to Committee on Rehabilitation and Social Services 1/10/2020 Senate: Reported from Rehabilitation and Social Services with amendments (12-Y 0-N 3-A) 1/15/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on General Laws 2/13/2020 House: Reported from General Laws (20-Y 2-N) 2/18/2020 House: Passed House (93-Y 6-N) 2/20/2020 Senate: Enrolled</p>	<p><b>2/11/2020</b></p>

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Bills	General Assembly Actions	Date of BOS Position
<p><b>Support</b> (20102017D-E) - See also HB 598 (Murphy).</p> <p><b>Summary:</b> Alcoholic beverage control; annual mixed beverage performing arts facility license. Creates an annual mixed beverage performing arts facility license that (i) may be granted to persons operating food concessions at any corporate and performing arts facility located in Fairfax County, provided that the corporate and performing arts facility (a) is occupied under a bona fide long-term lease, management, or concession agreement, the original term of which was more than one year and (b) has a total capacity in excess of 1,400 patrons and (ii) authorizes the licensee to sell, on the dates of performances or events, alcoholic beverages for on-premises consumption. This bill is identical to HB 598.</p>		
<p><b><u>SB 240</u></b> - Barker (39) Firearms; removal from persons posing substantial risk of injury to himself, etc., penalties.</p>	<p>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 SB240ES3 1/22/2020 Senate: Read third time and passed Senate (21-Y 19-N) 2/13/2020 House: Referred to Committee on Public Safety 2/21/2020 House: Reported from Public Safety with substitute (12-Y 8-N)</p>	<p><b>2/11/2020</b></p>
<p><b>Support</b> (20105922D-ES3)</p> <p><b>Summary:</b> Firearms; removal from persons posing substantial risk; penalties. Creates a procedure by which any attorney for the Commonwealth or two law-enforcement officers may apply to a general district court, circuit court, or juvenile and domestic relations district court judge or magistrate, who must consult with the attorney for the Commonwealth, for an emergency substantial risk order to prohibit a person who poses a substantial risk of injury to himself or others from purchasing, possessing, or transporting a firearm. Upon service of an emergency substantial risk order, the person who is subject to the order shall be given the opportunity to voluntarily relinquish any firearm. An emergency substantial risk order shall expire on the fourteenth day following issuance of the order. The bill requires a court hearing in the circuit court for the 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>		

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Bills	General Assembly Actions	Date of BOS Position
<b><u>SB 253</u></b> - 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) 2/11/2020 Senate: Read third time and passed Senate (26-Y 13-N) 2/11/2020 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) 2/11/2020 Senate: Passed Senate (27-Y 12-N) 2/14/2020 House: Referred to Committee for Courts of Justice	<b>2/11/2020</b> <del>1/28/2020</del>
<p><b>Support</b> (20106654D-S1) - Bill has been amended to include language that would protect the County's affordable dwelling unit program. See also HB 1391 (Leftwich). <del><b>Oppose</b> (20102906D) - See also HB 1391 (Leftwich).</del></p> <p><b>Summary:</b> Specifies that a trustee under a deed of trust has only the duties, rights, and obligations imposed and conferred on it by the deed of trust or by statute. The bill further requires that a trustee shall comply with all restrictive covenants regarding the affordability of the property and that a trustee under a deed of trust is a fiduciary for both the debtor and the creditor. This bill is in response to Crosby v. ALG Trustee, LLC, 296 Va. 561 (2018).</p>		
<b><u>SB 272</u></b> - 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) 2/10/2020 Senate: Read third time and passed Senate (19-Y 19-N 1-A) 2/10/2020 Senate: Chair votes Yes 2/13/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources	<b>1/28/2020</b>
<p><b>Support</b> (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><b>Summary:</b> Provides that outdoor tethering of an animal that is not actively engaged in conduct related to an agricultural activity does not meet the requirement that an animal be given adequate shelter if it occurs (i) between 10 p.m. and 6 a.m.; (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>		

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Bills	General Assembly Actions	Date of BOS Position
<b><u>SB 277</u></b> - 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 (SFIN) 1/30/2020 Senate: Reported from SFIN with amendments (12-Y 0-N) 2/5/2020 Senate: Read third time and passed Senate (28-Y 12-N) 2/12/2020 House: Referred to Committee on Finance (HFIN) 2/17/2020 House: Subcommittee recommends reporting with amendment (5-Y 4-N) and referring to Committee on Appropriations 2/19/2020 House: Reported from HFIN with amendment (13-Y 9-N) 2/19/2020 House: Referred to Committee on Appropriations 2/21/2020 House: Reported from Appropriations with amendments (13-Y 9-N)	<b>1/28/2020</b>
<b>Support</b> (20103304D) <b>Summary:</b> 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.		
<b><u>SB 297</u></b> - 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) 2/13/2020 House: Referred to Committee on Health, Welfare and Institutions 2/18/2020 House: Reported from Health, Welfare and Institutions with amendments (22-Y 0-N) 2/21/2020 House: Passed House with amendments (98-Y 0-N)	<b>1/28/2020</b>
<b>Support</b> (20103455D) <b>Summary:</b> 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.		

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Bills	General Assembly Actions	Date of BOS Position
<b><u>SB 316</u></b> - Kiggans (7) Elections; date of June primary election.	1/5/2020 Senate: Referred to Committee on Privileges and Elections 1/21/2020 Senate: Reported from Privileges and Elections (14-Y 1-N) 1/28/2020 Senate: Read third time and passed Senate (24-Y 16-N) 2/3/2020 House: Referred to Committee on Privileges and Elections 2/19/2020 House: Subcommittee recommends reporting (5-Y 1-N) 2/21/2020 House: Reported from Privileges and Elections (15-Y 5-N)	<b>1/28/2020</b>
<b>Support</b> (20103661D) - Board has historically supported. See also HB 57 (Fowler). <b>Summary:</b> 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.		
<b><u>SB 391</u></b> - McPike (29) Adult abuse; financial exploitation, required report by financial institution.	1/6/2020 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 1/17/2020 Senate: Reported from SRSS (7-Y 6-N 1-A) 1/31/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Health, Welfare and Institutions 2/20/2020 House: Subcommittee recommends reporting (4-Y 0-N)	[2/21/2020]
[Support] (20107209D-S1) <b>Summary:</b> Adult abuse; financial exploitation; required report by financial institution. Requires financial institutions to report to the local department of social services or the adult protective services hotline within five business days any refusal to execute a transaction, delay of a transaction, or refusal to disburse funds based on a good faith belief that such transaction or disbursement may involve financial exploitation of an adult.		
<b><u>SB 435</u></b> - 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) 2/13/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/19/2020 House: Reported from Agriculture, Chesapeake and Natural Resources (12-Y 9-N)	<b>1/28/2020</b>
<b>Support</b> (20105779D-S1) <b>Summary:</b> Waterfowl blinds in locality where certain hunting prohibited. Directs the Department of Game and Inland Fisheries not to license any stationary waterfowl blind in any area of Hunting Creek, Little Hunting Creek, or Dogue Creek in which the local governing body prohibits by ordinance the hunting of birds with a firearm.		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><b>SB 479</b></a> - 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) 2/18/2020 House: Referred to Committee on Public Safety 2/21/2020 House: Reported from Public Safety with amendment (15-Y 6-N)	<b>2/11/2020</b>
<p><b>Support</b> (20106476D-S1) - Board has historically supported. See also HB 1004 (Mullin).</p> <p><b>Summary:</b> 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>		
<a href="#"><b>SB 561</b></a> - 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 on Commerce and Labor substitute rejected 20105715D-S1 2/6/2020 Senate: Committee on Finance and Appropriations substitute agreed to 20106824D-S2 2/10/2020 Senate: Read third time and passed Senate (37-Y 2-N) 2/13/2020 House: Referred to Committee on Labor and Commerce (HLC) 2/18/2020 House: Reported from HLC (21-Y 0-N) 2/21/2020 House: Passed House BLOCK VOTE (98-Y 0-N)	<b>1/28/2020</b>

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Bills	General Assembly Actions	Date of BOS Position
<p><b>Support</b> (20105715D-S1)</p> <p><b>Summary:</b> Workers' compensation; post-traumatic stress disorder; law-enforcement officers and firefighters. Provides that post-traumatic stress disorder incurred by a law-enforcement officer or firefighter is compensable under the Virginia Workers' Compensation Act if a mental health professional examines a law-enforcement officer or firefighter and diagnoses the individual as suffering from post-traumatic stress disorder as a result of the individual's undergoing a qualifying event, defined as an incident or exposure occurring in the line of duty on or after July 1, 2020, (i) resulting in serious bodily injury or death to any person or persons (ii) involving a minor who has been injured, killed, abused, or exploited, (iii) involving an immediate threat to life of the claimant or another individual, (iv) involving mass casualties, or (v) responding to crime scenes for investigation. Other conditions for compensability include (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 also establishes requirements for resilience and self-care technique training. The bill incorporates SB 741 and SB 924.</p>		
<p><b><u>SB 566</u></b> - 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) 2/10/2020 Senate: Passed Senate (39-Y 0-N) 2/18/2020 House: Referred to Committee on Health, Welfare and Institutions</p>	<p><b>2/11/2020</b></p>
<p><b>Support</b> (20104900D) - See also HB 650 (Hope).</p> <p><b>Summary:</b> 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><b><u>SB 570</u></b> - 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 with Rehabilitation and Social Services with substitute (14-Y 0-N) 1/17/2020 Senate: Re-referred to Finance and Appropriations 2/4/2020 Senate: Reported from Finance and Appropriations with amendment (15-Y 0-N) 2/6/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Health, Welfare and Institutions 2/20/2020 House: Subcommittee recommends reporting with amendments (4-Y 0-N) &amp; 2/20/2020 House: Subcommittee recommends referring to Committee on Appropriations</p>	<p><b>2/11/2020</b></p>

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Bills	General Assembly Actions	Date of BOS Position
<p><b>Support</b> (20105861D-S1)</p> <p><b>Summary:</b> 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>		
<p><b><u>SB 588</u></b> - Hanger, Jr. (24) Localities; authority to levy taxes.</p>	<p>1/7/2020 Senate: Referred to Committee on Local Government 1/13/2020 Senate: Reported from Local Government (11-Y 0-N 1-A) 1/13/2020 Senate: Re-referred to Finance and Appropriations 2/5/2020 Senate: Incorporates SB 484 (Favola) 2/5/2020 Senate: Incorporates SB 682 (Mason) 2/5/2020 Senate: Incorporates SB 799 (Lewis) 2/5/2020 Senate: Incorporates SB 921 (Locke) 2/5/2020 Senate: Reported from Finance and Appropriations with substitute (14-Y 2-N) 2/10/2020 Senate: Passed Senate (24-Y 15-N) 2/13/2020 House: Referred to Committee on Finance (HFIN) 2/17/2020 House: Subcommittee recommends reporting with substitute (6-Y 4-N) 2/19/2020 House: Reported from HFIN with substitute (13-Y 9-N)</p>	<p>[2/21/2020]</p>
<p>[Support with Amendment] (20108310D-H1) - Support with amendments to eliminate restrictions on local revenue authority. Board has historically supported equal taxing authority for counties and cities.</p> <p><b>Summary:</b> Local tax authority. Modifies the restrictions that currently apply to county admission, cigarette, food and beverage, and transient occupancy taxes. The bill authorizes all counties to tax cigarettes at up to 40 cents per pack. The bill limits the cigarette tax rate of cities and towns to 40 cents per pack or the rate in effect on January 1, 2020, whichever is greater. Under current law, there is no limit on the cigarette tax rate that may be imposed by a city or town.</p>		
<p><b><u>SB 593</u></b> - Hanger, Jr. (24) Licensed family day homes; storage of firearms.</p>	<p>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) 2/13/2020 House: Referred to Committee on Public Safety (HPS) 2/14/2020 House: Reported from HPS with substitute (13-Y 9-N) 2/19/2020 House: Passed House with substitute (54-Y 46-N) 2/21/2020 Senate: House substitute rejected by Senate (2-Y 37-N)</p>	<p><b>2/11/2020</b></p>
<p><b>Support</b> (20101435D)</p> <p><b>Summary:</b> 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>		

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Bills	General Assembly Actions	Date of BOS Position
<p><b><u>SB 631</u></b> - Surovell (36) Abandoned and stolen shopping carts; local regulation.</p>	<p>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)</p>	<p><b>1/28/2020</b></p>
<p><b>Support</b> (20104457D) - The County supports expanded local authority but has concerns about its ability to implement this authority, and the fine on individuals. <b>Summary:</b> Provides that any locality in Planning District 8 may, by ordinance, provide that it is unlawful for any person to place, leave, or abandon on any real property in the locality, or within specified districts within the locality, any shopping cart. The bill requires such ordinance to provide that any such shopping cart that remains on the real property 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>		
<p><b><u>SB 649</u></b> - Boysko (33) Town taxes; collection by county.</p>	<p>1/7/2020 Senate: Referred to Committee on Local Government 1/13/2020 Senate: Reported from Local Government (13-Y 0-N) 1/17/2020 Senate: Read third time and passed Senate (38-Y 0-N) 2/13/2020 House: Referred to Committee on Counties, Cities and Towns 2/20/2020 House: Subcommittee recommends reporting (8-Y 0-N) 2/21/2020 House: Reported from Counties, Cities and Towns (22-Y 0-N)</p>	<p><b>1/28/2020</b></p>
<p><b>Support</b> (20105082D) - See also HB 1534 (Samirah). <b>Summary:</b> 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
<a href="#"><b>SB 668</b></a> - Boysko (33) Child care providers; out-of-state background checks.	1/7/2020 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 1/31/2020 Senate: Reported from SRSS (15-Y 0-N) 2/5/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/18/2020 House: Referred to Committee on Health, Welfare and Institutions 2/20/2020 House: Subcommittee recommends reporting (5-Y 0-N)	[2/21/2020]
<p>[Support] (20102503D)</p> <p><b>Summary:</b> 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.</p>		
<a href="#"><b>SB 678</b></a> - Mason (1) Central registry; electronic requests and responses.	1/7/2020 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 1/31/2020 Senate: Reported from SRSS (15-Y 0-N) 2/5/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/18/2020 House: Reported from HHWI (22-Y 0-N) 2/21/2020 House: Passed House BLOCK VOTE (98-Y 0-N)	<b>2/11/2020</b>
<p><b>Support</b> (20103026D)</p> <p><b>Summary:</b> 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.</p>		
<a href="#"><b>SB 706</b></a> - Obenshain (26) Human trafficking; assessments by local departments.	1/7/2020 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 1/31/2020 Senate: Reported from SRSS (15-Y 0-N) 2/5/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Health, Welfare and Institutions 2/18/2020 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 2/21/2020 House: Passed House BLOCK VOTE (98-Y 0-N)	<b>2/11/2020</b>
<p><b>Support</b> (20105034D)</p> <p><b>Summary:</b> 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.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><b>SB 710</b></a> - McClellan (9) Distributed renewable energy; sale of electricity under third-party sales agreements.	1/7/2020 Senate: Referred to Committee on Commerce and Labor (SCL) 2/3/2020 Senate: Reported from SCL (12-Y 3-N) 2/11/2020 Senate: Substitute by Senator McClellan agreed to 20108117D-S2 2/11/2020 Senate: Passed Senate (22-Y 18-N) 2/14/2020 House: Referred to Committee on Labor and Commerce	<b>1/28/2020</b>
<b>Support</b> (20104871D) - Board has historically supported. <b>Summary:</b> 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.		
<a href="#"><b>SB 739</b></a> - Deeds (25) Acute psychiatric bed registry; DBHDS shall establish work group to evaluate, etc.	1/8/2020 Senate: Referred to Committee on Education and Health 1/30/2020 Senate: Reported from Education and Health with substitute (15-Y 0-N) 2/4/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Health, Welfare and Institutions 2/18/2020 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 2/21/2020 House: Passed House BLOCK VOTE (98-Y 0-N)	[2/21/2020]
<b>[Support]</b> (20106120D-S1) <b>Summary:</b> Acute psychiatric bed registry; information required to be reported. Directs the Department of Behavioral Health and Developmental Services to establish a work group to evaluate the role of, and make recommendations related to improving the structure and effectiveness of the, psychiatric bed registry. The work group shall report its findings, conclusions, and recommendations to the Governor and the Chairmen of the Senate Committee on Education and Health, the House Committee on Health, Welfare and Institutions, and the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the Twenty-First Century by November 1, 2020.		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>SB 746</u></a> - 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) 2/13/2020 House: Referred to Committee on Counties, Cities and Towns 2/20/2020 House: Subcommittee recommends reporting (8-Y 0-N) 2/21/2020 House: Reported from Counties, Cities and Towns (22-Y 0-N)	<b>1/28/2020</b>
<b>Support</b> (20105016D) - See also HB 726 (Reid). <b>Summary:</b> Comprehensive plan. Extends the time by which a governing body is required to approve or disapprove a locality-initiated comprehensive plan for more than 25 parcels amendment from 90 to 150 days.		
<a href="#"><u>SB 848</u></a> - 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) 2/11/2020 Senate: Passed Senate (40-Y 0-N) 2/14/2020 House: Referred to Committee on Transportation 2/18/2020 House: Subcommittee recommends reporting (10-Y 0-N) 2/20/2020 House: Reported from Transportation (22-Y 0-N)	<b>1/28/2020</b>
<b>Support</b> (20102147D) <b>Summary:</b> 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.		
<a href="#"><u>SB 851</u></a> - McClellan (9) Electric utility regulation; environmental goals.	1/8/2020 Senate: Referred to Committee on Commerce and Labor 2/9/2020 Senate: Incorporates SB 532 (Edwards) 2/9/2020 Senate: Incorporates SB 876 (Marsden) 2/9/2020 Senate: Reported from Commerce and Labor with substitute (12-Y 3-N) 2/11/2020 Senate: Passed Senate (21-Y 19-N) 2/18/2020 House: Referred to Committee on Labor and Commerce	<b>2/11/2020</b>
<b>Support</b> (20105040D) - See also HB 1526 (Sullivan). <b>Summary:</b> 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-		

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<p>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.</p>		
<p><b>SB 864</b> - Pillion (40) Comprehensive harm reduction programs; public health emergency, repeal sunset provision.</p>	<p>1/8/2020 Senate: Referred to Committee on Education and Health 1/30/2020 Senate: Reported from Education and Health (15-Y 0-N) 2/4/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Health, Welfare and Institutions 2/18/2020 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 2/21/2020 House: Passed House (92-Y 5-N)</p>	<p><b>1/28/2020</b></p>
<p><b>Support</b> (20104765D) - See also HB 378 (Rasoul). <b>Summary:</b> 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.</p>		

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<a href="#"><b>SB 903</b></a> - Vogel (27) Hospitals; screening emergency department patients, etc.	1/8/2020 Senate: Referred to Committee on Education and Health 1/23/2020 Senate: Reported from Education and Health with substitute (15-Y 0-N) 1/28/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Health, Welfare and Institutions 2/18/2020 House: Subcommittee recommends reporting (7-Y 1-N)	[2/21/2020]
<p>[Support] (20106163D-S1)</p> <p><b>Summary:</b> Hospitals; emergency treatment for substance use-related emergencies; services. Requires the Board of Health to amend regulations governing hospitals to require each hospital with an emergency department to establish a protocol for treatment of individuals experiencing a substance use-related emergency to include the completion of appropriate assessments or screenings to identify medical interventions necessary for the treatment of the individual in the emergency department. The protocol may also include a process for patients that are discharged directly from the emergency department for the recommendation of follow-up care following discharge for any identified substance use disorder, depression, or mental health disorder, as appropriate, which may include instructions for distribution of naloxone, referrals to peer recovery specialists and community-based providers of behavioral health services, or referrals for pharmacotherapy for treatment of drug or alcohol dependence or mental health diagnoses.</p>		
<a href="#"><b>SB 907</b></a> - Lucas (18) Transportation safety; occupants of motor vehicles not equipped with seat belts.	1/8/2020 Senate: Referred to Committee on Transportation 2/10/2020 Senate: Incorporates SB 276 (Barker) 2/10/2020 Senate: Incorporates SB 370 (Bell) 2/10/2020 Senate: Reported from Transportation with substitute (8-Y 5-N) 2/11/2020 Senate: Passed Senate (24-Y 15-N 1-A) 2/11/2020 Senate: Reconsideration of passage agreed to by Senate (38-Y 2-N) 2/11/2020 Senate: Passed Senate (26-Y 14-N) 2/14/2020 House: Referred to Committee on Transportation 2/17/2020 House: Subcommittee recommends reporting with substitute (5-Y 3-N) 2/20/2020 House: Reported from Transportation with substitute (13-Y 9-N)	[2/21/2020]
<p>[Support] (20108056D-S1)</p> <p><b>Summary:</b> Transportation safety. Requires all passengers in a vehicle to wear safety belts and allows localities to lower the speed limit below 25, but not less than 15, miles per hour in business and residential districts.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><b>SB 939</b></a> - Saslaw (35) Employees of local governments; collective bargaining.	1/13/2020 Senate: Referred to Committee on Commerce and Labor 2/3/2020 Senate: Incorporates SB 1022 (Boysko) 2/3/2020 Senate: Reported from Commerce and Labor with substitute (11-Y 3-N) 2/3/2020 Senate: Re-referred to Finance and Appropriations 2/6/2020 Senate: Reported from Finance and Appropriations (11-Y 5-N) 2/11/2020 Senate: Passed Senate (21-Y 19-N) 2/18/2020 House: Referred to Committee on Labor and Commerce	[2/21/2020]
<p>[Support] (20107464D-S1)</p> <p><b>Summary:</b> Labor and employment; collective bargaining; employees of counties, cities, and towns. Permits counties, cities, and towns to adopt local ordinances authorizing them to (i) recognize any labor union or other employee association as a bargaining agent of any public officers or employees, except for Constitutional officers and their employees, and including public school employees and (ii) collectively bargain or enter into any collective bargaining contract with any such union or association or its agents with respect to any matter relating to them or their employment. The bill provides that prohibition against striking for public employees applies irrespective of any such local ordinance.</p>		
<a href="#"><b>SB 1018</b></a> - Stanley, Jr. (20) Sentence reductions; substantial assistance to prosecution.	1/16/2020 Senate: Referred to Committee on the Judiciary 2/10/2020 Senate: Reported from Judiciary (12-Y 0-N 1-A) 2/11/2020 Senate: Passed Senate (40-Y 0-N) 2/14/2020 House: Referred to Committee for Courts of Justice 2/17/2020 House: Subcommittee recommends reporting (6-Y 1-N) 2/19/2020 House: Reported from Courts of Justice (19-Y 1-N)	<b>2/11/2020</b>
<p><b>Support</b> (20105189D)</p> <p><b>Summary:</b> 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.</p>		
<a href="#"><b>SB 1027</b></a> - 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) 2/11/2020 Senate: Passed Senate (22-Y 18-N) 2/14/2020 House: Referred to Committee on Agriculture,	<b>2/11/2020</b>

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Bills	General Assembly Actions	Date of BOS Position
	Chesapeake and Natural Resources 2/19/2020 House: Referred from Agriculture, Chesapeake and Natural Resources by voice vote 2/19/2020 House: Referred to Committee on Labor and Commerce 2/20/2020 House: Reported from Labor and Commerce with substitute (13-Y 9-N) 2/20/2020 House: Referred to Committee on Appropriations 2/21/2020 House: Reported from Appropriations (13-Y 9-N)	

**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 Housing and Community Development for low-income energy efficiency programs; (iii) for administrative expenses; and (iv) to the Department of Housing and Community Development in partnership with the Department of Mines Minerals and Energy to administer and implement low-income energy efficiency programs. The bill also provides that if the Governor seeks to include the Commonwealth as a full participant in the Regional Greenhouse Gas Initiative, the regulations shall require certain purchasers shall be responsible for obtaining allowances under certain agreements. The bill authorizes the costs of allowances to be recovered by Phase I and Phase II utilities from ratepayers and continues the Virginia Shoreline Resiliency Fund as the Virginia Community Flood Preparedness Fund for the purpose of creating a low-interest loan program to help inland and coastal communities that are subject to recurrent or repetitive flooding.

<b><u>SJ 1</u></b> - 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 1/17/2020 House: Reported from Privileges and Elections (13-Y 9-N) 1/27/2020 House: Agreed to by House (58-Y 40-N)	<b>1/28/2020</b>
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**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.

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u><b>SJ 66</b></u></a> - 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 2/19/2020 House: Referred to Committee on Rules	<b>2/11/2020</b>
<p><b>Support</b> (20105313D) - See also HJ 130 (Heretick) and HJ 132 (Herring).  <b>Summary:</b> Study; Joint Subcommittee to Study the Development of a Framework for Regulated Adult-Use of Cannabis and Medical Cannabis; report. Establishes the Joint Subcommittee to Study the Development of a Framework for Regulated Adult-Use of Cannabis and Medical Cannabis (Joint Subcommittee). The bill requires the Joint Subcommittee to (i) study and provide guidance on the potential creation of a Cannabis Control Commission to oversee licensing and regulation of industrial hemp, medical cannabis, and adult-use of cannabis; (ii) provide regulatory guidance on potential tax rates and revenue forecasts for retail and wholesale products; (iii) study and make recommendations regarding the issuance of initial cultivation and retail licenses; (iv) develop and recommend a fee structure and grandfathering process for current pharmaceutical processors; (v) study and recommend potential marijuana advertising regulations; (vi) study and determine appropriate public consumption venues and personal cultivation allowances; (vii) study funding and processing requirements for expungement of criminal records and rights restoration related to marijuana decriminalization; (viii) study and recommend methods for diversifying ownership of the marijuana market; (ix) assess the California, Massachusetts, and Illinois marijuana programs and their effectiveness in transferring economic prosperity to disproportionately affected areas; (x) study the potential development of a community reinvestment fund; and (xi) review and analyze National Highway Traffic Safety Administration studies on marijuana-related impairment. The joint subcommittee shall also review studies conducted by JLARC considering the legalization and regulation of the growth, sale, and possession of marijuana and any recommended best practices and policies to address the impact of marijuana prohibition on marginalized members of the community.</p>		
<a href="#"><u><b>SJ 67</b></u></a> - 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 2/13/2020 House: Referred to Committee on Rules 2/19/2020 House: Reported from Rules with substitute (12-Y 5-N)	<b>2/11/2020</b>
<p><b>Support</b> (20105391D)  <b>Summary:</b> Study; JLARC; legalization and regulation of growth, sale and possession of marijuana; report. Directs the Joint Legislative Audit and Review Commission to study and make recommendations for how Virginia should go about legalizing and regulating the growth, sale, and possession of marijuana by July 1, 2022, and address the impacts of marijuana prohibition.</p>		

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# ***Fairfax County Positions***

***(Monitor)***

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>HB 9</u></a> - 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	<b>1/28/2020</b>
<p><b>Monitor</b> (20100298D) - See also SB 67 (McClellan).  <b>Summary:</b> 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.</p>		
<a href="#"><u>HB 655</u></a> - 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 2/17/2020 Senate: Reported from Local Government with substitute (13-Y 0-N 1-A) 2/20/2020 Senate: Passed Senate with substitute (39-Y 1-N)	<b>1/28/2020</b>
<p><b>Monitor</b> (20102659D) - See also SB 870 (Marsden).  <b>Summary:</b> Conditional zoning for solar photovoltaic projects. Authorizes a locality 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.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#"><u>HB 761</u></a> - VanValkenburg (72) Elections; preclearance of certain covered practices required, definitions.</p>	<p>1/7/2020 House: Referred to Committee on Privileges and Elections 1/27/2020 House: Subcommittee recommends reporting with substitute (5-Y 3-N) 1/31/2020 House: Reported from Privileges and Elections with substitute (14-Y 8-N) 1/31/2020 House: Referred to Committee on Appropriations 2/3/2020 House: Subcommittee recommends reporting (5-Y 3-N) 2/3/2020 House: Reported from Appropriations (10-Y 8-N) 2/7/2020 House: Read third time and passed House (59-Y 40-N) 2/10/2020 Senate: Referred to Committee on Privileges and Elections</p>	<p>[2/21/2020]</p>
<p>[Monitor] (20106652D-H1) <b>Summary:</b> Elections; preclearance of certain covered practices required. Requires the governing body of a covered jurisdiction, prior to enacting or seeking to administer any voting qualification or prerequisite to voting, or any standard, practice, or procedure with respect to voting, that is a covered practice, to either (i) institute an action in the circuit court for the jurisdiction for a declaratory judgment that the covered practice neither has the purpose or effect of denying or abridging the right to vote on account of race or color or membership in a language minority group nor will it result in the retrogression in the position of members of a racial or ethnic group with respect to their effective exercise of the electoral franchise or (ii) submit such covered practice to the Office of the Attorney General for issuance of a certification that no objection exists to the enactment or administration by the covered jurisdiction of the covered practice. A covered practice cannot be given effect until the circuit court has entered such judgement or the Attorney General has issued such certification. The bill provides to a covered jurisdiction the right to appeal an objection by the Attorney General and to an aggrieved citizen the right to appeal the Attorney General's issuance of a certification of no objection. A "covered jurisdiction" is defined to mean any county, city, or town that is determined by the Attorney General to have a voting age population that contains two or more racial or ethnic groups, each constituting at least 20 percent of its voting age population. The bill also defines "covered practice."</p>		
<p><a href="#"><u>HB 860</u></a> - Bell (58) Inhaled asthma medication; professional use by practitioners.</p>	<p>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 2/20/2020 Senate: Reported from Education and Health with substitute (15-Y 0-N)</p>	<p><b>2/11/2020</b></p>
<p><b>Monitor</b> (20105551D-H1)</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><b>Summary:</b> Professional use by practitioners; administration of inhaled asthma medication. Provides that, pursuant to an order or standing protocol issued by the prescriber within the course of his professional practice, any school nurse, school board employee, employee of a local governing body, employee of a local health department, employee of a school for students with disabilities, or employee of an accredited private school who is authorized by a prescriber and trained in the administration of albuterol inhalers may possess or administer an albuterol inhaler to a student diagnosed with a condition requiring an albuterol inhaler when the student is believed to be experiencing or about to experience an asthmatic crisis. The bill also provides that a school nurse, employee of a school board, employee of a local governing body, or employee of a local health department who is authorized by a prescriber and trained in the administration of albuterol inhalers who provides, administers, or assists in the administration of an albuterol inhaler for a student believed in good faith to be in need of such medication, or is the prescriber of such medication, is not liable for civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.</p>		
<p><a href="#"><u>HB 902</u></a> - Sickles (43) Long-term care services and supports; preadmission screenings.</p>	<p>1/7/2020 House: Referred to Committee on Health, Welfare and Institutions 1/28/2020 House: Subcommittee recommends reporting with substitute (6-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 (22-Y 0-N) 1/30/2020 House: Referred to Committee on Appropriations 2/5/2020 House: Subcommittee recommends reporting (8-Y 0-N) 2/5/2020 House: Reported from Appropriations (21-Y 0-N) 2/10/2020 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/11/2020 Senate: Referred to Committee on Education and Health 2/20/2020 Senate: Reported from Education and Health (13-Y 0-N)</p>	<p><b>2/11/2020</b></p>
<p><b>Monitor</b> (20104848D) - See also SB 902 (Barker). <b>Summary:</b> Provides that every individual who applies for or requests community or institutional long-term services and supports, as defined in the state plan for medical assistance services, may choose to receive services in a community or institutional setting and may choose the setting and provider of long-term care services and supports from a list of approved providers. The bill also clarifies requirements related to the performance of such long-term care services and supports screenings. The bill removes the definition of and references to PRE-Pace. The bill directs the Department of Medical Assistance Services to consider alternative assessment tools for long-term services and supports screenings completed on or after July 1, 2021, and to report its findings and conclusions to the Governor and the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by December 1, 2020. The provisions of the bill shall not become effective if they conflict with any provision of federal law or regulations or guidance issued by the Centers for Medicare and Medicaid Services.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><b><u>HB 983</u></b> - Delaney (67) Traffic incident management vehicles; equipped with certain lights.</p>	<p>1/7/2020 House: Referred to Committee on Transportation 1/16/2020 House: Subcommittee recommends reporting (10-Y 0-N) 1/21/2020 House: Incorporates HB 635 (LaRock) 1/21/2020 House: Reported from Transportation with substitute (22-Y 0-N) 1/29/2020 House: Committee on Transportation substitute rejected 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</p>	<p><b>1/28/2020</b></p>
<p><b>Monitor</b> (20104763D) <b>Summary:</b> 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>		
<p><b><u>HB 1137</u></b> - Lopez (49) TANF &amp; Va. Initiative for Education &amp; Work; hardship exception.</p>	<p>1/7/2020 House: Referred to Committee on Health, Welfare and Institutions 1/16/2020 House: Subcommittee recommends reporting (6-Y 0-N) 1/21/2020 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 1/27/2020 House: Read third time and passed House (99-Y 0-N) 1/28/2020 Senate: Referred to Committee on Rehabilitation and Social Services 2/7/2020 Senate: Reported from Rehabilitation and Social Services (15-Y 0-N) 2/11/2020 Senate: Passed Senate (40-Y 0-N) 2/11/2020 Senate: Reconsideration of Senate passage agreed to by Senate (33-Y 6-N) 2/11/2020 Senate: Passed Senate (40-Y 0-N) 2/13/2020 House: Enrolled 2/13/2020 House: Signed by Speaker 2/13/2020 Senate: Signed by President 2/17/2020 House: Enrolled Bill communicated to Governor on February 17, 2020 2/17/2020 Governor: Governor's Action Deadline 11:59 p.m., February 24, 2020</p>	<p><b>1/28/2020</b></p>
<p><b>Monitor</b> (20101649D) <b>Summary:</b> Temporary Assistance for Needy Families and Virginia Initiative for Education and Work; hardship exception. Requires the Department of Social Services to (i) keep records of the number of Virginia Initiative for Education and Work participants who receive an exception to the time limitations on Temporary Assistance for Needy Families benefits due to hardship and the specific circumstances relied upon to grant such exceptions and (ii) annually publish nonidentifying statistics regarding such information.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>HB 1147</u></a> - 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) 2/10/2020 Senate: Referred to Committee on Education and Health	2/14/2020 <del>1/28/2020</del>

*Monitor* (20103677D-E) - *The bill as amended is permissive.* ~~**Oppose** (20103677D)~~

**Summary:** Epinephrine permitted in certain public places. Allows public places to make epinephrine available for administration. The bill allows employees of such public places who are authorized by a prescriber and trained in the administration of epinephrine to possess and administer epinephrine to a person present in such public place believed in good faith to be having an anaphylactic reaction. The bill also provides that an employee of such public place who is authorized by a prescriber and trained in the administration of epinephrine and who administers or assists in the administration of epinephrine to a person present in the public place believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

<a href="#"><u>HB 1174</u></a> - Lopez (49) Inhaled asthma medications; school nurse, etc., may administer to a student.	1/7/2020 House: Referred to Committee on Education 1/27/2020 House: Subcommittee recommends reporting with substitute (5-Y 0-N) 1/29/2020 House: Reported from Education with substitute (22-Y 0-N) 2/4/2020 House: Read third time and passed House (99-Y 0-N) 2/5/2020 Senate: Referred to Committee on Education and Health 2/20/2020 Senate: Reported from Education and Health with substitute (15-Y 0-N)	2/14/2020 <del>1/28/2020</del>
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*Monitor* (20106883D-H1) - *The bill as amended is permissive.* ~~**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.

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>HB 1511</u></a> - McQuinn (70) Towing fees; raises to \$30 additional fee that can be charged for towing a vehicle at night, etc.	1/8/2020 House: Referred to Committee on Transportation 1/27/2020 House: Subcommittee recommends reporting (4-Y 2-N) 1/30/2020 House: Reported from Transportation (12-Y 10-N) 2/6/2020 House: Read third time and passed House (50-Y 48-N) 2/7/2020 Senate: Referred to Committee on Transportation 2/13/2020 Senate: Reported from Transportation (13-Y 2-N) 2/18/2020 Senate: Passed Senate (22-Y 15-N) 2/20/2020 House: Enrolled	<b>1/28/2020</b>
<b>Monitor</b> (20104626D) - See also SB 916 (Marsden). <b>Summary:</b> 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.		
<a href="#"><u>HB 1586</u></a> - Watts (39) Washington Metropolitan Area Transit Authority; allocation of funds.	1/14/2020 House: Referred to Committee on Appropriations (HAPP) 1/27/2020 House: Subcommittee recommends reporting with amendment (7-Y 0-N) 1/29/2020 House: Reported from HAPP with amendment (16-Y 3-N) 2/4/2020 House: Read third time and passed House (74-Y 23-N) 2/5/2020 Senate: Referred to Committee on Transportation	<b>1/28/2020</b>
<b>Monitor</b> (20105593D) <b>Summary:</b> 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.		
<a href="#"><u>HB 1699</u></a> - 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) 2/11/2020 House: Read third time and passed House (99-Y 0-N) 2/12/2020 Senate: Referred to Committee on Rules 2/21/2020 Senate: Reported from Rules with amendments (15-Y 0-N)	[2/21/2020] <b>1/28/2020</b>
<p>[Monitor] (20107508D-H1) - Bill has been amended to address many of the County's concerns. <del>Amend (20106028D) - Amend to include input from local CSB practitioners and analysis of processes used in other states. See also SB 768 (Barker).</del></p> <p><b>Summary:</b> DBHDS; work group to study expanding the individuals who may conduct evaluations for temporary detention; report. Directs the Commissioner of the Department of Behavioral Health and Developmental Services to establish a work group to (i) review the current process for conducting evaluations of persons who are subject to emergency custody orders to determine whether they meet the criteria for temporary detention, including any challenges or barriers to timely completion of such evaluations and factors giving rise to delays in completion of such evaluations, and (ii) develop a comprehensive plan to expand the individuals who may conduct effective evaluations of persons who are subject to emergency custody orders to determine whether they meet the criteria for temporary detention. The work group shall report its findings and conclusions and the comprehensive plan to the Governor and the Chairmen of the House Committee on Health, Welfare and Institutions, Senate Committee on Education and Health, and Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century by December 1, 2020.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><b><u>SB 31</u></b> - Petersen (34) Eminent domain; costs for petition for distribution of funds, interest rate.</p>	<p>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) 2/11/2020 Senate: Passed Senate (39-Y 0-N) 2/11/2020 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) 2/11/2020 Senate: Passed Senate (40-Y 0-N) 2/21/2020 House: Referred to Committee for Courts of Justice</p>	<p><b>1/28/2020</b></p>
<p><b>Monitor</b> (20100604D) <b>Summary:</b> Eminent domain; costs for petition for distribution of funds; interest rate; recordation of certificate. Provides that the costs of filing a petition with the court for the distribution of the funds due pursuant to an eminent domain proceeding shall be taxed against the condemnor. The bill also provides that the interest rate on the funds represented by a certificate of deposit from the date of filing of the certificate until the funds are paid into the court shall not be less than the judgment rate of interest. Finally, the bill reorganizes for clarity the provisions governing what happens upon recordation of a certificate by the Commissioner of Highways in a condemnation proceeding. The bill provides that its provisions apply only to condemnation actions filed on or after July 1, 2020.</p>		
<p><b><u>SB 310</u></b> - Stanley, Jr. (20) Public animal shelters; notice to euthanize.</p>	<p>1/5/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/4/2020 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (15-Y 0-N) 2/4/2020 Senate: Re-referred to Finance and Appropriations 2/6/2020 Senate: Reported from Finance and Appropriations with amendment (14-Y 0-N) 2/11/2020 Senate: Passed Senate (39-Y 0-N) 2/11/2020 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) 2/11/2020 Senate: Passed Senate (40-Y 0-N) 2/14/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/19/2020 House: Subcommittee recommends laying on the table (7-Y 1-N)</p>	<p><b>1/28/2020</b></p>
<p><b>Monitor</b> (20101026D) <b>Summary:</b> Requires each public animal shelter to adopt a policy under which it waits a certain number of days before euthanizing a dog or cat when a person has notified the shelter of his intent to adopt or take custody of the animal. The shelter must make reasonable efforts to accomplish the release of the animal but is not required hold the animal if it has reason to believe that the animal has seriously injured a human or the animal meets certain other specified conditions for euthanasia. The provisions of the bill are contingent on funding in a general appropriation act.</p>		

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[ ] Indicates BOS Legislative Committee Action

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><b>SB 585</b></a> - Dunnavant (12) Guardianship; special education transition materials, etc.	1/7/2020 Senate: Referred to Committee on Rehabilitation and Social Services 1/17/2020 Senate: Re-referred to Judiciary 2/5/2020 Senate: Reported from Judiciary with substitute (15-Y 0-N) 2/10/2020 Senate: Passed Senate (39-Y 0-N) 2/13/2020 House: Referred to Committee for Courts of Justice 2/14/2020 House: Referred from Courts of Justice by voice vote 2/14/2020 House: Referred to Committee on Health, Welfare and Institutions 2/17/2020 House: Subcommittee recommends reporting with amendments (6-Y 0-N)	<b>2/11/2020</b>
<p><b>Monitor</b> (20103126D)  <b>Summary:</b> Guardianship for incapacitated persons. Provides that if the respondent to a guardianship or conservatorship petition is between 17 and a half and 21 years of age and has an Individualized Education Plan (IEP), the guardian ad litem appointed to represent the respondent shall review the IEP and include the results of his review in the report required to be submitted to the court, and it requires the Superintendent of Public Instruction to make available transitional materials prepared by the Department of Behavioral Health and Developmental Services that include information about powers of attorney and guardianship to be provided to students and parents during the student's annual IEP meeting.</p>		
<a href="#"><b>SB 589</b></a> - 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 2/20/2020 House: Subcommittee recommends reporting (8-Y 0-N) 2/21/2020 House: Reported from Counties, Cities and Towns (21-Y 1-N)	<b>2/11/2020</b> <del>1/28/2020</del>
<p><b>Monitor</b> (20106468D-S1) - Bill has been amended to narrow its application and address the County's concerns.  <b>Oppose</b> (20100255D)  <b>Summary:</b> Requires a zoning administrator to provide notice to an adjacent property owner of any decision or determination by the zoning administrator that could impair the ability of such adjacent property owner to satisfy the minimum storage capacity and yield requirements for a residential drinking well.</p>		

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

Bills	General Assembly Actions	Date of BOS Position
<a href="#"><b>SB 617</b></a> - 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) 2/13/2020 House: Referred to Committee on Privileges and Elections 2/18/2020 House: Subcommittee recommends reporting (6-Y 0-N) 2/21/2020 House: Reported from Privileges and Elections (19-Y 1-N)	<b>1/28/2020</b>

**Monitor** (20102713D-E)

**Summary:** Authorizes the establishment of voter satellite offices by governing bodies of counties and cities for purposes of absentee voting in person. No change in any voter satellite office, including the creation of a new voter satellite office or abolishment of an existing voter satellite office, may be enacted within the 60 days immediately preceding a general election. The bill requires general registrars to post notice of the locations of all voter satellite offices within the locality, and their days and hours of operation, not later than 55 days prior to any election. Requirements for polling places, including accessibility for persons with disabilities, changes of location due to emergency circumstances, and funding, apply to voter satellite offices. The provisions of the bill are applicable to elections beginning with the general election on November 3, 2020.

<a href="#"><b>SB 687</b></a> - Vogel (27) Bicycles; signage, effective clause.	1/7/2020 Senate: Referred to Committee on Transportation 1/16/2020 Senate: Reported from Transportation with substitute (15-Y 0-N) 1/16/2020 Senate: Re-referred to Finance and Appropriations 1/22/2020 Senate: Reported from Finance and Appropriations with amendment (16-Y 0-N) 1/27/2020 Senate: Read third time and passed Senate (39-Y 0-N) 2/13/2020 House: Referred to Committee on Transportation 2/18/2020 House: Subcommittee recommends reporting with amendment (8-Y 1-N) 2/18/2020 House: Subcommittee recommends referring to Committee on Appropriations 2/20/2020 House: Reported from Transportation with amendment (20-Y 2-N) 2/20/2020 House: Referred to Committee on Appropriations	<b>1/28/2020</b>
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**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.

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Bills	General Assembly Actions	Date of BOS Position
<p><b><u>SB 735</u></b> - Newman (23) Peer-to-peer vehicle sharing platforms; definitions, establishes requirements.</p>	<p>1/8/2020 Senate: Referred to Committee on Commerce and Labor 2/3/2020 Senate: Reported from Commerce and Labor with substitute (12-Y 2-N 1-A) 2/3/2020 Senate: Re-referred to Finance and Appropriations 2/10/2020 Senate: Incorporates SB 749 (Cosgrove) 2/10/2020 Senate: Incorporates SB 750 (Cosgrove) 2/10/2020 Senate: Reported from Finance and Appropriations with substitute (14-Y 1-N 1-A) 2/11/2020 Senate: Committee on Commerce and Labor substitute rejected 20107434D-S1 2/11/2020 Senate: Committee on Finance and Appropriations substitute agreed to 20108051D-S2 2/11/2020 Senate: Amendment by Senator Newman agreed to 2/11/2020 Senate: Passed Senate (40-Y 0-N) 2/14/2020 House: Referred to Committee on Finance 2/17/2020 House: Subcommittee recommends reporting (9-Y 0-N) 2/17/2020 House: Subcommittee recommends referring to Committee on Appropriations 2/19/2020 House: Reported from Finance with substitute (22-Y 0-N) 2/19/2020 House: Referred to Committee on Appropriations 2/21/2020 House: Reported from Appropriations (22-Y 0-N)</p>	<p>[2/21/2020]</p>
<p>[Monitor] (20108534D-H1) <b>Summary:</b> Peer-to-peer vehicle sharing platforms. Establishes insurance, taxation, recordkeeping, disclosure, and safety recall requirements for peer-to-peer vehicle sharing platforms, defined in the bill.</p>		
<p><b><u>SB 747</u></b> - 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) 2/13/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/17/2020 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 2/19/2020 House: Reported from Agriculture, Chesapeake and Natural Resources with substitute (20-Y 2-N)</p>	<p><b>2/11/2020</b></p>
<p><b>Monitor</b> (20103284D) <b>Summary:</b> 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 with certain requirements.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><b>SB 768</b></a> - Barker (39) Temporary detention; DBHDS shall study who may evaluate.	1/8/2020 Senate: Referred to Committee on Rules 1/31/2020 Senate: Reported from Rules with substitute (15-Y 0-N) 2/5/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Rules 2/19/2020 House: Reported from Rules with substitute (17-Y 0-N)	[2/21/2020] <b>1/28/2020</b>
<p>[Monitor] (20108575D-H1) - Bill has been amended to address many of the County's concerns. <del>Amend (20103578D)</del>  <del>—Amend to include input from local CSB practitioners and analysis of processes used in other states. See also HB 1699 (Aird).</del></p> <p><b>Summary:</b> DBHDS; work group to study expanding the individuals who may conduct evaluations for temporary detention; report. Directs the Commissioner of the Department of Behavioral Health and Developmental Services to establish a work group to (i) review the current process for conducting evaluations of persons who are subject to emergency custody orders to determine whether they meet the criteria for temporary detention, including any challenges or barriers to timely completion of such evaluations and factors giving rise to delays in completion of such evaluations, and (ii) develop a comprehensive plan to expand the individuals who may conduct evaluations of persons who are subject to emergency custody orders to determine whether they meet the criteria for temporary detention. The work group shall report its findings and conclusions and the comprehensive plan to the Governor and the Chairmen of the House Committee on Health, Welfare, and Institutions, Senate Committee on Education and Health, and Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century by December 1, 2020.</p>		
<a href="#"><b>SB 826</b></a> - McDougale (4) Water and sewer service charges; tenant or lessee.	1/8/2020 Senate: Referred to Committee on Local Government 1/20/2020 Senate: Reported from Local Government with amendment (14-Y 1-N) 1/23/2020 Senate: Read third time and passed Senate (38-Y 2-N) 2/13/2020 House: Referred to Committee on Counties, Cities and Towns (HCCT) 2/20/2020 House: Subcommittee recommends reporting with amendment (8-Y 0-N) 2/21/2020 House: Reported from HCCT with amendment (19-Y 3- N)	<b>1/28/2020</b>
<p><b>Monitor</b> (20103958D-E)</p> <p><b>Summary:</b> Reduces the maximum potential responsibility of a property owner for a tenant's unpaid water and sewer charges by capping the dollar amount of such property owner's responsibility at \$300.</p>		
<a href="#"><b>SB 870</b></a> - 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) 2/18/2020 House: Referred to Committee on Counties, Cities and Towns (HCCT) 2/20/2020 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 2/21/2020 House: Reported from HCCT with substitute (21-Y 1-N)	<b>1/28/2020</b>
<b>Monitor</b> (20102704D) - See also HB 655 (Heretick).		

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Bills	General Assembly Actions	Date of BOS Position
<p><b>Summary:</b> Conditional zoning for solar photovoltaic projects. Authorizes any locality, in addition to the process granting a zoning special exception, 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>		
<p><b><u>SB 902</u></b> - Barker (39) Long-term care services and supports; preadmission screenings.</p>	<p>1/8/2020 Senate: Referred to Committee on Education and Health 2/6/2020 Senate: Reported from Education and Health with substitute (15-Y 0-N) 2/6/2020 Senate: Re-referred to Finance and Appropriations 2/6/2020 Senate: Reported from Finance and Appropriations with amendment (16-Y 0-N) 2/11/2020 Senate: Passed Senate (39-Y 0-N) 2/11/2020 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) 2/11/2020 Senate: Passed Senate (40-Y 0-N) 2/14/2020 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/18/2020 House: Reported from HHWI (22-Y 0-N) 2/21/2020 House: Passed House BLOCK VOTE (98-Y 0-N)</p>	<p><b>2/11/2020</b></p>
<p><b>Monitor</b> (20104850D) - See also HB 902 (Sickles). <b>Summary:</b> Provides that every individual who applies for or requests community or institutional long-term services and supports, as defined in the state plan for medical assistance services, may choose to receive services in a community or institutional setting and may choose the setting and provider of long-term care services and supports from a list of approved providers. The bill also clarifies requirements related to the performance of such long-term care services and supports screenings. The bill removes the definition of and references to PRE-Pace. The bill directs the Department of Medical Assistance Services to consider alternative assessment tools for long-term services and supports screenings completed on or after July 1, 2021, and to report its findings and conclusions to the Governor and the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by December 1, 2020. The provisions of the bill shall not become effective if they conflict with any provision of federal law or regulations or guidance issued by the Centers for Medicare and Medicaid Services.</p>		
<p><b><u>SB 916</u></b> - Marsden (37) Towing fees; raises to \$30 additional fee that can be charged for towing a vehicle at night, etc.</p>	<p>1/8/2020 Senate: Referred to Committee on Transportation 1/23/2020 Senate: Reported from Transportation (11-Y 2-N) 1/29/2020 Senate: Read third time and passed Senate (26-Y 13-N) 2/3/2020 House: Referred to Committee on Transportation 2/18/2020 House: Reported from Transportation (14-Y 7-N) 2/21/2020 House: Defeated by House (42-Y 55-N) 2/21/2020 House: Reconsideration of defeated action agreed to by House (59-Y 34-N)</p>	<p><b>1/28/2020</b></p>

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Bills	General Assembly Actions	Date of BOS Position
<p><b>Monitor</b> (20104641D) - See also HB 1511 (McQuinn).  <b>Summary:</b> Towing fees. The bill raises from \$25 to \$30 the additional fee that can be charged for towing a vehicle at night, on weekends, or on a holiday. The bill requires localities in Planning District 8 and Planning District 16 to set such additional fee at between \$25 and \$30. Current law requires such localities to set such additional fee at \$25.</p>		
<p><b>SB 977</b> - 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)  2/13/2020 House: Referred to Committee on Counties, Cities and Towns  2/20/2020 House: Subcommittee recommends reporting with amendments (8-Y 0-N)  2/21/2020 House: Reported from Counties, Cities and Towns with amendments (22-Y 0-N)</p>	<p>[2/21/2020]  <b>1/28/2020</b></p>
<p>[Monitor] (HCCT amendments) - Bill has been amended to limit impact on County. <b>Oppose</b> (20105104D)  <b>Summary:</b> 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><b>SB 1046</b> - Deeds (25)  Clinical social workers; patient records, involuntary detention orders.</p>	<p>1/17/2020 Senate: Referred to Committee on Education and Health  1/30/2020 Senate: Reported from Education and Health (15-Y 0-N)  2/4/2020 Senate: Read third time and passed Senate (40-Y 0-N)  2/13/2020 House: Referred to Committee on Health, Welfare and Institutions  2/21/2020 House: Subcommittee recommends reporting (6-Y 0-N)</p>	<p><b>2/11/2020</b></p>
<p><b>Monitor</b> (20104401D)  <b>Summary:</b> 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>		
<p><b>SB 1049</b> - Deeds (25)  Involuntary commitment; notice and participation, discharge plans.</p>	<p>1/17/2020 Senate: Referred to Committee on Education and Health  2/6/2020 Senate: Reported from Education and Health with substitute (12-Y 0-N 3-A)  2/11/2020 Senate: Read third time and passed Senate (40-Y 0-N)  2/14/2020 House: Referred to Committee on Health, Welfare and Institutions  2/17/2020 House: Subcommittee recommends continuing to 2021 by voice vote</p>	<p><b>2/11/2020</b></p>
<p><b>Monitor</b> (20105346D)  <b>Summary:</b> Involuntary commitment; notice and participation. Clarifies the role of individuals identified and requested by a person in the involuntary commitment process to assist him in the process. The bill sets out such authorized individuals' right to receive medical records, notice of hearings, and copies of orders and to participate in hearings and the discharge planning process.</p>		

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# *Fairfax County Positions*

\* \* \*

*Legislation*  
*No Longer Under Consideration*

*(Continued to 2021)*

Bills	General Assembly Actions	Date of BOS Position
<a href="#"><u>HB 93</u></a> - 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	<b>1/28/2020</b>
<b>Support</b> (20100213D) - Support efforts to reduce smoking and vaping while ensuring cultural traditions can legally continue. <b>Summary:</b> 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.		
<a href="#"><u>HB 221</u></a> - 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	<b>1/28/2020</b>
<b>Support</b> (20102313D) - See also SB 184 (Locke). <b>Summary:</b> 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.		
<a href="#"><u>HB 869</u></a> - Bourne (71) Public defender or any deputies or employees; proportionally supplementing compensation.	1/7/2020 House: Referred to Committee for Courts of Justice 2/3/2020 House: Subcommittee recommends reporting with amendments (4-Y 3-N) 2/5/2020 House: Reported from Courts of Justice with amendments (12-Y 10-N) 2/10/2020 House: Read third time and passed House (50-Y 48-N) 2/11/2020 Senate: Referred to Committee on the Judiciary 2/19/2020 Senate: Continued to 2021 in Judiciary (9-Y 5-N)	<b>1/28/2020</b>
<b>Oppose</b> (20100539D) - Funding court personnel is a critical state responsibility. <b>Summary:</b> 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.		
<a href="#"><u>HB 892</u></a> - 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	<b>1/28/2020</b>

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Bills	General Assembly Actions	Date of BOS Position
<p><b>Support</b> (20102554D) - Support efforts to provide taxation parity with existing vehicle rental services. See also SB 750 (Cosgrove).</p> <p><b>Summary:</b> Peer-to-peer vehicle sharing platforms; taxation. Provides that peer-to-peer vehicle sharing platforms, as defined in the bill, are renters for the purposes of taxation.</p>		
<p><b><u>HB 1119</u></b> - Hope (47) Flavored tobacco products; sale prohibited, civil penalty.</p>	<p>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</p>	<p><b>1/28/2020</b></p>
<p><b>Support</b> (20104960D) - Support efforts to reduce smoking and vaping while ensuring cultural traditions can legally continue.</p> <p><b>Summary:</b> Flavored tobacco products; sale prohibited; civil penalty. Prohibits the sale, distribution, offering for sale or distribution, or causing the sale or distribution of flavored tobacco products, as that term is defined in the bill, and imposes a civil penalty not to exceed \$500 for the first violation, \$1000 for a second violation, \$1,500 for a third violation, and \$2,000 for the fourth or subsequent violation. The bill also provides that, in addition to the civil penalties, a third violation is punishable by suspension of a permit as a stamping agent for a period of 15 days, and a fourth or subsequent violation is punishable by revocation of a permit as a stamping agent and a prohibition on reapplication for a permit to act as a stamping agent for a period of three years.</p>		
<p><b><u>HB 1120</u></b> - 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><b>1/28/2020</b></p>
<p><b>Support</b> (20104565D) - See also SB 852 (Ebbin).</p> <p><b>Summary:</b> 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><b><u>HB 1192</u></b> - Lopez (49) Hazardous Substance Aboveground Storage Tank Fund; created.</p>	<p>1/7/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/22/2020 House: Referred from Agriculture, Chesapeake and Natural Resources by voice vote 1/22/2020 House: Referred to Committee 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</p>	<p><b>2/11/2020</b></p>

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Bills	General Assembly Actions	Date of BOS Position
<p><b>Oppose</b> (20105199D) - See also SB 626 (Surovell).</p> <p><b>Summary:</b> 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>		
<p><b><u>HB 1279</u></b> - 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><b>2/11/2020</b></p>
<p><b>Oppose</b> (20101926D)</p> <p><b>Summary:</b> 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><b><u>HB 1293</u></b> - 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><b>1/28/2020</b></p>
<p><b>Oppose</b> (20101490D)</p> <p><b>Summary:</b> 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
<a href="#"><b>HB 1351</b></a> - 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	<b>1/28/2020</b>
<b>Oppose</b> (20103049D) <b>Summary:</b> 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.		
<a href="#"><b>HB 1464</b></a> - 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	<b>1/28/2020</b>
<b>Support</b> (20105223D) <b>Summary:</b> 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.		
<a href="#"><b>HB 1480</b></a> - 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	<b>1/28/2020</b>
<b>Support</b> (20102872D) <b>Summary:</b> 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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*Italics*- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<a href="#"><b>SB 626</b></a> - 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)	<b>2/11/2020</b>
<p><b>Oppose</b> (20104897D) - See also HB 1192 (Lopez).</p> <p><b>Summary:</b> Aboveground storage tanks; Hazardous Substance Aboveground Storage Tank Fund; civil and criminal penalties. Directs the State Water Control Board to regulate aboveground storage tanks that measure more than 1,320 gallons in capacity and are used to contain hazardous substances other than oil. The bill directs the Board to adopt regulations that establish requirements for registration, certification, and inspection, and other requirements of tank owners, and that establish a schedule of fees. The bill authorizes the Board to undertake corrective action, or to require the owner to undertake corrective action, in the event of a discharge of a hazardous substance. The bill requires tank owners to register their tanks, pay certain registration fees, develop release response plans, upgrade certain older tanks, install containment infrastructure for certain aboveground storage tanks, notify certain parties in the event of a release of a regulated substance, and demonstrate their financial responsibility. The bill also creates the Hazardous Substance Aboveground Storage Tank Fund for the administration of the bill and provides for civil and criminal penalties for violations of requirements of the bill, with the moneys received to be deposited into the existing Virginia Environmental Emergency Response Fund.</p>		

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## ***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
<b>HB 3</b> - 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	<b>1/28/2020</b>
<b>Support</b> (20100744D) - Board has historically supported. <b>Summary:</b> 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."		
<b>HB 16</b> - Krizek (44) Safety belt system; all occupants of motor vehicles to utilize.	11/19/2019 House: Referred to Committee on Transportation 1/27/2020 House: Subcommittee recommends incorporating (HB 1414-Filler-Corn) by voice vote 2/13/2020 House: Left in Transportation	<b>1/28/2020</b>
<b>Support</b> (20100628D) <b>Summary:</b> 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.		
<b>HB 17</b> - 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	<b>1/28/2020</b>
<b>Support</b> (20101115D) - Board has historically supported concept of alternatives to driver's license suspension to address non-payment of court fines and costs. <b>Summary:</b> 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.		

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Bills	General Assembly Actions	Date of BOS Position
<p><b><u>HB 20</u></b> - Lindsey (90) Va. Alternative Energy &amp; Coastal Protection Act; DEQ to implement final carbon trading regulation.</p>	<p>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</p>	<p><b>1/28/2020</b></p>
<p><b>Support</b> (20100461D) <b>Summary:</b> Virginia Alternative Energy and Coastal Protection Act. Directs the Department of Environmental Quality to implement the final carbon trading regulation as approved by the State Air Pollution Control Board in order to establish a carbon dioxide cap and trade program that limits and reduces the total carbon dioxide emissions released by electric generation facilities and that complies with the Regional Greenhouse Gas Initiative model rule. The measure authorizes the Director of the Department of Environmental Quality to establish, implement, and manage an auction program to sell allowances into a market-based trading program. The measure requires revenues from the sale of carbon allowances, to the extent permitted by Article X, Section 7 of the Constitution of Virginia, to be deposited in an interest-bearing account and to be distributed without further appropriation (i) to assist counties, cities, towns, residents, and businesses affected by recurrent flooding, sea-level rise, and flooding from severe weather events; (ii) to support energy efficiency programs; (iii) to support renewable energy programs; (iv) to provide economic development, education, and workforce training programs for families and businesses in Southwest Virginia for the purpose of revitalizing communities negatively affected by the decline of fossil fuel production; (v) to the Virginia Natural Resources Commitment Fund to fund the Virginia Agricultural Best Management Practices Cost-Share Program and (vi) for administrative expenses. The measure states that development of new utility-owned and utility-operated generating facilities utilizing energy derived from sunlight, or from onshore or offshore wind, to achieve the reduction in carbon dioxide emissions is in the public interest and directs Dominion Virginia Power and Appalachian Power to achieve a minimum of 50 percent of the reduction in carbon dioxide emissions through the development of such utility-owned and utility-operated generating facilities utilizing energy derived from sunlight, or from onshore or offshore wind. The measure provides that any retail customer that purchases electric energy from a supplier other than the incumbent electric utility serving the exclusive service territory in which such retail customer is located shall pay a non-bypassable surcharge. The measure also requires the Department to establish an allowance set-aside for any electric generation facility subject to a cap and trade program that operates according to a long-term contract as of January 1, 2020, that prohibits the recovery of allowance costs.</p>		
<p><b><u>HB 25</u></b> - 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><b>1/28/2020</b></p>
<p><b>Support</b> (20100509D) - Collaborate with stakeholders to ensure bill can be successfully implemented. See also HB 1 (Herring) and HB 209 (Murphy). <b>Summary:</b> 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
<a href="#"><b>HB 110</b></a> - Ware (65) Regional Greenhouse Gas Initiative; trading allowance reserve account, etc.	12/13/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 1/22/2020 House: Referred from HAG by voice vote 1/22/2020 House: Referred to Committee on Labor and Commerce 2/11/2020 House: Left in Labor and Commerce	<b>2/11/2020</b>
<b>Support</b> (20101945D) <b>Summary:</b> 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.		
<a href="#"><b>HB 151</b></a> - Samirah (86) Accessory dwelling units; development and use.	12/18/2019 House: Referred to Committee on Counties, Cities and Towns 1/23/2020 House: Subcommittee recommends laying on the table (6-Y 1-N) 2/11/2020 House: Left in Counties, Cities and Towns	<b>1/28/2020</b>
<b>Oppose</b> (20104473D) <b>Summary:</b> 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.		
<a href="#"><b>HB 152</b></a> - Samirah (86) Single-family residential use; middle housing allowed on lots zoned for units.	12/18/2019 House: Referred to Committee on Counties, Cities and Towns 1/23/2020 House: Subcommittee recommends laying on the table (6-Y 0-N) 2/11/2020 House: Left in Counties, Cities and Towns	<b>1/28/2020</b>
<b>Oppose</b> (20104474D) <b>Summary:</b> 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.		

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<a href="#"><b>HB 209</b></a> - Murphy (34) Absentee voting; no excuse required.	12/27/2019 House: Referred to Committee on Privileges and Elections 1/21/2020 House: Subcommittee recommends incorporating (HB 1-Herring) by voice vote 1/24/2020 House: Incorporated by Privileges and Elections (HB 1-Herring) by voice vote	<b>1/28/2020</b>
<b>Support</b> (20101232D) - Collaborate with stakeholders to ensure bill can be successfully implemented. See also HB 1 (Herring) and HB 25 (Lindsey). <b>Summary:</b> 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.		
<a href="#"><b>HB 217</b></a> - 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	<b>1/28/2020</b>
<b>Support</b> (20101469D) - Board has historically supported. <b>Summary:</b> 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."		
<a href="#"><b>HB 283</b></a> – Cole, J. (28) Highway construction and maintenance; time limitations.	12/30/2019 House: Referred to Committee on Transportation 1/23/2020 House: Subcommittee recommends striking from docket (10-Y 0-N) 2/11/2020 House: Left in Transportation	<b>1/28/2020</b>
<b>Monitor</b> (20101687D) <b>Summary:</b> 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.		
<a href="#"><b>HB 302</b></a> - 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) 2/11/2020 House: Left in Finance	<b>1/28/2020</b>
<b>Oppose</b> (20101216D) <b>Summary:</b> 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
<a href="#"><u>HB 311</u></a> - Gooditis (10) Unmanned aerial systems; local regulation.	12/31/2019 House: Referred to Committee on Communications, Technology and Innovation (HTECH) 1/22/2020 House: Subcommittee recommends incorporating (HB742-Bulova) by voice vote 2/11/2020 House: Left in HTECH	<b>1/28/2020</b>
<p><b>Support</b> (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><b>Summary:</b> 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>		
<a href="#"><u>HB 357</u></a> - 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	<b>1/28/2020</b>
<p><b>Support</b> (20101644D) - Board has historically supported.</p> <p><b>Summary:</b> Adds discrimination on the basis of a person's source of income to the list of unlawful discriminatory housing practices. The bill defines "source of income" as any source that lawfully provides funds to or on behalf of a renter or buyer of housing, including any assistance, benefit, or subsidy program, whether such program is administered by a governmental or nongovernmental entity.</p>		
<a href="#"><u>HB 364</u></a> – Cole, M. (88) Statewide prioritization process; project selection.	1/2/2020 House: Referred to Committee on Transportation 2/11/2020 House: Left in Transportation	<b>1/28/2020</b>
<p><b>Oppose</b> (20103873D) - See also HB 620 (Cole, J.).</p> <p><b>Summary:</b> 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>		
<a href="#"><u>HB 381</u></a> – Cole, M. (88) Redistricting; Virginia Redistricting Commission, local redistricting commissions.	1/2/2020 House: Referred to Committee on Privileges and Elections 2/11/2020 House: Left in Privileges and Elections	<b>2/11/2020</b>
<p><b>Amend</b> (20100230D) - Amend to remove provisions pertaining to the local redistricting commission.</p> <p><b>Summary:</b> 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</p>		

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<p>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>		
<p><b>HB 382</b> - Convirs-Fowler (21) Virginia Shoreline Resiliency Fund; grant program.</p>	<p>1/2/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 1/27/2020 House: Subcommittee recommends striking from docket (8-Y 0-N) 2/11/2020 House: Left in HAG</p>	<p><b>1/28/2020</b></p>
<p><b>Support</b> (20101699D) - See also HB 22 (Lindsey). <b>Summary:</b> Changes the Virginia Shoreline Resiliency Fund (the Fund) from a lending program to a grant program. The bill directs the Fund to grant money to localities to enable them to offer cost-sharing programs to help residents and businesses that are subject to recurrent flooding.</p>		
<p><b>HB 508</b> - Willett (73) Animal care; cruelty, dangerous dogs.</p>	<p>1/4/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 1/29/2020 House: Subcommittee recommends striking from docket (8-Y 0-N) 2/11/2020 House: Left in HAG</p>	<p><b>1/28/2020</b></p>
<p><b>Oppose</b> (20103962D) <b>Summary:</b> Animal care; cruelty; dangerous dogs. Extensively reorganizes, clarifies, and makes substantive changes to provisions related to dangerous dogs. Substantive changes include (i) requiring a law-enforcement officer or animal control officer who has reason to believe that a dog within his jurisdiction is a dangerous dog to apply for a district court summons, a requirement that is discretionary under current law; (ii) a prohibition on disposing of a dog prior to a dangerous dog adjudication; (iii) additional requirements for owners during and after a dangerous dog adjudication, including notice upon transfer, signage, fencing, muzzling, and registration; (iv) court discretion on prohibiting ownership of or residence with a dog following a dangerous dog adjudication; and (v) additional recordkeeping for officers in certain situations.</p>		
<p><b>HB 589</b> - Guzman (31) Community services boards; funding formula, population and need.</p>	<p>1/6/2020 House: Referred to Committee on Health, Welfare and Institutions 1/27/2020 House: Subcommittee recommends striking from docket (6-Y 0-N) 2/11/2020 House: Left in Health, Welfare and Institutions</p>	<p><b>1/28/2020</b></p>

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<p><b>Monitor</b> (20102117D)</p> <p><b>Summary:</b> 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.</p>		
<p><b><u>HB 608</u></b> - Miyares (82) Health Enterprise Zone Program and Fund; established, report.</p>	<p>1/6/2020 House: Referred to Committee on Health, Welfare and Institutions 1/28/2020 House: Subcommittee recommends reporting with substitute (8-Y 0-N) and referring to Committee on Appropriations 1/30/2020 House: Reported from Health, Welfare and Institutions with substitute (21-Y 1-N) 1/30/2020 House: Referred to Committee on Appropriations 2/5/2020 House: Subcommittee recommends laying on the table (7-Y 1-N) 2/11/2020 House: Left in Appropriations</p>	<p><b>1/28/2020</b></p>
<p><b>Support</b> (20101235D)</p> <p><b>Summary:</b> 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>		
<p><b><u>HB 619</u></b> – Cole, J. (28) Commonwealth Mass Transit Fund; allocation to Fredericksburg Regional Transit.</p>	<p>1/6/2020 House: Referred to Committee on Transportation 1/30/2020 House: Subcommittee recommends striking from docket (10-Y 0-N) 2/11/2020 House: Left in Transportation</p>	<p><b>1/28/2020</b></p>
<p><b>Oppose</b> (20101564D)</p> <p><b>Summary:</b> 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.</p>		

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<a href="#"><u>HB 620</u></a> – Cole, J. (28) Statewide prioritization process; project selection.	1/6/2020 House: Referred to Committee on Transportation 1/23/2020 House: Subcommittee recommends incorporating (HB 364-Cole, M.) by voice vote 2/13/2020 House: Left in Transportation	<b>1/28/2020</b>
<p><b>Oppose</b> (20103914D) - See also HB 364 (Cole, M.).</p> <p><b>Summary:</b> 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>		
<a href="#"><u>HB 621</u></a> - 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	<b>1/28/2020</b>
<p><b>Support</b> (20104317D)</p> <p><b>Summary:</b> Provides that a locality may, by ordinance, establish a speed enforcement program utilizing an automated speed monitoring system that creates recorded images of vehicles traveling at least 10 miles per hour in excess of the maximum applicable speed limit. The penalty imposed for violating applicable speed limits where such violation is established by recorded images produced by a speed monitoring system cannot exceed \$50. The bill provides that a locality may install and operate a speed monitoring system only at residence districts, school crossing zones, and highway work zones. The procedures for operating a speed monitoring system and issuing summonses to violators and the rights of such violators, including the right to appeal to circuit court, parallel those currently in place for red light violations recorded by photo-monitoring systems at traffic lights. This bill was incorporated into HB 1442.</p>		
<a href="#"><u>HB 636</u></a> - LaRock (33) Town residents; provision of county services.	1/6/2020 House: Referred to Committee on Counties, Cities and Towns 2/6/2020 House: Subcommittee recommends laying on the table (5-Y 1-N) 2/11/2020 House: Left in Counties, Cities and Towns	<b>1/28/2020</b>
<p><b>Oppose</b> (20100847D)</p> <p><b>Summary:</b> Provision of county services to town residents. Requires a county to provide the same and equal services to residents of incorporated towns within the county as are provided to other residents of the county. However, if the local governing body of a town adopts a resolution that provides that the town shall provide a specific service and sends a copy of the resolution to the local governing body of the county, a county shall not be required to provide that service to town residents.</p>		

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<a href="#"><u>HB 642</u></a> - LaRock (33) Transportation funding; statewide prioritization process.	1/6/2020 House: Referred to Committee on Transportation 1/30/2020 House: Subcommittee recommends laying on the table (8-Y 2-N) 2/13/2020 House: Left in Transportation	<b>1/28/2020</b>
<b>Monitor</b> (20104059D) <b>Summary:</b> 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.		
<a href="#"><u>HB 650</u></a> - 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	<b>2/11/2020</b>
<b>Support</b> (20104901D) - See also SB 566 (Edwards). <b>Summary:</b> 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.		
<a href="#"><u>HB 662</u></a> - Mullin (93) Local grievance procedure; incorporates certain provisions.	1/6/2020 House: Referred to Committee on Counties, Cities and Towns 2/11/2020 House: Left in Counties, Cities and Towns	<b>1/28/2020</b>
<b>Oppose</b> (20101301D) <b>Summary:</b> 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.		
<a href="#"><u>HB 677</u></a> - LaRock (33) Interstate 66; reverse tolling, toll revenue on Interstate 66 and Interstate 395.	1/6/2020 House: Referred to Committee on Transportation 1/23/2020 House: Subcommittee recommends passing by indefinitely (10-Y 0-N) 2/11/2020 House: Left in Transportation	<b>1/28/2020</b>
<b>Oppose</b> (20102275D) <b>Summary:</b> 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.		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><b>HB 679</b></a> - LaRock (33) Real and personal property tax exemptions; repeals exemptions.	1/6/2020 House: Referred to Committee on Finance 1/27/2020 House: Subcommittee recommends laying on the table (10-Y 0-N) 2/11/2020 House: Left in Finance	<b>1/28/2020</b>
<b>Oppose</b> (20102616D) <b>Summary:</b> 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.		
<a href="#"><b>HB 713</b></a> - Hope (47) Mandatory outpatient treatment orders; judicial review conferences.	1/6/2020 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/3/2020 House: Subcommittee recommends reporting (5-Y 0-N) 2/3/2020 House: Subcommittee recommends referring to Committee on Appropriations 2/4/2020 House: Reported from HHWI (21-Y 1-N) 2/4/2020 House: Referred to Committee on Appropriations 2/5/2020 House: Subcommittee recommends laying on the table (8-Y 0-N) 2/11/2020 House: Left in Appropriations	<b>1/28/2020</b>
<b>Support</b> (20104681D) <b>Summary:</b> 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.		
<a href="#"><b>HB 774</b></a> - 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) 2/10/2020 House: Engrossment refused by House (41-Y 51-N)	<b>1/28/2020</b>
<b>Support</b> (20103803D) <b>Summary:</b> 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.		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><b>HB 891</b></a> - Sickles (43) Peer-to-peer vehicle sharing platforms; establishes sale of insurance, etc., for platforms.	1/7/2020 House: Referred to Committee on Communications, Technology and Innovation (HTECH) 1/27/2020 House: Referred from HTECH by voice vote 1/27/2020 House: Referred to Committee on Finance 2/3/2020 House: Subcommittee failed to recommend reporting (4-Y 6-N) 2/11/2020 House: Left in Finance	<b>1/28/2020</b>
<p><b>Support</b> (20105150D) - Support efforts to provide taxation parity with existing rental vehicles services. See also SB 749 (Cosgrove).</p> <p><b>Summary:</b> 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>		
<a href="#"><b>HB 912</b></a> - 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	<b>1/28/2020</b>
<p><b>Support</b> (20103986D) - Board has historically supported.</p> <p><b>Summary:</b> 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>		
<a href="#"><b>HB 948</b></a> - Webert (18) License taxes; prohibition on rate increases, prohibition on new taxes.	1/7/2020 House: Referred to Committee on Finance 1/20/2020 House: Subcommittee recommends laying on the table (8-Y 0-N) 2/11/2020 House: Left in Finance	<b>1/28/2020</b>
<p><b>Oppose</b> (20104260D)</p> <p><b>Summary:</b> License taxes; prohibition on rate increases; prohibition on new taxes. Provides that any locality that levies license taxes shall be prohibited from increasing the rate of those taxes above the rate imposed as of January 1, 2020. The bill also prohibits any locality that does not levy license taxes from levying such a tax in the future.</p>		

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<a href="#"><u>HB 977</u></a> - 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	<b>1/28/2020</b>
<b>Support</b> (20105088D) <b>Summary:</b> 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.		
<a href="#"><u>HB 1152</u></a> - Lopez (49) Carbon dioxide cap and trade program; establishes program, etc.	1/7/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 1/22/2020 House: Referred from HAG by voice vote 1/22/2020 House: Referred to Committee on Labor and Commerce 1/30/2020 House: Subcommittee recommends incorporating (HB 981-Herring) by voice vote 2/4/2020 House: Incorporated by Labor and Commerce (HB 981-Herring) by voice vote	<b>2/11/2020</b>
<b>Support</b> (20101672D) <b>Summary:</b> 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.		
<a href="#"><u>HB 1170</u></a> - Poindexter (9) Regional electric utility programs; participation by Commonwealth.	1/7/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 2/5/2020 House: Subcommittee recommends laying on the table (5-Y 3-N) 2/11/2020 House: Left in HAG	<b>1/28/2020</b>
<b>Oppose</b> (20103356D) <b>Summary:</b> 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.		

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<a href="#"><b>HB 1202</b></a> - 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	<b>1/28/2020</b>
<b>Support</b> (20104446D) <b>Summary:</b> 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.		
<a href="#"><b>HB 1203</b></a> - Tran (42) Prevailing wage; public works contracts with localities, penalty.	1/7/2020 House: Referred to Committee on Labor and Commerce 1/28/2020 House: Subcommittee recommends reporting with substitute (4-Y 3-N) 1/30/2020 House: Failed to report (defeated) in Labor and Commerce (9-Y 9-N)	<b>1/28/2020</b>
<b>Support</b> (20104359D) - Support as a local option. <b>Summary:</b> Prevailing wage; public works contracts with localities; penalty. Requires contractors and subcontractors under any public contract with a locality for public works to pay wages, salaries, benefits, and other remuneration to any mechanic, laborer, or worker employed, retained, or otherwise hired to perform services in connection with the public contract at the prevailing wage rate. The Commissioner of Labor and Industry is required to determine the prevailing wage rate for such public contracts on the basis of applicable prevailing wage rate determinations made by the U.S. Secretary of Labor under the provisions of the federal Davis-Bacon Act. A contractor or subcontractor who knowingly or willfully employs any mechanic, laborer, or worker to perform work contracted to be done under the public contract at a rate that is less than the prevailing wage rate is guilty of a Class 1 misdemeanor. In addition, such a contractor or subcontractor shall be liable to such individuals for the payment of all wages due plus interest and shall be disqualified from bidding on public contracts until full restitution has been paid to the individuals.		
<a href="#"><b>HB 1204</b></a> - Tran (42) Fall cankerworm; spraying prohibited except through opt-in program.	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)	<b>1/28/2020</b>
<b>Oppose</b> (20103495D) <b>Summary:</b> 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.		

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<p><b><u>HB 1214</u></b> - Simonds (94) Family day homes; licensure threshold.</p>	<p>1/7/2020 House: Referred to Committee on Education 1/15/2020 House: Referred from Education by voice vote 1/15/2020 House: Referred to Committee on Health, Welfare and Institutions 1/30/2020 House: Subcommittee recommends reporting with substitute (3-Y 1-N) 1/30/2020 House: Subcommittee recommends referring to Committee on Appropriations 2/6/2020 House: Failed to report (defeated) in Health, Welfare and Institutions (9-Y 11-N)</p>	<p><b>1/28/2020</b></p>
<p><b>Amend</b> (20102193D) - Amend to allow Fairfax County to maintain its current local permitting program. See also SB 117 (Favola). <b>Summary:</b> Reduces from five to three the number of children for whom a family day home must obtain a license to provide child care services.</p>		
<p><b><u>HB 1216</u></b> - Tran (42) State of good repair funds; bridges subject to repeated flooding.</p>	<p>1/7/2020 House: Referred to Committee on Transportation 1/30/2020 House: Subcommittee recommends laying on the table (10-Y 0-N) 2/11/2020 House: Left in Transportation</p>	<p><b>1/28/2020</b></p>
<p><b>Support</b> (20100138D) <b>Summary:</b> Makes bridges that are subject to repeated flooding eligible for state of good repair funding. Under current law, structurally deficient bridges and highways with deficient pavement conditions are eligible for state of good repair funds.</p>		
<p><b><u>HB 1227</u></b> - LaRock (33) Unmanned aerial systems; local regulation.</p>	<p>1/7/2020 House: Referred to Committee on Communications, Technology and Innovation 1/22/2020 House: Subcommittee recommends incorporating (HB742-Bulova) by voice vote 2/11/2020 House: Left in Communications, Technology and Innovation</p>	<p><b>1/28/2020</b></p>
<p><b>Support</b> (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. <b>Summary:</b> 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>		

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<a href="#"><b>HB 1308</b></a> - Walker (23) Stormwater management; grandfathered land-disturbing activities.	1/8/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 2/3/2020 House: Subcommittee recommends laying on the table (6-Y 2-N) 2/11/2020 House: Left in HAG	<b>1/28/2020</b>
<b>Oppose</b> (20104024D) - Board has historically opposed. <b>Summary:</b> 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.		
<a href="#"><b>HB 1312</b></a> - Kory (38) Dangerous weapons; prohibits possessing or transporting in local government buildings.	1/8/2020 House: Referred to Committee on Public Safety 2/11/2020 House: Left in Public Safety	<b>1/28/2020</b>
<b>Monitor</b> (20100166D) <b>Summary:</b> 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.		
<a href="#"><b>HB 1389</b></a> - LaRock (33) Transportation funds; use of funds for projects.	1/8/2020 House: Referred to Committee on Transportation 1/28/2020 House: Subcommittee recommends striking from docket (8-Y 0-N) 2/11/2020 House: Left in Transportation	<b>1/28/2020</b>
<b>Oppose</b> (20104309D) <b>Summary:</b> 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.		
<a href="#"><b>HB 1510</b></a> - 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 2/11/2020 House: Left in Public Safety	<b>1/28/2020</b>
<b>Monitor</b> (20104479D) <b>Summary:</b> 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,		

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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.		
<b><u>HB 1673</u></b> - 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	<b>1/28/2020</b>
<p><b>Support</b> (20104420D) - Support effort to reduce waste from plastic bags, but revenue generated should be directed to localities as they are responsible for solid waste management.</p> <p><b>Summary:</b> 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.</p>		
<b><u>HJ 31</u></b> - Lopez (49) Commonwealth-wide housing needs; Department of Housing and Community Development to study.	1/1/2020 House: Referred to Committee on Rules 2/3/2020 House: Subcommittee recommends laying on the table (5-Y 0-N) 2/11/2020 House: Left in Rules	<b>1/28/2020</b>
<p><b>Support with Amendment</b> (20101786D) - Support with amendment to include the Virginia Housing Development Authority in the study.</p> <p><b>Summary:</b> 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>		
<b><u>HJ 57</u></b> - Subramanyam (87) Route 50; Department of Transportation to study traffic congestion.	1/6/2020 House: Referred to Committee on Rules 2/3/2020 House: Subcommittee recommends laying on the table (5-Y 0-N) 2/11/2020 House: Left in Rules	<b>1/28/2020</b>

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<p><b>Amend</b> (20103600D) - Amend to provide local input and include transit in study.  <b>Summary:</b> Study; Department of Transportation; U.S. Route 50; report. Requests that the Department of Transportation study traffic congestion on that portion of U.S. Route 50 between the intersections of Interstate 66 in Fairfax County and U.S. Route 15 in Loudoun County and the feasibility of implementing improvements to such portion of the highway.</p>		
<p><b>HJ 63</b> - Rush (7)  Blockchain technology;  joint subcommittee to  study emergence &amp;  integration in the  economy.</p>	<p>1/6/2020 House: Referred to Committee on Rules  2/3/2020 House: Subcommittee recommends laying on the table  (3-Y 0-N)  2/11/2020 House: Left in Rules</p>	<p><b>1/28/2020</b></p>
<p><b>Support with Amendment</b> (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.  <b>Summary:</b> 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>		
<p><b>HJ 82</b> - Ayala (51)  Blockchain technology;  VEDPA to study the  emergence, etc., in the  economy.</p>	<p>1/7/2020 House: Referred to Committee on Rules  2/3/2020 House: Subcommittee recommends laying on the table  (5-Y 0-N)  2/11/2020 House: Left in Rules</p>	<p><b>1/28/2020</b></p>
<p><b>Support with Amendment</b> (20104566D) - Support with amendment to include collaboration with local government representatives to analyze opportunities to deploy blockchain technology at the local level.  <b>Summary:</b> 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>		

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<a href="#"><u>HJ 105</u></a> - Subramanyam (87) Blockchain technology; joint subcommittee to study emergence & integration in the economy.	1/8/2020 House: Referred to Committee on Rules 1/29/2020 House: Subcommittee recommends laying on the table (6-Y 0-N) 2/11/2020 House: Left in Rules	<b>1/28/2020</b>
<p><b>Support with Amendment</b> (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><b>Summary:</b> 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>		
<a href="#"><u>HJ 132</u></a> - Herring (46) Cannabis and medical cannabis; joint subcommittee to study development of framework for regulation.	1/10/2020 House: Referred to Committee on Rules 2/3/2020 House: Subcommittee recommends laying on the table (5-Y 0-N) 2/11/2020 House: Left in Rules	<b>2/11/2020</b>
<p><b>Support</b> (20105549D) - See also HJ 130 (Heretick) and SJ 66 (Ebbin).</p> <p><b>Summary:</b> Study; Joint Subcommittee to Study the Development of a Framework for Regulated Adult-Use of Cannabis and Medical Cannabis; report.</p>		
<a href="#"><u>SB 26</u></a> - 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)	<b>1/28/2020</b>
<p><b>Support</b> (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.</p> <p><b>Summary:</b> 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.</p>		
<a href="#"><u>SB 66</u></a> - 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)	<b>1/28/2020</b>

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Bills	General Assembly Actions	Date of BOS Position
<p><b>Support</b> (20101054D) - Board has historically supported.</p> <p><b>Summary:</b> Virginia Fair Housing Law; unlawful discriminatory housing practices; sexual orientation and gender identity. Adds discrimination on the basis of an individual's sexual orientation or gender identity as an unlawful housing practice. The bill defines "sexual orientation" and "gender identity."</p>		
<p><b><u>SB 67</u></b> - McClellan (9) Firearms; reporting those lost or stolen, civil penalty.</p>	<p>11/22/2019 Senate: Referred to Committee on the Judiciary 2/5/2020 Senate: Reported from Judiciary (7-Y 6-N) 2/11/2020 Senate: Read third time and defeated by Senate (18-Y 21-N) 2/11/2020 Senate: Reconsideration of defeated action agreed to by Senate (39-Y 0-N) 2/11/2020 Senate: Defeated by Senate (19-Y 21-N)</p>	<p><b>1/28/2020</b></p>
<p><b>Monitor</b> (20101053D) - See also HB 9 (Bourne).</p> <p><b>Summary:</b> 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.</p>		
<p><b><u>SB 117</u></b> - Favola (31) Family day homes; licensure threshold.</p>	<p>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)</p>	<p><b>1/28/2020</b></p>
<p><b>Amend</b> (20102365D) - Amend to allow Fairfax County to maintain its current local permitting program. See also HB 1214 (Simonds).</p> <p><b>Summary:</b> Reduces from five to three the number of children for whom a family day home must obtain a license to provide child care services.</p>		
<p><b><u>SB 151</u></b> - Stuart (28) School personnel; staffing ratios, school nurses.</p>	<p>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)</p>	<p><b>1/28/2020</b></p>
<p><b>Oppose</b> (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.</p> <p><b>Summary:</b> School personnel; staffing ratios; school nurses. Excludes school nurse positions from requirements for student support positions and instead requires each local school board to employ at least one full-time equivalent school nurse position in each elementary school, middle school, and high school in the local school division or at least one full-time equivalent school nurse position per 550 students in grades kindergarten through 12.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><b>SB 159</b></a> - 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)	<b>1/28/2020</b>
<b>Support</b> (20102892D) - Board has historically supported. <b>Summary:</b> 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.		
<a href="#"><b>SB 180</b></a> - 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)	<b>1/28/2020</b>
<b>Support</b> (20101737D) <b>Summary:</b> 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.		
<a href="#"><b>SB 184</b></a> - 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)	<b>2/11/2020</b> <b>1/28/2020</b>
<b>Monitor</b> (20106930D-S1) - Bill has been amended and no longer applies to the County. <del><b>Support</b> (20102410D)</del> <b>See also HB 221 (Mugler).</b> <b>Summary:</b> 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.		

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Bills	General Assembly Actions	Date of BOS Position
<b><u>SB 193</u></b> - 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)	<b>1/28/2020</b>
<p><b>Support</b> (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.</p> <p><b>Summary:</b> 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>		
<b><u>SB 198</u></b> - 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)	<b>1/28/2020</b>
<p><b>Support</b> (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><b>Summary:</b> 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>		
<b><u>SB 276</u></b> - 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)	<b>1/28/2020</b>
<p><b>Support</b> (20103297D)</p> <p><b>Summary:</b> 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>		
<b><u>SB 475</u></b> - 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)	<b>1/28/2020</b>
<b>Support</b> (20102619D)		

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Bills	General Assembly Actions	Date of BOS Position
<p><b>Summary:</b> Virginia Public Procurement Act; use of best value contracting; construction and professional services. Authorizes any public body to procure construction on a best value procurement basis using a numerical scoring system consisting of the following: (i) technical solution, 30 percent; (ii) past performance, 30 percent, including (a) price history of cost overruns, (b) schedule history of on-time delivery, and (c) contractor performance ratings from the immediately preceding five-year period; and (iii) price, 40 percent. The Request for Proposal shall contain a notice to potential offerors that the procurement decision will be made on a best value procurement basis. The Request for Proposal shall describe (1) the criteria that will be considered in evaluating the proposals and (2) the numerical scoring system that will be used in evaluating the proposals, including identification of the factors and weight values set forth in the bill.</p>		
<p><b><u>SB 484</u></b> - Favola (31) Local taxing authority; equalizes city and county taxing authorities.</p>	<p>1/7/2020 Senate: Referred to Committee on Finance and Appropriations 2/5/2020 Senate: Incorporated by Finance and Appropriations (SB 588-Hanger) (16-Y 0-N)</p>	<p><b>1/28/2020</b></p>
<p><b>Support</b> (20104703D) - Board has historically supported. <b>Summary:</b> Local taxing authority. Equalizes city taxing authority and county taxing authority by granting a county the same authority available to impose excise taxes on cigarettes, admissions, transient room rentals, meals, and travel campgrounds without limitation on the rate that may be imposed. The bill retains a restriction that applies to counties under current law and requires that any transient occupancy tax revenue attributable to a rate of between two and five percent must be used for tourism marketing.</p>		
<p><b><u>SB 532</u></b> - Edwards (21) Third-party power purchase agreements; regulation of retail sales of electricity under agreements.</p>	<p>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)</p>	<p><b>1/28/2020</b></p>
<p><b>Support</b> (20102819D) <b>Summary:</b> 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><b><u>SB 581</u></b> - 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><b>1/28/2020</b></p>

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Bills	General Assembly Actions	Date of BOS Position
<b>Support</b> (20102952D) - See also HB 1083 (Hayes). <b>Summary:</b> 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.		
<a href="#"><b>SB 638</b></a> - Surovell (36) Affordable housing; location near Metrorail station.	1/7/2020 Senate: Referred to Committee on Local Government 1/27/2020 Senate: Passed by indefinitely in Local Government with letter (15-Y 0-N)	<b>1/28/2020</b>
<b>Oppose</b> (20101041D) <b>Summary:</b> 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.		
<a href="#"><b>SB 643</b></a> - Boysko (33) Motor Vehicles, Department of; issuance of certain documents.	1/7/2020 Senate: Referred to Committee on Transportation 1/30/2020 Senate: Incorporated by Transportation (SB 34-Surovell) (8-Y 7-N)	<b>1/28/2020</b>
<b>Support</b> (20102087D) <b>Summary:</b> 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.		
<a href="#"><b>SB 644</b></a> - 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)	<b>1/28/2020</b>
<b>Monitor</b> (20102092D) <b>Summary:</b> 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.		

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<a href="#"><b>SB 682</b></a> - 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)	<b>1/28/2020</b>
<b>Support</b> (20103944D) - Board has historically supported. <b>Summary:</b> 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.		
<a href="#"><b>SB 749</b></a> - Cosgrove, Jr. (14) Peer-to-peer vehicle sharing platforms; establishes sale of insurance, etc., for platforms.	1/8/2020 Senate: Referred to Committee on Commerce and Labor 2/3/2020 Senate: Reported from Commerce and Labor with substitute (9-Y 3-N 3-A) 2/3/2020 Senate: Re-referred to Finance and Appropriations 2/10/2020 Senate: Incorporated by Finance and Appropriations (SB 735-Newman) (16-Y 0-N)	<b>1/28/2020</b>
<b>Support</b> (20105235D) - Support efforts to provide taxation parity with existing vehicle rental services. See also HB 891 (Sickles). <b>Summary:</b> 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.		
<a href="#"><b>SB 750</b></a> - Cosgrove, Jr. (14) Peer-to-peer vehicle sharing platforms; definition, taxation.	1/8/2020 Senate: Referred to Committee on Finance and Appropriations 2/10/2020 Senate: Incorporated by Finance and Appropriations (SB 735-Newman) (16-Y 0-N)	<b>1/28/2020</b>
<b>Support</b> (20102741D) - Support efforts to provide taxation parity with existing vehicle rental services. See also HB 892 (Sickles). <b>Summary:</b> 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.		
<a href="#"><b>SB 759</b></a> - 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)	<b>1/28/2020</b>
<b>Support</b> (20105147D) <b>Summary:</b> 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		

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Bills	General Assembly Actions	Date of BOS Position
shall be liable for a monetary civil penalty, not to exceed \$125, if such vehicle is found to be traveling at speeds of at least 10 miles per hour above the posted highway work zone or school crossing zone speed limit by the photo speed monitoring device. The bill provides that if the summons for a violation is issued by mail the violation shall not be reported on the driver's operating record or to the driver's insurance agency, but if the violation is personally issued by an officer at the time of the violation, such violation shall be part of the driver's record and used for insurance purposes. The bill provides that the civil penalty will be paid to the locality in which the violation occurred.		
<a href="#"><u>SB 839</u></a> - 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)	<b>1/28/2020</b>
<b>Support</b> (20103585D) <b>Summary:</b> 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.		
<a href="#"><u>SB 852</u></a> - 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)	<b>1/28/2020</b>
<b>Support</b> (20104343D) - See also HB 1120 (Hope). <b>Summary:</b> 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.		
<a href="#"><u>SB 893</u></a> - 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)	<b>1/28/2020</b>
<b>Oppose</b> (20102707D) - See also HB 657 (Heretick). <b>Summary:</b> 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.		
<a href="#"><u>SB 921</u></a> - 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)	<b>1/28/2020</b>

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Bills	General Assembly Actions	Date of BOS Position
<p><b>Support</b> (20104542D) - Board has historically supported.</p> <p><b>Summary:</b> 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).</p>		
<p><b><u>SJ 32</u></b> - Bell (13) Electric vehicles; DEQ to study the impact of and develop Clean Transportation Plan, report.</p>	<p>1/6/2020 Senate: Referred to Committee on Rules 1/24/2020 Senate: Passed by indefinitely in Rules with letter by voice vote</p>	<p><b>1/28/2020</b></p>
<p><b>Support with Amendment</b> (20104293D) - Support with amendment to encourage consideration of the impact on transportation revenue resulting from the increase in use of electric vehicles.</p> <p><b>Summary:</b> 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.</p>		
<p><b><u>SJ 57</u></b> - Lewis, Jr. (6) JLARC; costs of education, report.</p>	<p>1/8/2020 Senate: Referred to Committee on Rules 1/31/2020 Senate: Stricken at request of Patron in Rules by voice vote</p>	<p><b>1/28/2020</b></p>
<p><b>Support</b> (20103928D) - Board has historically supported. Fairfax County's Legislative Program includes support for adequate K-12 education funding.</p> <p><b>Summary:</b> Study; JLARC; costs of education; report. Directs the Joint Legislative Audit and Review Commission to study the true cost of education in the Commonwealth and provide an accurate assessment of the costs to implement the Standards of Quality.</p>		

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**BUDGET PROPOSALS FOR FY 2020 - FY 2022  
DURING THE 2020 GENERAL ASSEMBLY SESSION  
as of February 20, 2020**

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

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

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

**Governor Northam's Budget:**

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

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

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

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

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

**BUDGET PROPOSALS FOR FY 2020 - FY 2022  
DURING THE 2020 GENERAL ASSEMBLY SESSION  
as of February 20, 2020**

Budget Bill Item #	Issue	Fairfax County Impact
<b>Compensation</b>		
<b><u>State-Supported Employee Compensation</u></b>		
477	<b>Governor Northam's Budget:</b> No across-the-board salary adjustment is included for Constitutional officers and state-supported local employees. Targeted salary increases for specific positions are included.	No increase for Fairfax County.
477 #1h	<b>House:</b> Provides 1% salary increase effective July 1, 2020, and 1% bonus on September 1, 2020 and 2% salary increase effective July 1, 2021, for state-supported local employees.	Results in an increase of approximately \$615,000 in FY 2021 and \$677,000 in FY 2022.
477 #4s	<b>Senate:</b> Provides 3% salary increase effective July 1, 2021 for state-supported local employees contingent upon actual General Fund (GF) revenues for FY 2020 not being 1% or more below the official budget estimate.	Results in an increase of approximately \$1 million in FY 2022.
68	<b>Governor Northam's Budget:</b> Provides \$5.6 million to fund salary increases for regional jail officers consistent with those received by deputy sheriffs to equalize the pay grade for all entry-level correctional officers in local and regional jails.  <b>House/Senate:</b> No change.	The Sheriff's Office believes there is no fiscal impact as they are not a regional jail.
71, 74	<b>Governor Northam's Budget:</b> Provides \$2.0 million to fund targeted salary increases for Commissioners of Revenue and \$2.6 million for local Treasurers.  <b>House/Senate:</b> No change.	The County would realize a potential increase for the Compensation Board reimbursement. TBD.
73	<b>Governor Northam's Budget:</b> Provides \$3.8 million to adjust salaries of circuit court clerks to address pay equity with those of the district court clerk positions.  <b>House/Senate:</b> No change.	Applies to entry level positions. As a result, the County would realize a potential increase for the Compensation Board reimbursement. TBD.
87	<b>Governor Northam's Budget:</b> Provides \$5.0 million to fund the reimbursement of general registrar and electoral board salaries to localities.  <b>House/Senate:</b> No change.	Currently the state reimburses the County approximately 65% of the electoral board stipend and the general registrar's state mandated salary, but not the County supplement. This proposal would require 100% reimbursement of the mandated salary/stipends. Results in estimated additional funding of \$41,000.
<b>Public Safety</b>		
408	<b><u>State Aid to Localities with Police Departments (HB 599)</u></b> <b>Governor Northam's Budget:</b> No increase is included over the biennium for state support for local police departments. Statutory policy requires that HB 599 funding increase at the rate of GF revenue growth.  <b>House:</b> No change.	No increase for Fairfax County for the new biennium. In FY 2020, the County received \$26.4 million.  No increase.
408 #1s	<b>Senate:</b> Provides an increase of \$8.6 million in FY 2021 and level funding for FY 2022 to increase state aid to localities with police departments. The amount is consistent with the 4.5 percent increase in GF revenues in the first year.	Results in an increase of approximately \$1.2 million.
<b><u>Gun Violence Intervention and Prevention</u></b>		
406.M.	<b>Governor Northam's Budget:</b> Includes \$2.6 million in FY 2021 and \$0.2 million in FY 2022 and two positions in each year to make competitive grants to five localities to support evidence-based gun violence intervention and prevention initiatives.  <b>House:</b> No change.	TBD.
406 #3s	<b>Senate:</b> Removes a portion of funding that was proposed in the introduced budget to fund the Violence Intervention and Prevention Fund and administrative positions. The remaining funding leaves \$1 million in the first year to be transferred to the fund.	



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<b><u>Firearms</u></b>		
402, 425	<b>Governor Northam's Budget:</b> Includes \$8 million to implement the Governor's proposed firearm legislation, which includes: allowing the removal of firearms from persons who pose a substantial risk to themselves or others; prohibiting the sale, possession, and transport of assault firearms, trigger activators, and silencers; increasing the penalty for allowing a child to access unsecured firearms; prohibiting possession of firearms for persons subject to final orders of protection; and, requiring background checks for all firearms sales.	TBD. The County's Legislative Program includes support for many of these proposals.
425 #2h	<b>House:</b> Removes funding and 18 positions proposed in the introduced budget resulting from legislation considered during the 2020 GA which would have banned the purchase, sale, transfer, or transportation of assault weapons. The associated legislation was amended to eliminate the fiscal impact.	
425 #1s	<b>Senate:</b> Removes \$2.4 million the first year and \$1.6 million the second year and 18 positions provided in the introduced budget to address the fiscal impact of legislation to ban assault weapons. The House had amended the legislation which eliminated the fiscal impact; subsequently, the measure was continued to 2021 by Senate Judiciary on Monday February 17, after the money committees released their budgets.	
<b><u>Victims of Crime Act Grant Funding</u></b>		
406	<b>Governor Northam's Budget:</b> Provides \$17.3 million NGF in FY 2021 and \$21.3 million NGF in FY 2022 for the Victims of Crime Act (VOCA) program, which funds support grants to local programs that provide services to victims of domestic abuse, sexual assault, victim witness program, and child abuse.  <b>House/Senate:</b> No change.	The County currently receives grant funding for this program and could apply and potentially get more from the increase included in the Governor's budget.
<b>Revenue</b>		
<b><u>Cigarette Tax</u></b>		
3-5.21	<b>Governor Northam's Budget:</b> Increases the state Cigarette Tax rate from \$0.30 to \$0.60 per pack and a tax on other tobacco products of 20% of the manufacturer's sales price, effective July 1, 2020.	Fairfax and Arlington Counties are the only two counties in Virginia authorized to levy a Cigarette Tax, capped at the state rate. This proposal to increase the state rate would allow Fairfax County to increase its rate, which would generate \$5.4 million for Fairfax County's General Fund.
	<b>House/Senate:</b> No change.	
<b>Judicial</b>		
48	<b>Governor Northam's Budget:</b> Provides \$9.5 million to support 59 additional public defenders to address high caseload demands in offices across the Commonwealth.	The Chief Public Defender believes they may receive two Public Defender I and two Public Defender II positions. The County funds the salary supplement, which totals approximately \$38,000 for the four positions.
48 #1h	<b>House:</b> Clarifies that the new funding included in the introduced budget for the Indigent Defense Commission offices may be used to hire new staff or make salary adjustments to address high turnover rates in the offices.  <b>Senate:</b> No change.	

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<b>Budget Bill Item #</b>	<b>Issue</b>	<b>Fairfax County Impact</b>
42	<b>Governor Northam's Budget:</b> Provides \$5.6 million to support 60 additional district court clerk positions to address workload demands in courts.	It is not clear how these positions will be allocated throughout the state. According to the District Court Staffing Model developed by the Office of the Executive Secretary of the Supreme Court, the Fairfax County General District Court needs more than 21 additional positions and the Fairfax County Juvenile and Domestic Relations Court needs more than 9 additional positions.
42 #1h	<b>House:</b> Provides an additional \$1.9 million GF the first year and \$3.8 million GF the second year to allow the hiring of a total of 60 additional deputy district court clerks each year.	
42 #1s	<b>Senate:</b> Provides an additional appropriation in the amount of \$3.9 million for either additional clerk positions, salary increases for general district court clerks, or a combination of both. The funding for this appropriation is derived from a companion amendment in Part 4-14.00 that increases general district court civil filing fees from \$30 to \$36 (revenue from this fee goes to the state, not to localities).	
42	<b>Governor Northam's Budget:</b> Provides \$0.3 million to support one new general district court judgeship and one clerk support staff for the 19th Judicial District (Fairfax County).  <b>House/Senate:</b> No change.	Positive. The County's Legislative Program includes support for authorizing and funding this 12th judgeship. The General Assembly would also need to authorize this 12th judgeship in separate legislation.
42	<b>Governor Northam's Budget:</b> Provides \$4.5 million for the Criminal Fund to fund the anticipated cost increases associated with providing constitutionally mandated legal defense for indigent persons accused of crimes in General District Courts.  <b>House/Senate:</b> No change.	No direct impact on the County's budget.
43	<b>Governor Northam's Budget:</b> Provides \$4.5 million for the Criminal Fund to fund the anticipated cost increases associated with providing constitutionally mandated legal defense for indigent persons accused of crimes in Juvenile and Domestic Relations District Courts.  <b>House/Senate:</b> No change.	No direct impact on the County's budget.
72	<b>Governor Northam's Budget:</b> Provides \$2.8 million to fund additional Assistant Commonwealth's Attorneys and support staff positions. This amendment provides 29 positions to address workload demands across various offices in the Commonwealth.  <b>House/Senate:</b> No change.	TBD.
<b>Other Items of Interest</b>		
<b>Water Quality Improvement Fund (WQIF)</b>		
373.B&C	<b>Governor Northam's Budget:</b> Directs \$47.0 million for the mandatory deposit to the WQIF associated with the FY 2019 year-end surplus; provides an additional supplemental deposit of \$41.8 million for WQIF in FY 2022.  <b>House:</b> No change.	Likely positive. Fairfax County has used WQIF for projects in the past, and likely will have future projects that qualify for WQIF funding.
373 #1s	<b>Senate:</b> Dedicates an additional \$29.3 million to the Water Quality Improvement Fund in FY 2021, bringing the total one-year deposit to \$76.3 million. Additionally, removes a proposed discretionary deposit to the Fund for FY 2022 in the amount of \$41.8 million.	

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<b><u>Stormwater Local Assistance Fund (SLAF)</u></b>		
C-70	<b>Governor Northam's Budget:</b> Provides \$182 million in bond proceeds in FY 2021 for SLAF capital projects.	The County's Legislative Program includes support for SLAF, and the County has received SLAF funding for a number of projects.
C-70 #1h	<b>House:</b> Provides \$92 million in bond proceeds in FY 2021 for SLAF capital projects, a decrease of \$90 million from the introduced budget.	
C-70 #1s	<b>Senate:</b> Provides \$50 million in bond proceeds in FY 2021 for SLAF capital projects, a decrease of \$132 million from the introduced budget.	
<b><u>Virginia Telecommunication Initiative (VTI)</u></b>		
114.L	<b>Governor Northam's Budget:</b> Provides \$35 million in each year of the biennium for the VTI.  <b>House/Senate:</b> No change.	TBD.
<b><u>Virginia Housing Trust Fund (HTF)</u></b>		
113	<b>Governor Northam's Budget:</b> Provides an additional \$7 million (for a total of \$14 million) in FY 2020 (in the Caboose), a total of \$30 million in FY 2021 and \$40 million in FY 2022 to support the HTF.  <b>House:</b> No change.	The County's Legislative Program includes support for additional appropriations to the Virginia Housing Trust Fund.
113 #1s	<b>Senate:</b> Reduces the deposit to the HTF by \$10 million in FY 2022, providing \$30 million in each year of the biennium.	
<b><u>Elections</u></b>		
86	<b>Governor Northam's Budget:</b> Provides \$0.4 million to enhance election official training certification program for local election officials across the Commonwealth.  <b>House/Senate:</b> No change.	Likely positive, as the County's Legislative Program includes support for state funding for election administration (including training for local electoral board members, registrars, and elections officials), although it is unclear how funds will be distributed to localities throughout the state.
475.T	<b>Governor Northam's Budget:</b> Provides \$5.9 million in FY 2020 to cover costs associated with the 2020 presidential primary (Caboose Bill). Of this amount, up to \$5.7 million may be used to reimburse localities for their presidential primary expenditures. <b>House/Senate:</b> No change.	Likely positive, as the County's Legislative Program includes support for state funding for election administration.
<b><u>Other Items of Interest</u></b>		
465	<b>Governor Northam's Budget:</b> Provides \$5 million in FY 2021 for the construction of the Virginia Veteran's Parade Field at the National Museum of the United States Army in Fairfax County.  <b>House:</b> No change.	The County provides annual support for the museum through the County's Contributory Fund.
465 #1s, 467 #1 in Caboose	<b>Senate:</b> Removes the proposed funding for FY 2021; provides one-time grant funding of \$1 million in FY 2020 for the construction of the Virginia Veteran's Parade Field at the National Museum of the United States Army in Fairfax County.	
C-67	<b>Governor Northam's Budget:</b> Includes bond proceeds for the Regional Science Center in Northern Virginia (formerly known as the Children's Science Center).  <b>House/Senate:</b> No change.	Fairfax County has supported funding for the Children's Science Center in previous years (in 2018, the Board of Supervisors sent a budget letter to the Governor which included a request for funding for this initiative).
79 #2h	<b>House:</b> Provides \$100,000 in FY 2021 toward the construction of the Turning Point Suffragist Memorial in Lorton, Virginia.	The County provided one-time funding to support the construction of the memorial through the County's Contributory Fund.
374 #1h and #4h	<b>House:</b> Provides funding of \$0.4 million each year to support five additional staff at Mason Neck State Park, as well as \$1.8 million in FY 2021 to connect the park to public water.	

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<b>Human Services</b>		
<b>Medicaid Expansion</b>		
313, 359	<p><b>Governor Northam's Budget:</b> Removes \$21.4 million NGF in each year and adjusts language to restructure the Medicaid expansion waiver (COMPASS 1115) to remove the previously envisioned work requirement (which was part of the compromise that led to the passage of Medicaid expansion by the 2018 GA) and include only a targeted supportive employment and housing benefit.</p> <p><b>House:</b> No change.</p>	<p>Likely positive, as there was significant uncertainty regarding how the COMPASS 1115 waiver would impact Medicaid customers and how the work requirement would be administered.</p> <p>Additional details on the supportive employment and housing benefits are needed.</p>
317 #8s, 313 #43s	<p><b>Senate:</b> Eliminates the remaining \$7.2 million NGF in each year and eight positions for implementing the COMPASS waiver. This funding is not needed because the introduced budget eliminated most of the waiver's requirements. Also provides \$5 million in federal TANF funding in each year for DMAS to develop a system to connect current and newly eligible Medicaid enrollees to employment, training and education assistance and other support services.</p>	
320	<p><b>Governor Northam's Budget:</b> Removes language that had been included in the 2018-2020 biennium budget to address the impact of Medicaid expansion on the community services boards (CSBs), resulting from projected savings in the budget being greater than the new revenue that was generated, creating a revenue shortfall for CSBs.</p> <p><b>House/Senate:</b> No change.</p>	<p>As part of Medicaid expansion, the Department of Behavioral Health and Developmental Services (DBHDS) planned to reduce state funding to all CSBs; the reduction for the Fairfax-Falls Church CSB was \$1.69 million (\$11 million statewide) in FY 2019 and \$4.36 million (\$25 million statewide) in FY 2020, based on the assumption that the CSB would receive increased revenue as a result of newly eligible Medicaid participants. Though the Fairfax-Falls Church CSB signed up more than 1,060 newly eligible individuals for Medicaid, the reduction still exceeded the amount of revenue generated, resulting in DBHDS in FY 2020 providing a one-time payment of \$1 million for the FY 2019 reduction to the Fairfax-Falls Church CSB. FY 2020 data for the Fairfax-Falls Church CSB indicates that revenue generated will also be less than the \$4.36 million reduction.</p> <p>The 2020-2022 biennium budget does not address this issue.</p>
<b>Medicaid Waivers</b>		
313	<p><b>Governor Northam's Budget:</b> Provides \$17 million GF and matching NGF in FY 2021 and \$24.8 million GF and matching NGF in FY 2022 to add a total of 1,135 new waiver slots to the Community Living (CL) and Family and Individual Supports (FIS) waivers over the course of the biennium. These slots include: 835 slots to address the FIS waiver waitlist (635 in the first year and 200 in the second year); 200 slots to address the CL waiver waitlist (125 in the first year and 75 in the second year); 50 slots for individuals transitioning out of facilities (25 in each year); and, 50 emergency slots (25 in each year).</p> <p><b>House:</b> No change.</p>	<p>This is a significant step to address the statewide waiver waitlist (12,739 individuals as of November 2019, including 2,457 individuals served by the Fairfax-Falls Church CSB (19 percent of the statewide waitlist)), but it is not clear how these waivers will be allocated throughout the state.</p>
313 #3s	<p><b>Senate:</b> Provides \$8.3 million GF in FY 2022 and matching NGF to increase the number of FIS waiver slots by 500 in FY 2022, bringing the total number of FIS slots funded to 715.</p>	

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313	<b>Governor Northam's Budget:</b> Provides \$3.6 million GF and matching NGF in FY 2021 and \$3.7 million GF and matching NGF in FY 2022 to increase provider payment rates for services delivered through Developmental Disability (DD) waivers. The rate increase will apply to the following services: Independent Living Supports Supported Living, In-home Support Services, Group Supported Employment, Workplace Assistance, Community Engagement, Community Coaching, and Therapeutic Consultation. Also requires the Department of Medical Assistance Services (DMAS) to report on the rate increases for each service and whether the cost of each service is consistent with the additional funding provided.	While this is a step in the right direction, this funding is lower than the amount needed according to analysis done by a consultant hired by DBHDS, and does not include funding to increase reimbursement rates for all services. Additionally, it appears that this does not include a Northern Virginia differential, which is critical for ensuring rates are sufficient to pay for services in Northern Virginia.
313 #2h, 313 #1s	<b>House/Senate:</b> Provides \$21.4 million GF and matching NGF in FY 2021 and \$22 million GF and matching NGF in FY 2022 to increase provider rates for the current Medicaid Developmental Disability Waiver programs for Group Homes, Sponsored Residential and Group Day Support to 100 percent of the rate model benchmark.	This amendment funds reimbursement rates at the level proposed by the DBHDS consultant. It appears that a Northern Virginia differential is not included.
313 #18h	<b>House:</b> Provides \$15.1 million GF and \$15.7 million NGF in FY 2021 and \$48.5 million GF and \$50.8 million NGF in FY 2022 to cover the fiscal impact on the Medicaid program of increasing the minimum wage (pursuant to HB 395) for providers of community-based personal, respite and companion care services, which are provided to individuals in Medicaid waiver programs.	
313 #7s	<b>Senate:</b> Provides \$24.9 million GF and matching NGF in FY 2021 and \$39.9 million GF and matching NGF in FY 2022 to increase provider rates for personal care, respite care and companionship services provided in Medicaid waiver programs by five percent in FY 2021 and two percent in FY 2022. These rate increases will help to address the impact of the state minimum wage increase (pursuant to SB 7).	
313 #3h	<b>House:</b> Provides \$5 million GF and matching NGF in FY 2021 and \$8.7 million GF and \$8.8 million NGF in FY 2022 to increase provider rates for personal care, respite care, and companionship services in Medicaid waiver programs that are subject to the Northern Virginia rate differential by four percent in FY 2021 and two percent in FY 2022.  This is associated with the minimum wage increase and intended to ensure that these providers in all regions of the state have rate increases. Because there are higher rates for these services in Northern Virginia, providers in the region will not have a rate increase pursuant to HB 395 (which increases the minimum wage) until FY 2024. However, rates for these services in the rest of the state will increase in FY 2021.	
313 #9s	<b>Senate:</b> Provides \$9.6 million GF and matching NGF in each year for the Department of Medical Assistance Services, beginning July 1, 2020, to pay overtime compensation to attendants who are providing care under the consumer-directed service option in Medicaid waivers. The amendment allows Medicaid to pay time and a half for up to 16 hours for a single attendant who works more than 40 hours per week.	
313 #39s	<b>Senate:</b> Directs the Department of Medical Assistance Services (DMAS) to conduct a review of other state methods and strategies to provide sick leave to personal care attendants, and evaluate all options to determine the most cost-effective option for the Commonwealth to consider in implementing such a policy. The report is due to the money committees by November 1, 2020.	

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Budget Bill Item #	Issue	Fairfax County Impact
	<b>Medicaid</b>	
312	<p><b>Governor Northam's Budget:</b> Adjusts funding for the Family Access to Medical Insurance Security (FAMIS) program (Virginia's health insurance program for children) by removing approximately \$9.4 million million NGF and adding approximately \$34 million GF in FY 2021, and removing \$6.8 million NGF and adding \$46.2 million GF in FY 2022. Also adjusts funding for the Commonwealth's Medicaid Children's Health Insurance Program (also known as FAMIS Plus) by removing approximately \$13.5 million NGF and adding \$27.6 million GF in FY 2021, and removing approximately \$7.4 million NGF and adding \$40.8 million GF in FY 2022. This includes the loss of enhanced federal matching dollars, as the match rate for CHIP programs decreased from 76.5 percent to 65 percent in federal FY 2021. In addition to replacing lost federal revenue, costs are being driven by continued enrollment growth and higher managed care rates.</p> <p><b>House/Senate:</b> No change.</p>	These are required increases due to higher costs and utilization.
313	<p><b>Governor Northam's Budget:</b> Increases funding for Medicaid utilization and inflation (as estimated in the most recent expenditure forecast) by \$174.4 million GF and \$744.3 million NGF in FY 2021 and \$500.5 million GF and \$1.4 billion NGF in FY 2022.</p> <p><b>House/Senate:</b> No change.</p>	These are required increases due to higher costs and utilization, though it is important to note that the actual Medicaid costs for FY 2020 came in lower than projected, resulting in a savings of \$212 million GF reflected in the caboose budget for FY 2018-2020.
313	<p><b>Governor Northam's Budget:</b> Provides \$1.7 million GF and \$6.5 million NGF in FY 2021 and \$3.3 million GF and \$9.5 million NGF in FY 2022 to eliminate the 40 quarter work requirement for lawful permanent aliens who have resided in the United States for five years. Virginia is one of only six states that requires legal aliens to meet the 40 quarter (10 year) work requirement in order to be eligible for Medicaid.</p> <p><b>House/Senate:</b> No change.</p>	<p>This will expand Medicaid eligibility to lawful permanent residents who have resided in the U.S. for five years (currently these individuals are only eligible for emergency services coverage). This will also align Medicaid policy with SNAP and TANF, making it easier to determine eligibility.</p> <p>It is unclear at present if the funding provided would cover the administrative impact of this newly eligible population.</p>
313	<p><b>Governor Northam's Budget:</b> Provides \$347,803 GF in FY 2021 and \$465,440 GF in FY 2022 (matched with \$11.4 million and \$16.4 million NGF in FY 2021 and FY 2022, respectively) for care coordination for Medicaid-eligible individuals 30 days prior to release from incarceration.</p> <p><b>House/Senate:</b> No change.</p>	<p>This funding would be directed to managed care organizations and DMAS, which would use a portion of the funding for computer system upgrades.</p> <p>It appears at present that none of this funding would be allocated to local jails for the staff required to assist with the provision of care coordination services, raising resource concerns for the Fairfax County Adult Detention Center.</p>

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<b><u>Children's Services Act (CSA)</u></b>		
292	<p><b>Governor Northam's Budget:</b> Provides \$18.1 million GF in FY 2021 and \$25.9 million NGF in FY 2022 to fund projected growth of approximately 2 percent in each year, assuming 7.4 percent growth expected in FY 2020 as a result of significant growth in private day expenditures. Other areas of growth are Therapeutic Foster Care and Community-based Services.</p> <p><b>House/Senate:</b> No change.</p>	<p>Because CSA is a sum sufficient program, this projected increase in program growth will require additional local funding.</p> <p>The Fairfax County Department of Family Services projects that there will be room within the current Board appropriated expenditures to cover the local funding required for the projected increase in the Governor's budget in FY 2021 and FY 2022, assuming there are no new initiatives that would significantly expand the population served.</p>
292	<p><b>Governor Northam's Budget:</b> Provides an additional \$175,000 GF in FY 2021 and \$75,000 GF in FY 2022 for a contracted rate study for private day services provided through the Children's Services Act. Language is also included that requires providers to make available any information necessary for the completion of the study.</p> <p><b>House:</b> No change.</p>	<p>The initial results from the study were inconclusive due to the low participation of providers, who had concerns about how the study was conducted. This proposal appears to require providers to participate in the next phase of the study, which may lead to continued tension between the state and the provider community.</p>
292 #3s, 293 #1s	<p><b>Senate:</b> Adds additional evaluation requirements to the rate study and moves all funding to FY 2021. Also directs the Office of Children's Services to implement statewide rate setting on July, 1 2021, and removes the two percent rate cap in FY 2022.</p>	TBD.
313 #26s	<p><b>Senate:</b> This language-only amendment directs DMAS to consider options to allow local education agencies to bill for services provided outside of an Individualized Education Plan and expand the services that are reimbursable. A report is due to the money committees by October 1, 2020.</p>	Likely positive, as this study could lead to additional services being reimbursed by Medicaid for eligible students.
<b><u>Early Childhood Services</u></b>		
351	<p><b>Governor Northam's Budget:</b> Transfers administration of the federal Child Care Development Fund (CCDF) grant from the Department of Social Services to the Department of Education as part of Governor Northam's proposal to consolidate early childhood services in the Department of Education.</p>	Likely positive, as this would provide a more integrated, effective and streamlined early childhood system in the Commonwealth.
1 #1h	<p><b>House:</b> Renames the Joint Subcommittee for the Virginia Preschool Initiative to the Joint Subcommittee for Early Childhood and Education, and directs the subcommittee to oversee the implementation of reforms to Virginia's early childhood education and child care licensure system and consider further changes throughout the implementation process.</p>	
349 #3s	<p><b>Senate:</b> Reduces funding by \$2 million GF in FY 2022 to backfill the transfer of CCDF, as the transfer of this program reduces the amount of federal funding for administrative and support costs, pursuant to legislation under consideration by the GA.</p>	



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145	<b>Governor Northam's Budget:</b> Includes \$94.7 million to maximize pre-kindergarten access for at-risk three- and four-year-old children, to attract and retain early childhood educators in hard-to-serve preschool classrooms, and to increase pre-kindergarten classroom observations and teacher professional development.	This proposed funding includes \$28.7 million to increase the VPI per pupil amount by 10% each year (FY 2021 and 2022). Based upon current County VPI service levels, the County would draw down an additional \$1.2 million in state funding over two years. The proposed funding also includes: \$10 million to incentivize mixed delivery and public private partnerships in VPI for which the County could apply; \$13.5 million to increase class sizes in VPI classrooms, for which the County/FCPS could apply; \$9 million to pilot expansion of VPI to serve three year olds for which the County/FCPS could apply; and, \$17 million to expand the Virginia Early Childhood Foundation (VECF) Mixed-Delivery Grant program to expand services to three-year-olds, for which the County could apply. The proposed funding also includes \$7.3 million to reduce VPI waiting lists, \$1.3 million to implement a Uniform Rating System, and \$8 million to support the early childhood workforce.
144 #10h, 145 #11h, 15h, 18h	<b>House:</b> Reduces the funding provided for the VECF Mixed-Delivery Grant program to \$3 million GF in each year (instead of \$10 million GF in each year as proposed in the introduced budget). Also eliminates the VPI+ program (state payments for this program were established in FY 2018 after federal funding ended) and provides \$2 million GF in FY 2021 and \$2.2 million GF in FY 2022 to hold eight school divisions harmless for the 609 VPI+ spots used in the 2019-2020 school year. Also transfers \$4.4 million GF in FY 2021 and \$4.9 million GF in FY 2022 to the early childhood reform package to provide additional flexible funding. Additionally, a language-only amendment requires that the amount of the \$2,500 mixed-delivery gap incentive, proposed in the early childhood reform package for VPI community/private slots, vary by region, to allow incentives greater than \$2,500 in areas where the gap between the VPI per pupil amount and preschool market rates is wider.	Fairfax County has received funding from the VECF grant in previous years, so the reduced funding level proposed in the House budget raises concerns. Fairfax County is one of the eight school divisions with VPI+, but the proposed funding and slots will not have a significant impact, as currently the County has slots available to offset the elimination of the VPI+ program.  Fairfax County would likely benefit from the language requiring that the mixed-delivery incentive be greater in regions where the gap between the VPI per pupil amount and preschool market rates is wider. This incentive would be provided for VPI slots in community/provider settings.
145 #7s	<b>Senate:</b> Reduces the funding provided for the VECF Mixed-Delivery Grant program to \$8 million GF in each year.	Fairfax County has received funding from the VECF grant in previous years. The Senate's proposed reduction in funding for VECF is smaller than that proposed by the House.
<b><u>Child Welfare</u></b>		
354	<b>Governor Northam's Budget:</b> Provides \$722,000 GF and \$4.1 million NGF in each year to fund the child welfare forecast.  <b>House/Senate:</b> No change.	This adjustment is based on recent expenditure trends and policy changes.
354	<b>Governor Northam's Budget:</b> Provides approximately \$2.3 million GF and \$1.8 million NGF in each year to fund a five percent cost of living adjustment for foster care and adoption payments. Current budget language requires an automatic adjustment for inflation to be applied to the maximum room and board rates paid to foster parents in the fiscal year following a state employee pay raise. Because state employees received up to a five percent raise in July 2019, this addendum provides a similar percentage increase to foster care rates. This increase is also assumed for adoption subsidy funding, to ensure that adoption subsidies keep pace with foster family rates and to avoid any disincentives for adoption.  <b>House/Senate:</b> No change.	Likely positive for foster and adoptive parents.
354	<b>Governor Northam's Budget:</b> Provides \$8.6 million NGF in each year to fund an increase in relative support payments for relatives caring for children outside the foster care system.  <b>House/Senate:</b> No change.	Likely positive for kinship caregivers.

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354	<b>Governor Northam's Budget:</b> Provides \$8.4 million GF and matching NGF in each year for evidence-based and trauma-informed mental health, substance use disorder, and in-home parent skill based training services for children at imminent risk of entering foster care (and their families). The reimbursable services are included in the federal title IV-E Prevention Services Clearinghouse.	TBD. It is unclear how this funding will be distributed throughout the state.
	<b>House/Senate:</b> No change.	
351, 349	<b>Governor Northam's Budget:</b> Provides \$24.9 million GF and \$7.9 million NGF in each year for local departments of social services to begin hiring staff and creating prevention services departments in response to the federal Family First Prevention Services Act (FFPSA). Also provides \$1.1 million GF and matching NGF and two positions in each year to implement evidence-based programming, and \$801,000 GF and matching NGF in FY 2021 and \$765,000 GF and matching NGF in FY 2022 to create an evidence-based practices evaluation team as required by FFPSA.	TBD. It is unclear how this funding will be distributed throughout the state.  To implement the Families First requirements, it may be necessary to shift workforce resources within the Fairfax County Department of Family Services.
351 #2h 354 #3h	<b>House:</b> Reduces funding by \$12.4 million GF and \$4 million NGF in FY 2021 and \$6.2 million GF and \$2 million NGF in FY 2022. Also supplants \$6.9 million GF with a like amount of federal Family First Transition Act funding.	
349 #1s, 2s	<b>Senate:</b> Reduces funding by \$12.4 million GF and \$4 million NGF in FY 2021 and \$7.5 million GF and \$2.4 million NGF in FY 2022. Also supplants approximately \$1.8 million in each year with a like amount of federal FFPSA funding.	
351 354 #1h	<b>House:</b> Adds \$75,000 GF each year to DSS to implement an emergency approval process for kinship caregivers and the development of foster home certification standards for kinship caregivers. This will help Virginia align its foster care approval process to the FFPSA legislation that directs states to use prevention dollars and keep children with kin rather than enter non-relative foster care.	
354 #2s	<b>Senate:</b> Adds language directing DSS to develop a plan to provide access statewide to a Kinship Navigator Program, which would likely operate and maintain an informational and referral "warm-line," a website providing information on how to apply for benefits, including legal aid and fact sheets, and maintain a referral network in which to refer kinship caregivers to local programs in their respective localities. Currently, there are six regional kinship navigator programs that serve 33 percent of local departments of social services.	
354 #55h	<b>House:</b> Adds language requiring the Commissioner of Social Services to develop a 5-year plan to prevent child abuse and neglect, working with stakeholders. It requires a report to the Governor, the money committees and the Commission on Youth by July 1, 2021.	
<b>Substance Use Disorder</b>		
299	<b>Governor Northam's Budget:</b> Provides \$1.6 million GF in each year to expand the distribution of NARCAN and personal protection equipment to Virginia's most at-risk populations, related to the opioid epidemic, through local health departments and CSBs.	Likely positive, though it is unclear how this funding will be distributed throughout the state. It will be important to ensure that the Fairfax County Health Department receives some of this funding, as it is one of two locally administered health departments in the state. The County's Legislative Program includes support for additional funding to address the opioid crisis, and distributing NARCAN in the Fairfax County community is a critical component of the County's efforts to combat the opioid crisis.
299 #2h	<b>House:</b> Supplants \$1.6 million GF in each year with the same amount of NGF from the State Opioid Response Grant that Virginia is expected to receive over the biennium.	
299 #1s	<b>Senate:</b> Removes \$1.6 million GF in FY 2022, noting that \$1.6 million GF remain in FY 2021 to bridge the gap until federal funding can be secured for this purpose.	

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315	<p><b>Governor Northam's Budget:</b> Provides \$421,000 GF and \$620,000 NGF in FY 2021 and \$1.3 million GF and \$1.9 million NGF in FY 2022 to expand the Preferred Office-Based Opioid Treatment (OBOT) model to allow for all Substance Use Disorders (SUD) covered in the Addiction and Recovery Treatment Services (ARTS) benefit. The Preferred OBOT is a community-based, high-touch, evidence-based model of care for individuals with addiction. Virginia Medicaid currently limits service reimbursement in the Preferred OBOT to individuals with Opioid Use Disorder (OUD). Those with a primary diagnosis of SUD for non-opioids (such as alcohol, cocaine, or methamphetamine) are not currently covered in the Preferred OBOT model.</p> <p><b>House/Senate:</b> No change.</p>	Likely positive, though it is unclear how this funding will be distributed throughout the state. Expanding eligibility to other substance use disorders will help address the rise in fatal non-opioid overdoses in recent years.
301	<p><b>Governor Northam's Budget:</b> Provides an additional \$3.1 million GF in each year to support nicotine cessation counseling through an evidence-based "quitline" program known as Quit Now Virginia (QNV). The emphasis will be on supporting nicotine cessation for Virginia Medicaid clients with a goal of helping to reduce Medicaid costs from smoking and tobacco related illnesses for both children and adults.</p> <p><b>House:</b> Eliminates funding.</p>	Likely positive, though it is unclear at present if this program aims to address vaping as well as traditional tobacco cessation.
301 #1h 301 #3s	<p><b>Senate:</b> Reduces by \$1 million GF in FY 2021, leaving \$2.1 million GF in FY 2021 and \$3.1 million GF in FY 2022 for the expansion of the Quit Now program, which is currently funded from a small federal grant.</p>	
<b>Health Departments</b>		
302	<p><b>Governor Northam's Budget:</b> Provides \$7 million GF in FY 2021 and \$8.3 million GF in FY 2022 to develop an electronic health records system.</p>	TBD.
307 #3h	<p><b>House:</b> Eliminates funding and delays development of the electronic health records system to allow more time for the agency to assess its business processes and funding needed to create an electronic system for such processes.</p>	
302 #3s	<p><b>Senate:</b> Eliminates all funding except for \$250,000 GF in FY 2021 to hire a contractor to assist in the development of an electronic health records system.</p>	
<b>Mental and Behavioral Health</b>		
307 G1	<p><b>Governor Northam's Budget:</b> This language-only amendment mandates that inpatient hospitals report the admission source of any individuals meeting the criteria for voluntary or involuntary psychiatric commitment to the Board of Health, which is required to share this data with DBHDS.</p> <p><b>House/Senate:</b> No change.</p>	This will not have a direct impact on CSBs, but this information could be helpful in addressing the state hospital bed crisis.
313, 317	<p><b>Governor Northam's Budget:</b> Provides \$32.5 million NGF in each year to increase the provider rate assessment charged to private acute care hospitals to support increased temporary detention order (TDO) utilization in private acute care hospitals. In addition, DMAS and DBHDS are each provided funding to support a position that will administer this initiative.</p> <p><b>House:</b> No change.</p>	TBD. It is unclear if this funding will encourage private hospitals to accept more CSB clients - if it does, that could be very helpful in addressing the state hospital bed crisis.
313 #25s, 320 #3s	<p><b>Senate:</b> Eliminates the proposed supplemental payment program to incentivize private hospitals to increase their TDO admissions and provides \$10 million GF in FY 2021 for DBHDS to partner with private hospitals on pilot projects to address the state hospital bed crisis. The amendment requires that projects in Planning Districts 5 and 15 are given priority.</p>	The prioritization of projects in Planning District 5 and 15 raises concerns that projects in Planning District 8 may not receive funding.

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321	<p><b>Governor Northam's Budget:</b> Provides \$7.5 million GF in FY 2021 and \$12.5 million NGF in FY 2022 to address census issues at state facilities by increasing the availability of community-based services for individuals deemed clinically ready for discharge. Of the amount provided, \$2.5 million each year is available for the acquisition or development of clinically appropriate housing options.</p> <p><b>House:</b> No change.</p>	TBD. It is not clear how this funding will be distributed throughout the state.
321 #7s	<p><b>Senate:</b> Shifts \$3.75 million GF in FY 2021 and \$6.25 million GF in FY 2022 of the Discharge Assistance Plan (DAP) funding provided in the introduced budget from DBHDS to the CSB budget, to reflect how this funding has historically been appropriated.</p>	
321	<p><b>Governor Northam's Budget:</b> Provides \$6.3 million GF in FY 2021 and \$8.4 million GF in FY 2022 for acute inpatient behavioral health services for children and adults.</p>	TBD. Additional services throughout the state are needed for youth, as there is only one state psychiatric hospital for children. It is not clear how this funding will be allocated throughout the state.
321 #3h 321 #4s	<p><b>House/Senate:</b> This language-only amendment eliminates language in the introduced budget authorizing DBHDS to establish up to 20 new child and adolescent beds at an existing state facility if options to provide children's acute inpatient care in the community are not identified by September 1, 2020.</p>	
313	<p><b>Governor Northam's Budget:</b> Provides \$3 million GF and \$4.1 million NGF in FY 2021 and \$10.2 million GF and \$14.1 million NGF in FY 2022 and authority to enhance behavioral health services by changing service definitions, prior authorization and utilization review criteria, provider qualifications, and reimbursement rates for select Medicaid services.</p>	TBD. This is part of the state's behavioral health system transformation.
320 #2s	<p><b>Senate:</b> Reduces funding by \$900,000 GF in FY 2021 and \$1.1 million GF in FY 2022 and 2.5 FTE positions provided in the introduced budget for training related to behavioral health redesign. Funding for a training coordinator position remains to coordinate training activities.</p>	
313 #6h, 313 #29s	<p><b>House/Senate:</b> This language-only amendment requires that DMAS convene an advisory panel of representatives from stakeholder organizations to review and advise on agency efforts to redesign behavioral health services, including specifics of implementation and a review of operational processes that affect sustainable business models. Language requires DMAS to report on its findings from this review by November 1, 2020.</p>	
313, 320, 322	<p><b>Governor Northam's Budget:</b> Provides \$19.7 million GF in FY 2021 and \$30.2 million GF in FY 2022 in funding for outpatient services, veterans services, peer support services, and mobile crisis teams as part of STEP-VA. The budget also states that the targeted case management, care coordination, and psychiatric rehabilitation services previously required to be implemented by July 1, 2021 may be provided subject to available funding. Provides \$1.7 million GF and \$5 million NGF in FY 2021 and \$2.2 million GF in FY 2022 for 12 positions to aid in the implementation and management of STEP-VA, training and certification of peer support services, and the development and maintenance of a statewide crisis hotline. Also provides \$487,000 GF and matching NGF in FY 2021 and \$2.3 million GF and matching NGF in FY 2022 for Medicaid costs associated with the implementation of STEP-VA.</p> <p><b>House:</b> No change.</p>	<p>This likely will not be sufficient for statewide implementation of STEP-VA, even with the proposed change in services required by July 1, 2021. Also, it is unclear how this funding will be allocated throughout the state. The Fairfax-Falls Church CSB estimates that it will cost \$20.5 million to implement the services required by July 1, 2021 (including the services that were required to be implemented by July 1, 2019).</p> <p>Additionally, it is unclear why DBHDS needs 12 FTE for STEP-VA implementation and management.</p>
320 #1s	<p><b>Senate:</b> Removes funding and seven positions for the administration of STEP-VA, leaving five positions.</p>	

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

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<b><u>Part C/Early Intervention</u></b>		
322	<p><b>Governor Northam's Budget:</b> Provides \$42.5 million GF in FY 2021 and \$3.9 million GF in FY 2022 to address continued growth in the number of children served in the state's Part C/Early Intervention programs.</p> <p><b>House/Senate:</b> No change.</p>	These are required increases due to higher costs and utilization (Part C is a mandated service). The additional funding will increase program capacity.
<b><u>Maternal Health</u></b>		
312	<p><b>Governor Northam's Budget:</b> Provides approximately \$1 million GF and \$2 million NGF in FY 2021 and \$2 million GF and \$3.9 million NGF in FY 2022 to extend postpartum coverage for FAMIS MOMS from 60 days to 12 months. Currently, women up to 205 percent of the federal poverty level are eligible for coverage during their pregnancy and up to 60 days postpartum from the delivery date on file.</p> <p><b>House/Senate:</b> No change.</p>	Positive. The expanded health coverage for mothers would help them receive treatment for postpartum depression, other health issues, and family planning services. DFS anticipates minimal administrative impact, as the agency already manages/maintains ongoing coverage for newborns born to a FAMIS MOM for a minimum of 12 months.
312	<p><b>Governor Northam's Budget:</b> Provides \$1 million GF and \$3.5 million NGF in FY 2021 and \$11.8 million GF and \$34 million NGF in FY 2022 to implement a home visiting benefit for pregnant and post-partum women at risk of poor health outcomes effective July 1, 2021.</p> <p><b>House/Senate:</b> No change.</p>	TBD. It is unclear if there will be Medicaid reimbursement for a home visiting service like Fairfax County's Healthy Families program.
<b><u>Department of Justice (DOJ) Settlement/DBHDS Trust Fund</u></b>		
320	<p><b>Governor Northam's Budget:</b> Provides \$4.1 million GF and \$3.6 million NGF in FY 2021 and \$4.2 million GF and \$1.6 million NGF in FY 2022 for additional administrative costs of complying with the DOJ Settlement Agreement, including funds for an additional 28 licensing and quality assurance staff and assessments for individuals receiving DD waivers.</p> <p><b>House/Senate:</b> No change.</p>	DBHDS will use this funding to hire staff to monitor private providers' and CSBs' compliance with the DOJ Settlement, though redirecting this funding to waivers could be more effective in providing quality care for individuals receiving DD waivers and on the DD waiver waiting list.
321	<p><b>Governor Northam's Budget:</b> Appropriates \$3 million NGF, anticipated to be deposited by the end of FY 2020 into the Behavioral Health and Developmental Services Trust Fund, in FY 2021 for renovations to Hiram Davis Medical Center (in Dinwiddie), mobile dentistry, and one-time crisis services.</p> <p><b>House:</b> No change.</p>	TBD. This money is from the sale of the Northern Virginia Training Center, raising concerns that proceeds from the sale are not being kept in Northern Virginia to serve the population that would have been served at NVTC.
321 #3s	<p><b>Senate:</b> Removes \$2 million NGF in FY 2021 for renovations of Hiram Davis Medical Center because capital funding was provided for this project and trust fund dollars are not necessary.</p>	
<b><u>Department of Social Services</u></b>		
351	<p><b>Governor Northam's Budget:</b> Provides \$9 million GF and \$9.1 million NGF in each year to increase local salary minimums to address turnover rates in local departments of social services (LDSS) and adds a three percent compression increase.</p>	<p>Because the salary minimums for Fairfax County's Department of Family Services (DFS) state-supported local employees are above the state's pay plan levels, the County would not receive additional funding to increase local salary minimums.</p> <p>For the three percent compression increase, the Virginia Department of Social Services anticipates that it would take place in 2020, if approved, and has advised that Fairfax County DFS would receive \$2.24 million in state funding in FY 2021. A local match of \$410,000 would be required.</p> <p>If a performance and market rate adjustment is approved by the Board of Supervisors in FY 2021, this state funding could help offset the increase.</p>
351 #1h	<p><b>House:</b> Reduces \$3.4 million GF and \$3.5 million NGF each year for LDSS compensation adjustments.</p> <p><b>Senate:</b> No change.</p>	

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Budget Bill Item #	Issue	Fairfax County Impact
	<b><u>Safety Net Programs</u></b>	
350	<p><b>Governor Northam's Budget:</b> Reduces funding for Temporary Assistance for Needy Families (TANF) benefits by \$5.8 million NGF in both years to account for a reduction in the cost of providing mandated TANF benefits. Also reduces funding for the TANF Unemployed Parents (UP) program by \$3.5 million GF in each year based on a revised projection of costs.</p> <p><b>House/Senate:</b> No change.</p>	<p>Likely no impact. The state currently has a TANF surplus, but it will be important to monitor TANF expenditures if other budget items are passed to ensure appropriate funding levels.</p> <p>The TANF caseload in Fairfax County has decreased over the last several years.</p>
349	<p><b>Governor Northam's Budget:</b> Provides \$7.7 million NGF in FY 2021 and \$5 million NGF in FY 2022 to create a summer food program pilot using TANF funding. The pilot will provide \$50 on a family's EBT card each month during the summer for meals purchases.</p> <p><b>House/Senate:</b> No change.</p>	<p>Positive. This would provide additional benefits during the summer for existing customers.</p>
350	<p><b>Governor Northam's Budget:</b> Provides \$30,742 GF and \$668,000 NGF in each year to eliminate the TANF family cap restriction.</p> <p><b>House/Senate:</b> No change.</p>	<p>Positive. TANF benefit amounts are based on household size, and currently children born to parents receiving TANF for 10 consecutive months are not included in the household size. Removing the Family Cap provision would provide additional assistance to eligible families as their household sizes and needs grow.</p>
350	<p><b>Governor Northam's Budget:</b> Provides \$367,876 GF and \$3.3 million NGF in each year to increase TANF benefits by five percent, effective July 1, 2020. This also funds the same increase for TANF UP recipients.</p>	<p>Positive. Fairfax County's Human Services Issue Paper includes support for increasing TANF rates, which remain at or below 27 percent of the Federal Poverty Level for all family household sizes.</p>
350 #2h	<p><b>House:</b> Adds \$400,000 GF and \$12 million NGF (TANF block grant) in each year to increase the TANF monthly benefit by 18 percent.</p>	
350 #2s, 3s	<p><b>Senate:</b> Adds \$1.9 million GF and \$16 million NGF (TANF block grant) in each year to increase the TANF monthly benefit by 20 percent (including the five percent increase included in the introduced budget). Also adjusts the income eligibility for TANF to allow more families to qualify.</p>	
353	<p><b>Governor Northam's Budget:</b> Uses existing program balances to increase the auxiliary grants (AG) by \$80 beginning July 1, 2020. This action, when coupled with the required \$12 SSI increase that will occur January 1, 2019, will raise the current grant rate by \$92 or approximately seven percent.</p> <p><b>House/Senate:</b> No change.</p>	<p>Fairfax County currently serves 180 individuals who receive AG. This budget adjustment allows AG to keep pace with the Assisted Living Facilities' annual rate increase, therefore keeping clients throughout the state eligible for the program. The federal government provides 80 percent of the funding for the program, and the state provides the remaining 20 percent.</p>
356	<p><b>Governor Northam's Budget:</b> Provides \$700,000 NGF in each year to United Community to provide wrap-around services for low-income families.</p> <p><b>House/Senate:</b> No change.</p>	<p>This funding would be provided directly to United Community, a non-profit with which the County partners to serve low-income families in the Lee and Mount Vernon Districts of Fairfax County. United Community programs and services include community centers; early learning centers; community school program; programs geared toward food, rental, employment and medical assistance; and, a thrift store that reinvests all proceeds back into the community.</p>
350	<p><b>Governor Northam's Budget:</b> Adds language directing DSS to study the resource cliff faced by families receiving public assistance when income increases enough to reduce or terminate the family's eligibility for public assistance.</p> <p><b>House/Senate:</b> No change.</p>	<p>Likely positive, though more information is needed on how the study would be conducted and potential administrative impacts on localities.</p>
	<b><u>Other</u></b>	
313	<p><b>Governor Northam's Budget:</b> Restores approximately \$1.7 million GF each year for the Virginia Foundation for Healthy Youth, which provides grants for obesity and tobacco prevention.</p> <p><b>House:</b> No change.</p>	<p>TBD. Fairfax County has received grants from the Virginia Foundation for Healthy Youth in previous years. It is unclear at present how the Foundation would utilize this increased funding.</p>
476 #1s	<p><b>Senate:</b> Adds language requiring that the Foundation prioritize in its marketing and education efforts information regarding the health effects of vaping by teens and young adults.</p>	

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	<b>Public Education</b>	<b>Fairfax County Public Schools (FCPS) Impact (School Operating Fund)</b>
145 A.4	<b>Direct Aid to Public Education</b> <b>Recalculation of Local Composite Index for 2020-2022</b> <b>Governor Northam's Budget:</b> The Local Composite Index (LCI) is calculated every two years for the state's biennium budget. Counties and cities with a lower LCI receive more state funding, while those with a higher LCI receive less funding. <b>House/Senate:</b> No change.	FCPS' LCI decreased from 0.6754 to 0.6541 for the new biennium. The impact for FCPS cannot be delineated at this time. However, total net impact has been included, primarily in SOQ accounts.
145 C.25 for Sales Tax	<b>Update Costs of the Standards of Quality (SOQ), Sales Tax and Basic Aid</b> <b>Governor Northam's Budget:</b> Provides a total of \$808.5 million over the biennium to fully fund the biennial rebenchmarking of K-12 SOQ costs. These increases do not reflect changes in policy but adjust the cost of continuing current programs with the required data revisions.  <b>House:</b> Partially restores support position funding for Cost of Competing Adjustment (COCA).  <b>Senate:</b> No change.	The impact of rebenchmarking can not be delineated at this time. The funding is included in overall SOQ accounts.  Sales tax results in additional funding of \$0.3 million as compared to the FY 2021 budget forecast presented on November 26, 2019, and \$7.5 million as compared to the FY 2020 Approved Budget.  Resulting in additional funding of \$3.3 million as compared to the Governor's Budget.
145, 477 H	<b>Update Employer Contribution Rates for the Virginia Retirement System (VRS)</b> <b>Governor Northam's Budget:</b> Proposes higher employer contribution rates for retirement benefits.  <b>House:</b> Increases the contribution rate for the teacher retiree health credit (RHCC) from 1.21% to 1.36%, and provides retiree health care credit for support staff funding to implement HB 1513.  <b>Senate:</b> No change.	Results in additional funding of \$8.2 million in FY 2021 as compared to the FY 2021 budget forecast presented on November 26, 2019. The \$8.2 million includes \$8.0 million for VRS and \$0.2 million for group life.  FCPS expenditures for the projected rate increases were included in the FY 2021 budget forecast presented on November 26, 2019. The impact of the VRS contribution rate changes will require an additional \$15.6 million as was included in the November forecast.  Results in additional funding of \$0.6 million as compared to the Governor's Budget.  However, the increase in RHCC rate would require an additional \$2.5 million in expenditures for FCPS that are currently not included in the FY 2021 Advertised Budget.
145 B.22, 145 C.36	<b>Update Lottery Proceeds</b> <b>Governor Northam's Budget:</b> Provides updated lower estimates for lottery revenue over the biennium. This revenue stream is being used to fund the state share of the cost of various programs, including the Supplemental Lottery Per Pupil Amount. <b>House:</b> Increases the Supplemental Lottery PPA payments. <b>Senate:</b> No change.	Results in a decrease of \$1.8 million in FY 2021 as compared to the FY 2021 budget forecast presented on November 26, 2019.  Results in an additional funding of \$0.2 million as compared to the Governor's budget.



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	<b><u>Salary Increase in FY 2022</u></b>	
145C	<p><b>Governor Northam's Budget:</b> Provides \$145.1 million in FY 2022 for the state's share of a 3% salary increase for instructional and support positions, effective July 1, 2021.</p> <p><b>House:</b> Provides additional \$95.5 million in FY 2021 and \$50.0 million in FY 2022 for the state's share of payment equivalent to 2% each year or up to 4% over the biennium for instructional and support positions.</p> <p><b>Senate:</b> Provides additional \$122.8 million in FY 2021 for a one-time bonus payment equal to 3% of base pay on December 1, 2020, for instructional and support positions, and \$48.2 million in FY 2022 for the state share of a payment equivalent to a 4% salary increase, effective July 1, 2021. Local match funding is required for both years.</p>	<p>No compensation supplement provided in FY 2021, as compared to \$18.7 million in salary incentive funding provided to Fairfax in the state's FY 2020 budget.</p> <p>For FY 2022, funding of \$14.1 million is included for the state share to FCPS.</p> <p>Results in an increase of \$9.4 million in FY 2021 as compared to the Governor's Budget. It is the intent that the instructional and support position salaries are increased by at least an average of 2%. Salary increases included in the FY 2021 Advertised Budget meet this requirement.</p> <p>For FY 2022, additional funding of \$4.9 million is included for the state share to FCPS.</p> <p>Results in an increase of \$12.0 million in FY 2021 as compared to the Governor's Budget. Sufficient detail is not yet available to provide information on the full impact of the proposed Senate bonus on FCPS. Preliminary indications from Senate Finance staff are that funding for the proposed bonus would not be able to be used toward locally-proposed salary increases and could only be used for a separate bonus payment, which could have an impact on local salary actions already proposed in the FCPS FY 2021 Advertised Budget.</p> <p>For FY 2022, an increase of \$4.7 million is included for the state share to FCPS.</p>
	<b><u>School Safety</u></b>	
145 B.7.g	<p><b>Governor Northam's Budget:</b> Includes \$99.3 million for additional school counselors. The first amendment provides \$42.6 million for the school counselor staffing ratios authorized in the SOQs by the 2019 GA and a second amendment provides \$56.7 million to lower the standard to 1 school counselor per 250 students in K-12 in FY 2022.</p>	<p>For FY 2021, the funded staffing standards for school counselors in FY 2020 are 455-to-1 in elementary schools, 370-to-1 in middle schools, and 325-to-1 in high schools. This action reduces the staffing ratios to 375-to-1 in elementary schools, 325-to-1 in middle schools, and 300-to-1 in high schools in FY 2021, consistent with Section 22.1-253.13:2, H.4.a., Code of Virginia. FCPS meets the new ratio requirement systemwide without adding counselors. In FY 2022, there will be additional reductions of all funded staffing ratios to 250-to-1.</p> <p>This amendment provides an additional \$21.2 million in state funding to school divisions in FY 2021 and \$78.1 million in FY 2022. The funding for school counselors can not be delineated for FCPS.</p> <p>For FY 2021, FCPS anticipates \$2 million in additional funding from the state.</p> <p>For FY 2022, in order to meet the school counselor staffing ratio at 250:1, it is estimated that a total of 175 new counselor positions at \$17.5 million will be required.</p>

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Budget Item #	Issue	Fairfax County Impact
	<p><b>House:</b> Reduces \$53.2 million in FY 2022 by amending ratio to 1 per 325, contingent on passage of HB 1508.</p> <p><b>Senate:</b> Reduces \$16.7 million by amending school counselor ratio to 1 per 300 in all schools in FY 2022.</p>	<p>No changes in FY 2021 as compared to the Governor's Budget.</p> <p>For FY 2022, FCPS anticipates a decrease of \$4.9 million as compared to the Governor's Budget. It is estimated that additional cost is negligible to meet the staffing ratio requirement in HB 1508.</p> <p>No changes in FY 2021 as compared to the Governor's Budget.</p> <p>For FY 2022, FCPS anticipates a decrease of \$3.5 million as compared to the Governor's Budget. In order to meet the staffing ratio at 300:1, it is estimated that between 44-50 school counselors at cost of \$4.4-\$5.0 million will be required.</p>
145 C.40	<p><b>New "Games of Skill" Per Pupil Funding</b></p> <p><b>Governor Northam's Budget:</b> Provides \$50 million in FY 2021 and \$75 million in FY 2022 for the Games of Skill Per Pupil funding. This funding is intended to backfill the decrease for the Supplemental Lottery Per Pupil amount. The funding source is contingent upon passage of legislation by the 2020 GA. These funds do not require local match.</p> <p><b>House:</b> No change.</p> <p><b>Senate:</b> Removes Game of Skills per pupil allocation.</p>	<p>Results in additional funding of \$4.5 million as compared to the FY 2021 budget forecast presented on November 26, 2019.</p> <p>Results in a decrease of \$4.5 million as compared to the Governor's Budget.</p>
145 C.9.e	<p><b>At-Risk Add-On Program</b></p> <p><b>Governor Northam's Budget:</b> Reallocates \$87.8 million of Lottery Per Pupil payments to the At-Risk Add-On program. The per pupil allocation is backfilled with \$125.0 million from the new "Games of Skill" revenue. In addition, increases by \$52.6 million over the biennium the support for educationally at-risk students.</p> <p><b>House:</b> Increases the maximum add-on percentages by redirecting funding from the School Meals Expansion.</p> <p><b>Senate:</b> No change.</p>	<p>Results in an increase of \$3.3 million as compared to the budget forecast presented on November 26, 2019.</p> <p>Results in an increase of \$0.3 million as compared to the Governor's Budget.</p>
145 C.18	<p><b>Other Items of Interest</b></p> <p><b>Governor Northam's Budget:</b> Includes \$27.6 million to increase the number of instructional support positions for English Language learners.</p> <p><b>House:</b> Provides phase-in of new English Learner (EL) staffing standards over a two-year period.</p> <p><b>Senate:</b> No change.</p>	<p>This action increases the number of funded positions from 17 per 1,000 students in FY 2020 to 20 per 1,000 students in FY 2021 and 2022. Results in additional funding of \$5.6 million for ESOL program as compared to the budget forecast presentation on November 26, 2019. FCPS meets the new ratio requirement systemwide without adding ESOL teachers.</p> <p>This results in a decrease of \$1.5 million as compared to the Governor's Budget.</p>
145 C.41	<p><b>Governor Northam's Budget:</b> Includes \$10.6 million to help cover the cost of school breakfast and lunch for families who qualify for reduced meal pricing.</p> <p><b>House:</b> Redirect this School Meals Expansion funding to at-risk add-on payments.</p> <p><b>Senate:</b> No change.</p>	<p><b>No impact on the School Operating Fund.</b> Results in additional funding of \$0.7 million for the Food and Nutrition Services Fund.</p> <p>Results in a decrease of \$0.7 million for the Food and Nutrition Services Fund as compared to the Governor's Budget.</p>

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Item 145	<b>Senate:</b> Provides \$27.5 million each year to partially restore school construction grants program.	<b>No impact on the School Operating Fund.</b> Results in additional funding of \$1.3 million for the School Construction Fund.
145 C. 10, 145 C. 15	<b>Governor Northam's Budget:</b> Makes technical updates based on program participation, including \$13.7 million for K-3 Primary Class Size Reduction and \$5.3 million for Early Reading Intervention.  <b>House:</b> Technical updates to K-3 Class Size Reduction.  <b>Senate:</b> No change.	Other increases total \$2.1 million as compared to the FY 2021 budget forecast presented on November 26, 2019. The increases are primarily due to increases of \$1.3 million in K-3 Primary Class Size Reduction and \$0.7 million in Early Reading Intervention.  Minimal impact on FCPS.

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

**Governor Northam's Budget:**

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

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

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

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

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

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Budget Item #	Issue	Fairfax County Impact
<b>Transportation</b>		
<b>REGIONAL ITEMS</b>		
<b><u>Northern Virginia Transportation Authority (NVTA) Funding</u></b>		
453 (FY 2020) 451 (FY 2021- FY 2022)	<p><b>Governor Northam's Budget:</b> Includes the regional funds provided for in HB 2313 (2013), including \$563.8 million for distribution of NVTA Fund revenues over the 2018-2020 biennium (\$10.8 million above what was previously projected for the biennium).</p> <p>The Governor's proposed 2020-2022 biennium includes \$614.7 million for distribution of NVTA Fund Revenues over the biennium, \$50.9 million above the revised projection for the 2018-2020 biennium budget.</p> <p><b>House/Senate:</b> No change.</p>	<p>The amount received by the County is dependent on actual collections of the revenue sources. Through its Six Year Program, NVTA allocates 70 percent (approximately \$394.7 million for FY 2019-2020 and \$430.3 million for FY 2021-2022) to regional projects. This funding has already been approved for projects through adoption of NVTA's FY 2018-2023 Six Year Program.</p> <p>Fairfax County should receive approximately \$76.1 million over the 2018-2020 biennium and \$82.98 million over the 2020-2022 biennium to allocate for local projects approved by the Board of Supervisors (30 percent funding returned to localities), minus the respective shares provided to Vienna and Herndon. Approximately \$14 million annually of this "30 percent funding" will likely be transferred to the Commonwealth's WMATA Capital Fund for the County's share of local funding for State of Good Repair, as required by HB 1539/SB 856 (2018).</p>
<b><u>Regional Transportation Entity Appointments</u></b>		
	<p><b>Governor Northam's Budget:</b> Removes language from the Caboose budget (FY 2020) permitting the Speaker to appoint non-legislative members to the NVTA, Northern Virginia Transportation Commission (NVTC), and Potomac and Rappahannock Transportation Commission (PRTC).</p> <p><b>House/Senate:</b> No change.</p>	<p>Speaker Cox appointed three nonlegislative members to NVTC (Jim LeMunyon, Raul "Danny" Vargas, and M. David Skiles), and one nonlegislative member to NVTA (Randy Minchew).</p>
<b><u>Regional Gas Tax</u></b>		
440	<p><b>Governor Northam's Budget:</b> Provides \$307.4 million over the 2020-2022 biennium for regional gas taxes (for NVTC, PRTC, Hampton Roads Transportation Accountability Commission (HRTAC) and the Interstate 81 Corridor Improvement Fund). Estimates \$109.9 million for NVTC over the 2020-2022 biennium, which is \$13.3 million less than projections for the FY 2019-2020 biennium.</p> <p><b>House/Senate:</b> No change.</p>	<p>The amount received by NVTC and the County is dependent on actual collections of the revenue sources. If funds come in as low as projected, it could impact the County's balances in its NVTC account, which are utilized to help pay the County's share of WMATA funding.</p>
<b>STATEWIDE PROGRAMS</b>		
<b><u>Department of Rail and Public Transportation (DRPT)</u></b>		
430 / 442	<p><b>House:</b> Removes required state allocation of federal surface transportation block grant program (RSTP) funds for public transportation purposes (estimated at \$55.6 million). The report notes that the omnibus transportation bills, HB 1414/SB 890 (2020), provide a like amount of state funding for these efforts.</p> <p><b>Senate:</b> Removes required state allocation of federal RSTP funds for public transportation purposes. HB 1414/SB 890 provide a like amount of state funding for these efforts.</p>	<p>Because the funding amounts should not be adversely impacted and Fairfax Connector does not receive federal funding, this should not have a significant impact on County funding.</p> <p>Because the funding amounts should not be adversely impacted and Fairfax Connector does not receive federal funding, this should not have a significant impact on County funding.</p>

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

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Budget Item #	Issue	Fairfax County Impact
442	<p><b>House:</b> Requires DRPT to conduct an evaluation of enhanced public transportation services, including the cost and feasibility of extending the Blue Line and other multimodal options along I-95 and U.S. Route 1 from the Franconia-Springfield Metro Station to Marine Corps Base Quantico in Prince William County, contingent on the affected counties providing matching funds.</p> <p><b>Senate:</b> Requires DRPT to conduct an evaluation of enhanced public transportation services, including the cost and feasibility of extending the Blue Line and other multimodal options along I-95 and U.S. Route 1 from the Franconia-Springfield Metro Station to Marine Corps Base Quantico in Prince William County.</p>	<p>Could provide additional information about viable transit options on the I-95 / U.S. Route 1 corridor. As worded, it is unclear what the impact on the study would be if the County does not provide some matching funds to help conduct the study.</p> <p>Could provide additional information about viable transit options on the I-95 / U.S. Route 1 corridor.</p>
442	<p><b>House:</b> Includes language to ensure the CTB has the flexibility to increase the allocation for WMATA in response to service increases approved by the WMATA Board.</p> <p><b>Senate:</b> No language.</p>	<p>HB 1539/SB 856 (2018) restricted increases in Virginia's share of WMATA's annual subsidy by 3%, with some specific exemptions. HB 1586 (2020) adds increases in service approved by the WMATA Board as another exemption. This language could help provide additional state funds if the WMATA Board votes to provide increased service.</p>
442	<p><b>House:</b> Requires DRPT to evaluate the cost of extending VRE service to Gainesville.</p> <p><b>Senate:</b> No language.</p>	<p>Study on this issue was completed by VRE in past three years.</p>
<b><u>Rail Programs</u></b>		
443	<p><b>Governor Northam's Budget:</b> Provides \$273 million for Financial Assistance for Rail Programs (\$18 million increase from FY 2018-2020 budget), including: \$6 million for Rail Industrial Access (no change); \$29 million for Rail Preservation Programs (\$12 million decrease); and \$237.97 million for Passenger and Freight Rail Financial Assistance Programs (\$18.2 million increase).</p> <p><b>House:</b> No change.</p> <p><b>Senate:</b> Provides \$334.2 million for Financial Assistance for Rail Programs (\$61.2 million increase from Governor's budget), including: \$6 million for Rail Industrial Access (no change); \$29 million for Rail Preservation Programs (no change); and \$299.2 million for Passenger and Freight Rail Financial Assistance Programs (\$61.2 million increase).</p> <ul style="list-style-type: none"> <li>Requires the CTB to prioritize the expansion of rail service between the Northern Virginia, Central Virginia, and Hampton Roads regions prior to expanding rail service to North Carolina.</li> </ul>	<p>Funding related to new Rail Authority; impact for Fairfax County to be determined.</p> <p>Funding related to new Rail Authority; impact for Fairfax County to be determined.</p>
430	<p><b>House:</b> No language.</p> <p><b>Senate:</b> Requires that the Major Employment and Investment (MEI) Project Approval Commission approve any Memorandum of Understanding between any political subdivision of the Commonwealth, any political subdivision of the United States, federal government agency, Amtrak, VRE, and any private railroad corporation regarding the construction of the Long Bridge or of any issuance of bonds or sale of any land by the new Virginia Passenger Rail Authority.</p>	<p>Would require some legislative approval (the MEI Commission includes members of both the House and Senate) prior to moving forward with the Long Bridge project.</p>
<b><u>Virginia Department of Transportation (VDOT)</u></b>		
<b><u>Environmental Monitoring and Evaluation</u></b>		
445	<p><b>Governor Northam's Budget:</b> For the 2020-2022 biennium, provides \$81.6 million for Environmental Monitoring and Evaluation (\$33.9 million increase from the revised 2018-2020 biennium budget), including \$16.2 million for Environmental Monitoring and Compliance for Highway Projects (\$2.6 million increase) and \$58.4 million for Municipal Separate Storm Sewer System (MS4) Compliance Activities (\$31 million increase).</p> <p><b>House/Senate:</b> No change.</p>	<p>The increased funding should help with environmental processes required for transportation projects.</p>
430	<p><b>House:</b> Requires the Secretaries of Transportation and Natural Resources to evaluate the scope of drainage outfalls originating from VDOT-maintained roads and make recommendations to address the issue. An interim report is due by December 31, 2020, and a final report, if not provided in the December report, is due by September 20, 2021.</p>	<p>Could provide additional information on how to address stormwater issues.</p>

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	<b>Senate:</b> Requires the Secretaries of Transportation and Natural Resources to evaluate the scope of drainage outfalls originating from VDOT-maintained roads and make recommendations to address the issue. A report is due by December 11, 2020.	Could provide additional information on how to address stormwater issues.
	<b>Highway Construction</b>	
450	<p><b>Governor Northam's Budget:</b> For the 2018-2020 biennium, provides \$6.11 billion for Highway Construction Programs, an increase of \$759.3 million over previous projections. This includes: \$128.8 million for State of Good Repair (no change); \$291.5 million for the High Priority Projects Program (\$33.3 million increase); \$299.3 million for the Construction District Grant Program (\$33.3 million increase); \$4.29 billion for Specialized State and Federal Programs (\$691.4 million increase); and, \$1.02 billion for Legacy Construction Formula Programs (no change). Of the Specialized State and Federal Programs:</p> <ul style="list-style-type: none"> <li>• \$227.4 million is for the Regional Surface Transportation Program (RSTP);</li> <li>• \$106.2 million is for the Highway Safety Improvement Program (HSIP);</li> <li>• \$159.2 million is for the Congestion Mitigation and Air Quality (CMAQ) Program;</li> <li>• \$200 million is for Revenue Sharing;</li> <li>• \$40.4 million is for the Surface Transportation Block Grant Program Set-Aside;</li> <li>• \$6.9 million is for the Virginia Transportation Infrastructure Bank (VTIB);</li> <li>• \$3.5 million is for the Transportation Partnership Opportunity Fund (TPOF);</li> <li>• \$689.8 million represents the estimated project participation costs from localities and regional entities; and,</li> <li>• \$150.9 million in the second year represents the bond proceeds to be used for the Route 58 Corridor Development Program.</li> </ul>	<p>Many of these funds are subject to the Smart Scale prioritization process, so the impact to Fairfax County is currently unclear.</p> <p>Retains the current funding levels for Revenue Sharing (\$100 million).</p> <p>For the 2018-2020 biennium budget, RSTP, CMAQ, HSIP, and Transportation Alternative funds are similar to what was allocated in previous years.</p>
447	<p>For the 2020-2022 biennium budget, provides \$7.37 billion for Highway Construction Programs, an increase of \$1.25 billion over the revised 2018-2020 biennium budget. This includes: \$707 million for State of Good Repair (\$578.2 million increase); \$658.1 million for the High Priority Projects Program (\$366.6 million increase); \$647.9 million for the Construction District Grant Program (\$348.6 million increase); \$4.78 billion for Specialized State and Federal Programs (\$497.1 million increase); and, \$484.6 million for Legacy Construction Formula Programs (\$538 million decrease). Of the Specialized State and Federal Programs:</p> <ul style="list-style-type: none"> <li>• \$233.4 million is for RSTP;</li> <li>• \$106.2 million is for HSIP;</li> <li>• \$166.2 million is for CMAQ;</li> <li>• \$200 million is for Revenue Sharing;</li> <li>• \$40.4 million is for the Surface Transportation Block Grant Program Set-Aside;</li> <li>• \$4 million is for VTIB;</li> <li>• \$2 million is for TPOF;</li> <li>• \$1.96 billion represents the estimated project participation costs from localities and regional entities; and,</li> <li>• \$218.4 million in the second year represents the bond proceeds to be used for the Route 58 Corridor Development Program. Item 452 also provides \$120 million from the Transportation Trust Fund (TTF) to the U.S. Route 58 Corridor Development Fund in lieu of state recordation taxes that law allocates to the fund - the previous budget provided \$80 million from the general fund and \$29 million from the TTF.</li> </ul> <p><b>House:</b> No changes to the 2018-2020 biennium budget. For the 2020-2022 biennium budget, provides \$7.25 billion for Highway Construction Programs, a decrease of \$119.5 billion over the Governor's budget. This includes: \$707 million for State of Good Repair (no change); \$658.1 million for the High Priority Projects Program (no change); \$647.9 million for the Construction District Grant Program (no change); \$4.78 billion for Specialized State and Federal Programs (no change); and, \$484.6 million for Legacy Construction Formula Programs (no change). There were no changes to the funding amounts for specific Specialized State and Federal Programs.</p>	<p>For the 2020-2022 biennium, an additional \$6 million is projected for RSTP and an additional \$7 million is projected for CMAQ, which could benefit the County. HSIP and Transportation Alternative funds are similar to what was allocated in previous years.</p> <p>No change from Governor's budget for various programs.</p>

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	<p><b>Senate:</b> No changes to the 2018-2020 biennium budget. For the 2020-2022 biennium budget, provides \$7.47 billion for Highway Construction Programs, an increase of \$97.4 million over the Governor's budget. This includes: \$707 million for State of Good Repair (no change); \$624.7 million for the High Priority Projects Program (\$33.4 million decrease); \$802.1 million for the Construction District Grant Program (\$154.2 million increase); \$4.76 billion for Specialized State and Federal Programs (\$23.5 million decrease); and, \$484.6 million for Legacy Construction Formula Programs (no change). There were no changes to the funding amounts for specific Specialized State and Federal Programs.</p>	Due to the significant changes in transportation formulas being considered by the General Assembly, direct impact to Fairfax County is yet to be determined.
431	<p><b>Governor Northam's Budget:</b> The FY 2020-2022 biennium budget transfers \$2.5 million from the Transportation Partnership Opportunity Fund (TPOF) to the Commonwealth Space Flight Fund to support construction of a hangar for unmanned vehicle operations. Also transfers \$5 million from TPOF to the Commonwealth Space Flight Fund to support the development of an improved launch team maintenance facility complex.</p> <p><b>House:</b> No Change <b>Senate:</b> No Change</p>	Will reduce funds being provided for transportation construction projects.
	<b>Highway Maintenance</b>	
451	<p><b>Governor Northam's Budget:</b> For the 2018-2020 biennium, provides \$4.08 billion for Highway System Maintenance and Operations, a \$104.7 million increase over previous projections. This includes \$956.1 million for interstates (\$74.8 million increase); \$1.27 billion for primaries (\$79.2 million increase); \$1.23 billion for secondaries (\$14.5 million increase); and, \$487.9 million for Transportation Operations Services (\$46.9 million decrease).</p>	Using historical estimates, approximately \$15 million more may be available for maintenance and operations within Northern Virginia.
448	<p>For the 2020-2022 biennium, provides \$3.89 billion for Highway System Maintenance and Operations, a \$182.8 million decrease over the revised 2018-2020 biennium budget. This includes \$937.2 million for interstates (\$18.9 million decrease); \$1.22 billion for primaries (\$52.1 million decrease); \$1.17 billion for secondaries (\$57.1 million decrease); and \$409.7 million for Transportation Operations Services (\$78.2 million decrease).</p> <p><b>House:</b> No change to the 2018-2020 biennium. For the 2020-2022 biennium, provides \$3.89 billion for Highway System Maintenance and Operations, a \$3.6 million increase from Governor's budget. This includes \$937.2 million for interstates (no change); \$1.22 billion for primaries (no change); \$1.17 billion for secondaries (no change); and \$409.7 million for Transportation Operations Services (no change).</p> <p><b>Senate:</b> No change to the 2018-2020 biennium. For the 2020-2022 biennium, provides \$3.92 billion for Highway System Maintenance and Operations, a \$25.6 million increase from Governor's budget. This includes \$956 million for interstates (\$18.8 million increase); \$1.22 billion for primaries (no change); \$1.18 billion for secondaries (\$6.7 million increase); and \$409.7 million for Transportation Operations Services (no change).</p>	<p>Using historical estimates, approximately \$27 million less may be available for maintenance and operations within Northern Virginia.</p> <p>No significant change from Governor's budget.</p> <p>Using historical estimates, approximately \$3.5 million more may be available for maintenance and operations within Northern Virginia.</p>
	<b>Special Structures</b>	
449	<p><b>Governor Northam's Budget:</b> Provides \$64.4 million in the 2020-2022 biennium budget for this new line item.</p> <p><b>House:</b> Provides \$40 million for this new program (\$24.4 million decrease from Governor's budget).</p> <p><b>Senate:</b> Provides \$40 million for this new program (\$24.4 million decrease from Governor's budget).</p>	<p>This is a new fund. Legislation and budget language during the 2019 session directed the Commonwealth to review and report on the overall condition of special structures and to identify funding to address their needs. Only one of the identified structures is in Northern Virginia.</p> <p>This is a new fund. Legislation and budget language during the 2019 session directed the Commonwealth to review and report on the overall condition of special structures and to identify funding to address their needs. Only one of the identified structures is in Northern Virginia.</p> <p>This is a new fund. Legislation and budget language during the 2019 session directed the Commonwealth to review and report on the overall condition of special structures and to identify funding to address their needs. Only one of the identified structures is in Northern Virginia.</p>



**BUDGET PROPOSALS FOR FY 2020 - FY 2022  
DURING THE 2020 GENERAL ASSEMBLY SESSION  
as of February 20, 2020**

Budget Item #	Issue	Fairfax County Impact
	<b><u>Toll Facilities</u></b>	
452	<b>Governor Northam's Budget:</b> For the 2018-2020 biennium, provides \$166.3 million for toll facilities (\$5.8 million decrease), including \$6.4 million for Debt Service (no change); \$87.3 million for Maintenance and Operations (\$5.8 million decrease); and, \$72.6 million for the Revolving Fund (no change).	The funding appears to reflect the number of facilities in the Commonwealth.
450	For the 2020-2022 biennium, provides \$186.9 million for toll facilities over the updated 2018-2020 budget (\$20.6 million increase), including \$3.2 million for Debt Service (\$3.2 million decrease); \$110.2 million for Maintenance and Operations (\$22.9 million increase); and, \$73.5 million for the Revolving Fund (\$900,000 increase).	The increase in funding for Maintenance and Operations appears to reflect the increase in the number of facilities in the Commonwealth.
450	<b>House/Senate:</b> No change. <b>House:</b> Prohibits VDOT from charging a fee to customers who have an EZ Pass flex or standard transponder based on the transponder not being used or being infrequently used. <b>Senate:</b> No language.	Should have little to no direct impact to the County.
	<b><u>Other</u></b>	
441	<b>Governor Northam's Budget:</b> In FY 2020, increases the number of FTEs for the Department of Motor Vehicles (DMV) to 2,180 (from 2,080).	No direct impact. Increase in staff is due to the anticipated increase in customers applying for a REAL ID.
438	For the 2020-2022 biennium budget, retains the number of FTEs at 2,180 (up from 2,080 in FY 2019) in FY 2021 and reduces that number to 2,120 in FY 2022.	
436	<b>House/Senate:</b> No change. <b>House:</b> Provides an additional \$2.6 million from Non General Funds and 95 FTEs for DMV pursuant to the passage of HB 1211 (removal of citizenship and legal presence requirements for driver's licenses). HB 1211 generates the revenue by increasing the fee for retaking a learner's permit or driving license exam from \$2 to \$5; and establishing a \$5 fee for the retaking of the examination for a motorcycle license and a commercial driver's license. The report notes that the bulk of the administrative cost is expected to be one-time in nature and the impact is expected to be minimal in future years.	Will allow for the implementation of legislation removing citizenship and legal presence requirements for driver's licenses. Will increase costs for some DMV services.
438	<b>Senate:</b> Appropriates \$9.4 million in Non General Funds, derived from driver privilege card fees generated by SB 34. Also increases FTEs by 84 to address implementation.	Will allow for the implementation of legislation allowing for driver's privilege cards. The revenues will be derived from the fees for obtaining the new driver's privilege cards.
438	<b>House:</b> Allows localities to continue to impose local vehicle registration fees at the current levels, regardless of any changes in the state vehicle registration fee in HB 1414.  <b>Senate:</b> No language.	HB 1414 would reduce state vehicle registration fees (currently \$40.75 for typical car) by \$20. Localities are also able to impose a registration fee, but only up to the amount the state imposes. The budget amendment and language within HB 1414 allow localities to have rates up to the level currently in place, which will allow the County to retain its existing rate and increase in the future if necessary. SB 890 does not currently change the annual vehicle registration fee.
453 (FY 2020) 451 (FY 2021- FY 2022)	<b>Governor Northam's Budget:</b> Retains language directing the CTB to prioritize up to \$250,000 of recreational access road funding for projects that improve handicapped access at State Park facilities.  <b>House/Senate:</b> No change.	TBD.



February 18, 2020

Dear Members of the Virginia General Assembly:

The Northern Virginia Transportation Authority (“the Authority”) asks that you **approve the provisions of House Bill 729 (Watts), House Bill 1414 (Filler-Corn) and Senate Bill 890 (Saslaw)**, that would provide an annual \$70 million to the Authority to address Northern Virginia’s significant transportation challenges. In 2018, with the diversion of two of three regional revenue sources from the Authority approved in HB 2313 (2013) – a regional Grants Tax and a regional Transient Occupancy Tax – Northern Virginia lost a total of \$102 million annually, through the successful effort to provide Virginia’s \$154 million share of funding to meet the state of good repair needs for the Washington Metropolitan Area Transit Authority (WMATA). The majority of this funding was provided through the diversion of revenues from our region’s efforts to address transportation congestion through the investment in multimodal transportation improvements.

Moreover, the loss of the two revenue streams resulted in some localities having limited use of their 30% funds due to a required contribution to the Metro Capital Fund.

The goal of HB 2313 was to provide additional regional revenues to add transportation capacity resulting in reduced congestion – a promise made to our taxpayers.

We ask that you include the provisions of HB 729 in both HB 1414 and SB 890, approve the bills, and send them on to the Governor. The combination of provisions in all three bills meet three critical goals of the Authority:

- Provides significant restoration funding to enable the Authority to meet its mandate to reduce traffic congestion in Northern Virginia;
- Strengthens credibility and creditworthiness of the Authority with rating agencies; and
- Provides funding that does not solely rely on new additional taxes on residents of Northern Virginia.

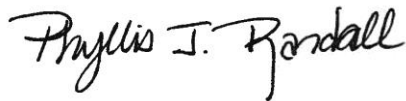
The Authority also supports the Administration’s safety initiatives embodied in several bills before you. We urge you to:

- Require seatbelt use of all passengers in the vehicle;
- Prohibit the use of handheld personnel communication devices;
- Establish a speed monitoring system on three highway safety corridors using remote cameras;
- Allow localities to lower the speed limit to below 25 mph in business and residential districts; and
- Make it illegal to have an open container of alcohol in a motor vehicle.

To date, the Authority has advanced 94 multimodal transportation projects totaling more than \$2 billion – but our job is not done. We are currently updating our inaugural Six Year Program. Our localities and agency partners have submitted funding requests totaling \$1.44 billion in regional transportation projects, which the Authority is currently considering. The majority of these requests are for funds to complete projects already underway that will reduce congestion and improve mobility, allowing people to get home to their families faster.

Please support restoring annual and sustained funding for the Northern Virginia Transportation Authority.

Sincerely,



The Honorable Phyllis J. Randall  
Chair, Authority  
Chair, Loudoun County Board of Supervisors



The Honorable Harry J. Parrish II  
Vice Chair, Authority  
Mayor, City of Manassas

## Comparison of House and Senate Marijuana Decriminalization Proposals As of February 20, 2020

	<b>Current Law</b>	<b>HB 972 (Herring) Version #20108635D-S1</b>	<b>SB 2 (Ebbin) Version #20108640D-H1</b>
<b>Penalty</b>	<p>First offense for simple possession of marijuana is a misdemeanor punishable with a maximum fine of \$500 and a maximum 30-day jail sentence. A second or subsequent offense is punishable as Class 1 misdemeanor.</p> <p>First offender treatment: Dismissal is conditioned on substance abuse screening, assessment, treatment, and other provisions.</p> <p>Driver's licenses can be suspended or revoked for possession of marijuana.</p>	<p>Civil penalty of no more than \$25.</p> <p>If enacted, individuals charged with a civil penalty for marijuana possession could no longer be required by the court to participate in the First Time Offender Program, as suspended sentence and substance abuse screening provisions and driver's license suspension provisions apply only to criminal violations (i.e., possession of a controlled substance, distribution of marijuana or other controlled substances) and civil violations committed by a minor.</p> <p>Raises the threshold amount of marijuana subject to the felony charge for distribution or possession with intent to distribute from one-half ounce to one ounce. Such charges for up to one ounce would be misdemeanors.</p>	Same as House.
<b>Proceeds from Penalty</b>	Deposited into the Literary Fund, which is used for education.	Deposited into the Drug Offender Assessment and Treatment Fund, which goes to the Departments of Corrections, Juvenile Justice, and Criminal Justice Services; Commission on Virginia Alcohol Safety Action Program; and, the Supreme Court of Virginia Office of the Executive Secretary.	Same as House.
<b>Juvenile Penalty</b>	Juveniles can be sentenced to drug treatment. Additionally, if they have a driver's license, it will be suspended for six months, and if they do not have one their ability to obtain one is suspended for six months. If they are not yet eligible, their ability to obtain a license is delayed for 6 months after they turn 16 and 3 months.	The punishment for juveniles remains the same as under current law.	Same as House.

## Comparison of House and Senate Marijuana Decriminalization Proposals As of February 20, 2020

	<b>Current Law</b>	<b>HB 972 (Herring) Version #20108635D-S1</b>	<b>SB 2 (Ebbin) Version #20108640D-H1</b>
<b>Changes to Definition of Marijuana</b>	<p>The definition of marijuana includes oily extracts with less than 12% of THC by weight.</p> <p>A substance with 12% or more THC is classified as hashish oil and a Schedule I controlled substance.</p>	<p>All hashish oil would fall within the definition of marijuana, and hashish oil would no longer be a Schedule I controlled substance if the THC percentage is over 12%.</p>	<p>Same as House.</p>
<b>Prosecution</b>	<p>Commonwealth's Attorneys (CWA) are not required to prosecute misdemeanors in Virginia, and in some jurisdictions they do not. Marijuana possession is prosecuted by CWA in many Virginia jurisdictions; however, in Fairfax County, the CWA only handles misdemeanor cases where the defendant has an attorney.</p> <p>Some CWA in Virginia have announced their intention to stop prosecuting simple possession of marijuana cases.</p>	<p>Authorizes local government attorneys to prosecute violations, in addition to the Commonwealth's Attorneys.</p> <p>Requires that any violation of marijuana possession under § 18.2-250.1 be charged by summons. Allows the summons to be executed by a law enforcement officer when such violation is observed by the officer.</p> <p>The intent of the legislation is for the summons to be pre-payable – this would require action by the Supreme Court of Virginia to add the offense to the pre-payable list.</p> <p>Provides a rebuttable presumption that a person who possesses no more than one ounce of marijuana possesses it for personal use.</p>	<p>Same as House.</p> <p>Also provides that the procedure for appeal and trial of marijuana civil offenses would be the same as marijuana misdemeanor offenses. The Commonwealth would be required to prove its case beyond a reasonable doubt, as is currently required for marijuana criminal violations.</p>
<b>Court costs</b>	<p>Court costs are assessed as they are for any other criminal case.</p>	<p>No court costs will be assessed for violations of marijuana possession under § 18.2-250.1.</p>	<p>Same as House.</p>

## Comparison of House and Senate Marijuana Decriminalization Proposals As of February 20, 2020

	Current Law	HB 972 (Herring) Version #20108635D-S1	SB 2 (Ebbin) Version #20108640D-H1
<b>Records of Violations</b>	Currently, Central Criminal Records Exchange information is confidential.	Provides that any charges or judgment for violations of this section would not be included in a person's criminal history record information or reported to the Central Criminal Records Exchange.  <i>The House has expressed a preference for studying expungement comprehensively in the off-session.</i>	Same as House.  <i>The Senate has expressed a preference for advancing a separate expungement measure this session.</i>  Establishes a new code section which limits the dissemination of criminal history records when a charge for possession of marijuana is deferred and dismissed, and prohibits employers, educational institutions, and state and local government agencies from asking applicants about any information not open for public inspection.  Arrest, criminal charge, and convictions of marijuana possession would be prohibited from public inspection or disclosure, with exceptions.
Other		Directs the Secretaries of Agriculture and Forestry, Finance, Health and Human Resources, and Public Safety and Homeland Security to convene a work group to study legalizing the sale and personal use of marijuana. Recommendations due to the GA and Governor by November 30, 2020. Requires that the work group consult with specific stakeholders including the Office of the Attorney General and state Department of Taxation, among others.	Substantively similar to the House version.