



**FAIRFAX COUNTY BOARD OF SUPERVISORS
2017 GENERAL ASSEMBLY
FINAL LEGISLATIVE REPORT
February 28, 2017**

**Section I (Pages 1-59)
BOARD PRIORITIES, INITIATIVE, AND BUDGET**

Overview	3
Local Government Overview	4
County Initiative.....	5
County Principles/Priorities	5
Other Legislation of Interest.....	41
Ongoing Issues and Studies	58

**Section II (Pages 60-169)
LEGISLATIVE SUMMARY WITH BOARD POSITIONS**

Bill – Initiative	74
Bills – Oppose or Amend.....	76
Bills – Support	85
Bills – Monitor.....	115
Bills No Longer Under Consideration	132

This report will be available on the Board of Supervisors Webpage at <http://www.fairfaxcounty.gov/government/board/> listed under “Programs and Reports.”

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

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Fairfax County Vision Elements

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

Maintaining Safe and Caring Communities

Building Livable Spaces

Connecting People and Places

Maintaining Healthy Economies

Practicing Environmental Stewardship

Creating a Culture of Engagement

Exercising Corporate Stewardship

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Section I

Final Report to Board of Supervisors 2017 General Assembly

OVERVIEW

The 2017 General Assembly (GA) convened on January 11 with a handful of new faces, along with Delegates who moved over to the Senate, resulting from vacancies in the Senate and House following the elections of Delegate Scott Taylor, Senator Tom Garrett, and Senator Donald McEachin to the U.S. House of Representatives, Senator Kenny Alexander's election as Mayor of Norfolk, and the death of Senator John Miller. One seat remained unfilled until Jeff Bourne won a special election on February 7 for House District 71, which was vacated by Jennifer McClellan, who was elected to the Senate on January 10. With Republicans maintaining control of the state legislature (21-19 in the Senate and 66-34 in the House), few changes were made to committee membership and there was a sense among observers that the 2017 session would be similar to the 2016 session. By contrast, an unprecedented level of uncertainty at the federal level, with the inauguration of President Donald J. Trump on January 20, loomed in the background throughout the session. Immigration became a flashpoint, as did potential voter fraud. The uncertain future of other federal programs and policies, such as the Affordable Care Act and Medicaid, along with the threat of another round of sequestration, raised questions about the long-term reliability of federal funding and the associated impact on the state budget.

Despite these federal dynamics and the Governor's October 2016 budget reductions, made in reaction to lower revenue projections that created a shortfall, the session began with seeming consensus among Senate and House leaders that pay for the Virginia State Police and state employees would take center stage in budget negotiations. At the end of the day, lawmakers were able to provide these raises for both groups, as well as a two percent raise for state-supported local employees and the state's share of a two percent raise for teachers. There was little room left in the budget for major controversy, and it was largely avoided – in fact, arguably the biggest source of disagreement between legislators and the Governor was the funding level for the 2019 Jamestown/Yorktown commemoration.

The 2017 session was similar to past years in the breadth of topics considered but, as the Virginia Public Access Project (VPAP) noted, there were more bills on mental health, alcoholic beverages, prescription drugs, student loans/college affordability, early voting, voter registration, and drug legalization in 2017 than there were in 2016. As always, there were areas where controversy rather than consensus reigned. Perennial legislation pertaining to redistricting was again struck down in the House Privileges and Elections Committee, but significant citizen interest in the issue led to several raucous meetings. GA members also considered legislation on topics ranging from serious (abortion, guns, censorship) to mundane (grass cutting, hunting dogs, litter). The GA also passed numerous resolutions commending Fairfax County and various County agencies: **HJ 1019** (Murphy), commending Fairfax County for its 275th anniversary; **HR 362** (Kory), commending the Fairfax County Department of Public Works and Environmental Services for being accredited by the American Public Works Association; **HR 363** (Kory), commending the Fairfax County Department of Vehicle Services for earning the Blue Seal of Excellence from the National Institute for Automotive Service Excellence for two of its maintenance facilities in 2016; and, **SJ 346** (Barker), commending the Fairfax County Health Department on its 100th anniversary.

When the session drew to a close, change abounded. Preparations were underway to close down the General Assembly Building (GAB) and move GA members to the Pocahontas Building (the GA's temporary location while the GAB undergoes construction for the next four years), with much speculation about how the GA would operate in the new space. In addition to the usual retirement announcements by legislators at the end of a session prior to an election, 2017 was significant in how much change will come among the top leadership – this was the last session of Governor McAuliffe's term, Lieutenant Governor Ralph Northam will no longer preside over the Senate as he is running for Governor, and Speaker Bill Howell made a surprise announcement that he will not be running for re-election this fall. In addition, all House of Delegates seats are on the ballot in November, and national political pundits have predicted that Virginia's elections could be an early referendum on President Trump. As is always the case at the end of a session, the usual beehive of daily activity that exists in Capitol Square when the GA is in town decreases dramatically as the committees complete their business and legislation is finalized. Unlike last session, which was nearly paralyzed by a blizzard, this session was positively balmy, and as the 2017 GA passed a budget and

adjourned on schedule, the spring-like weather seemed a harbinger of the changes to come. Legislators will next return in April to consider the Governor's amendments and vetoes.

LOCAL GOVERNMENT OVERVIEW

Overall, the 2017 GA session was much less eventful for local governments than recent sessions. There was not the quantity of significantly adverse legislation that has often dominated previous sessions, and, with the November 2017 elections looming, the state budget process was less contentious than is often the case, in spite of another state revenue slowdown.

The overall volume of bills was high, as is typical even in a short session; 2,959 bills and resolutions were introduced. County legislative staff reviewed the majority of this legislation in order to separate those bills of importance to the County from the hundreds of other measures not pertinent to local government, and referred 1,830 bills for review by County operational and legal staff. The Board took formal positions on 214 bills this year. The Board was originally opposed to or sought to amend 59 bills; at the end of the session, only 14 bills remained in that category (of these, one bill was fixed the last week of the session and Governor McAuliffe has indicated his intention to veto 2 of them).

Though there were bills that created significant concerns for localities, many of the most detrimental ones were defeated in their house of origin, including what seems to be an annual attempt to decimate local BPOL revenues. The most significant bill affecting local land use was aimed at the siting of wireless telecommunications infrastructure (see also page 9) – though the session began on a very rocky note in relation to that bill, with tensions high between local governments and the telecommunications industry, eventually real negotiations began and both sides showed a willingness to compromise (local governments' efforts were significantly aided by strong support from many legislators, who pressed the telecommunications industry to continue negotiations). Ultimately, compromise legislation passed the GA overwhelmingly.

Interestingly, and in an unexpected reversal from the atmosphere last session, bills attempting to create a legal framework for limited short-term residential lodging (including companies like Airbnb, among others) by diminishing local land use authority and potentially preempting local taxation authority were not introduced. Instead, legislation preserving local authority over such short-term residential lodging passed both houses with comfortable vote margins (see also page 10).

The idea of examining differences between county and city taxing authority and the increasing shift of financial responsibility for core services from the state to localities has long been of interest to local governments. And as the patron of a study resolution, **SJ 278** (also discussed on page 58), Senator Hanger's willingness to provide an honest assessment of these issues is sincere and designed to be helpful to localities. However, interest in the broader issue of local fiscal stress arose as a result of the 2016 fiscal crisis in Petersburg, Virginia. As a result, local governments have expressed concern about state identification of localities that are "fiscally stressed," as this designation could lead to unintended consequences and significant repercussions for such localities. The GA included budget language authorizing the creation of the Joint Subcommittee on Local Government Fiscal Stress, which is charged with studying: savings opportunities from increased regional cooperation and consolidation of services; local responsibilities for service delivery of state-mandated or high priority programs; causes of fiscal stress among local governments; potential financial incentives and other governmental reforms to encourage increased regional cooperation; and, the different taxing authorities of cities and counties.

Looking toward the 2018 GA session, the underfunding of core services will continue to be an issue for localities, particularly in the area of K-12. Though the Governor and the GA made important progress on this issue in the 2016-2018 biennium budget, a new state revenue shortfall led the state to renege on salary increases for teachers and other instructional personnel that was scheduled to begin in FY 2017 – fortunately, the GA was able to restore funding in FY 2018, but localities were left with gaps in FY 2017 that will not be filled. Continuing the critical process of restoring the numerous structural budget cuts made in recent years will be essential in the 2018 GA.

COUNTY LEGISLATIVE INITIATIVE

SB 1354 (Favola) would have permitted localities in Planning District 8 to require a public hearing before a planning commission to determine whether a telecommunications tower or electric cooperative facility conforms to a locality's comprehensive plan, if the tower or facility is allowed by right under the zoning ordinance ("by right" simply means that a zoning ordinance does not require a special exception). The 2016 GA removed the statewide requirement for such a public hearing, eliminating public participation from a process that authorizes potentially large, intrusive structures that can adversely affect the character of residential neighborhoods. Though the County initially obtained an exemption to preserve these public hearings in Planning District 8, that exemption was removed from the final bill; consequently, in order to allow community input in the siting of these facilities, the County now requires special exception permits for all telecommunications towers. **SB 1354** was intended to allow the County to reduce these regulatory requirements without sacrificing a public comprehensive plan review process for these large towers. Unfortunately, industry representatives opposed the bill, arguing that they preferred statewide uniformity, despite increased regulatory requirements. As a result, the bill was defeated in the Senate Committee on Local Government.

COUNTY PRINCIPLES/PRIORITIES

(1.) Funding Core Services – K-12 Education

Principle: It is essential that the state fully meet its Constitutional responsibility to adequately fund K-12 education, including full funding for the biennial re-benchmark of Virginia's Standards of Quality (SOQ).

State funding for K-12 education is always a top priority issue in Fairfax County's Legislative Program. Funding for public schools in Virginia is a partnership between the state and localities, and should reflect that shared financial responsibility. However, it is the state that determines what costs it recognizes in its funding formulas, through the Standards of Quality and other means. The resulting state funding framework often substantially differs from the actual costs to school divisions of providing a high-quality education, leaving localities to fill critical funding gaps. At present, the state is failing to provide the funding necessary to implement its own standards and requirements, while Fairfax County and other Northern Virginia localities more than meet their responsibilities for K-12 education through large contributions to the state General Fund, strong local effort, and the effect of high local composite indices. Conversely, state funding for K-12 has declined significantly in recent years – in FY 2009, K-12 funding comprised over 35 percent of the state General Fund, but by FY 2017, investments in K-12 education had fallen to less than 29 percent of the General Fund. In fact, between FY 2010 and FY 2016 Virginia implemented sizable structural budget cuts to K-12, costing localities more than \$1.7 billion per biennium statewide (a cumulative impact of approximately \$6 billion over that time period), despite emphatic assertions from businesses that strong public schools and an educated workforce are essential elements in their decision to locate and remain in Virginia.

Local governments throughout the Commonwealth came together prior to the 2016 GA session to advocate for more state funding. The effort began at the Virginia Association of Counties (VACo) summer meeting, with a unanimous vote by the VACo Board of Directors to make K-12 funding an overarching priority. The effort continued at a meeting of localities throughout the Urban Crescent – from Northern Virginia through Fredericksburg and Richmond and out to Hampton Roads. The business community throughout the state joined the Urban Crescent effort, understanding how critical a strong public school system is to the Commonwealth's economic success. As has been frequently noted, Virginia is in the top 10 of states in income but in the bottom 10 in state education funding – an unfortunate dichotomy that has increasingly gained attention.

Similar to the effort to substantially increase state transportation funding, which culminated in success during the 2013 GA session after many years of fits and starts, the effort to substantially increase state K-12 funding is likely to be a long-term one. However, both the Governor and the GA made strong steps towards that goal, and the 2016-2018 biennium budget adopted by the 2016 GA brought good news for localities throughout the state, including Fairfax County. Unfortunately, a dramatic state revenue shortfall occurred in the spring of 2016, which created a problem because the state's share of a salary increase for teachers and other instructional personnel was contingent on state revenues in FY 2016 meeting their

projections, which they did not. As a result, of the approximately \$21 million in additional funding included for Fairfax County Public Schools in the FY 2017 budget (over FY 2016 funding levels), approximately \$4.4 million was the state's share of a salary increase for teachers – though the 2017 GA elected to provide funding for a teacher salary increase in FY 2018, it did not backfill the loss of funding to school divisions in FY 2017. Additionally, the 2017 GA chose not to return Virginia Retirement System (VRS) rate increases to the original schedule adopted by the GA in 2012, requiring higher expenditures in FY 2018. Overall, however, the 2016-2018 biennium budget amendments adopted by the 2017 GA were helpful to Fairfax County, and included both the funding for salaries and an increase in Lottery funding that will be distributed to school divisions.

It is widely acknowledged that moving Virginia's economy forward requires substantially increasing state investments in K-12. It will be important for localities to continue to press the issue of funding for K-12 in years to come, to ensure state funding continues to improve and that the state and local partnership needed to provide a high quality public education system is restored.

(2.) Funding Core Services – Transportation Funding

Principle: The Commonwealth should continue and build upon the successful enactment of significant, new transportation revenues by the 2013 General Assembly.

Regional Funding

Bills were again introduced to try to address the reduction in regional gas tax funds resulting from the decrease in gas prices since adoption of HB 2313 (2013) – which changed the statewide gas tax from cents per gallon to a percentage per gallon and placed a floor on that gas tax, but neglected to do so for the Northern Virginia regional gas tax (which has existed since 1981 and is used in Fairfax County to fund WMATA) and the newly-authorized Hampton Roads regional gas tax. **SB 1456** (Wagner) placed a floor on that 2.1 percent regional gas tax in both Northern Virginia and Hampton Roads equal to that of the statewide gas tax, while **SB 1092** (Petersen) placed a floor on the 2.1 percent regional gas tax only in Northern Virginia equal to the statewide average sales price on July 1, 2013. **HB 2130** (Levine) used alternative approaches to the creation of gas tax floors in Northern Virginia and Hampton Roads, and also raised the gas tax in Northern Virginia from 2.1 percent to 3 percent. However, all three bills were ultimately defeated – **SB 1092** was incorporated into **SB 1456**, which passed the Senate (26-12), but was tabled by the House Finance Committee, and **HB 2130** was tabled by a House Finance subcommittee.

Statewide Transportation Allocation Formulas

Unlike in previous years, few bills related to statewide transportation funding were considered during the session. However, two bills – **HB 2241** (Jones)/**SB 1331** (Carrico) – focused on increasing transparency in transportation project selection and planning. As passed, the bills shift responsibility for transportation planning activities and the coordination of the Commonwealth's Six-Year Improvement Program (SYIP) from the Virginia Department of Transportation (VDOT) to the Office of Intermodal Planning and Investment (OIPI) of the Secretary of Transportation. The bills also require that, at least 150 days before the Commonwealth Transportation Board (CTB) adopts the SYIP, OIPI make public certain items including:

- A recommended list of projects and strategies for inclusion in the SYIP;
- The results of the screening of candidate projects and strategies; and,
- The results of the evaluation of candidate projects and strategies, including the weighting of factors and the criteria used to determine the value of each factor.

The bills also require VDOT to make public a recommended list of projects eligible for funds under the state of good repair program at least 150 days prior to the adoption of a SYIP that includes new projects with funding from the program. Both **HB 2241** and **SB 1331** passed both the House and Senate unanimously.

Smart Scale

As has become commonplace, the GA considered legislation related to Smart Scale – the statewide prioritization process established by HB 2 (2014). **SB 921** (Edwards) would have added criteria to the Smart Scale process, requiring travel time reliability to be one of the factors used by the CTB in its statewide prioritization process. That bill was stricken at the request of the patron. As has also become commonplace, there were efforts to fund projects outside of Smart Scale. Individual bills and budget

amendments were offered for various projects around the state. For example, **HB 1831** (Kilgore)/**SB 887** (Chafin) would have provided that projects on U.S. Route 460 and U.S. Route 121 would not be subject to the prioritization process. **HB 1831** was tabled by a House Transportation subcommittee, while **SB 887** was passed by indefinitely by the Senate Transportation Committee.

Tolling

Tolling legislation continues to be considered by the GA. The most comprehensive legislation considered this year was **HB 2244** (Jones)/**SB 1322** (Carrico), which make modifications to the Public-Private Transportation Act based on the lessons learned from the I-66 Outside the Beltway project, which was considered to be largely successful. As passed by their respective chambers the legislation:

- Changes the name of the Transportation Public-Private Partnership Advisory Committee to the Transportation Public-Private Partnership Steering Committee, and provides that the Deputy Secretary of Transportation named to the committee serves as its chairman.
- Provides that a responsible public entity may grant approval for the development and/or operation of a transportation facility by a private entity if that entity can develop and/or operate the transportation facility for less cost than VDOT or the Department of Rail and Public Transportation (DRPT).
- Requires the chief executive officer of the responsible public entity to certify, in writing to the Governor and the GA, that there has been no material change since the finding of public interest (a finding of public interest in undertaking a particular transportation project is a condition of the PPTA) and that the public contribution to the project does not exceed the maximum public contribution for such project, as determined by VDOT or DRPT (through an analytical process).
- Clarifies that the finding of public interest by the Steering Committee shall be made after receipt of responses to the request for qualifications, and prior to the issuance of the first draft request for proposals.
- Requires that when the responsible public entity is VDOT or DRPT, they must ensure competition through the procurement process and develop a public sector analysis of the cost for the development and/or operation of the transportation facility.
- Requires VDOT or DRPT and the Steering Committee to review the public sector analysis prior to the initiation of any procurement.
- Adds to the information required to be included in the finding of public interest a description of the benefits expected to be realized by the responsible public entity, and a public sector analysis demonstrating that the private sector can deliver the project for a lower cost than the responsible public entity.

After the bills crossed over, language was added to each noting that a provision in the legislation prohibiting VDOT or DRPT from entering into interim agreements for the development of facilities would not apply to any amendment made to any comprehensive agreement originally entered into prior to July 1, 2017. **HB 2244**, as amended, passed the Senate (40-0) and the House (91-2). **SB 1322**, as amended, passed the House (99-0) and the Senate (40-0).

Several other bills were introduced related to tolling policies. **HB 1929** (Bagby) requires all comprehensive agreements resulting in privately funded roads open for public transportation to include a provision ensuring funding for adequate staffing (defined in the bill) for general law enforcement by the Virginia State Police. The bill was amended by the House Transportation Committee to clarify that it pertains to only comprehensive agreements originally entered into on or after July 1, 2017, and passed both houses with additional technical amendments.

HB 2139 (LeMunyon), as introduced, would have required that the annual report by the Commissioner of Highways include information about transportation projects approved or modified during the prior fiscal year, along with data indicating the relationship between toll price and vehicle volume per unit time at selected toll lane locations for each public or private toll facility in which variable toll pricing is utilized. The legislation was tabled by the House Transportation Committee, but was later reconsidered and amended to instead require that the Commissioner's annual report include information about: transportation projects approved or modified during the prior fiscal year; a listing of the total number of lane miles of all primary and secondary roads that have been resurfaced; and, all primary and secondary roads that are rated "poor" or "very poor." **HB 2139** then passed both the House and Senate (with a technical amendment added in the Senate).

In the House, **HB 1905** (Heretick) would have directed that within 30 days of receiving notice that a person is contesting an invoice for an unpaid toll incurred at an all-electronic toll facility, the toll facility operator must provide such person with any evidence of the unpaid toll. If such evidence is not provided, the toll facility operator's claim becomes invalid. The bill also would have directed that if the matter proceeds to court and the person contesting the invoice for the unpaid toll prevails, he may seek compensation for attorney's fees and the costs associated with defending the action. The bill was left in House Transportation. **HB 2403** (Greason) would have exempted vehicles bearing clean special fuel license plates obtained before July 1, 2011, from the I-66 high occupancy toll (HOT) lanes, and exempted vehicles bearing clean special fuel license plates obtained before July 1, 2006, from HOT lanes on I-95 and I-395 inside the Capital Beltway until January 1, 2020. That bill was also left in House Transportation. **HB 2448** (Marshall, R) would have established a refundable individual income tax credit (for taxable years from January 1, 2017, through January 1, 2022) equal to 50 percent of the value of any tolls paid for driving on I-66. It also modified the maintenance payment formula utilized for localities that maintain their own roads. That bill was left in House Appropriations.

In the Senate, **SB 1004** (Ebbin) would have required a court to consider certain extenuating circumstances in assessing civil penalties for toll violations. It was incorporated into **SB 954** (DeSteph), which would have also made the procedure for contesting toll violations via affidavit on toll facilities uniform, but **SB 954** was defeated in Senate Transportation. **SB 1022** (Ebbin) would have required all toll and HOT lanes operators to annually report data on toll violations, civil penalties, and administrative fees to VDOT, and required VDOT to submit such information to the Chairmen of the House and Senate Committees on Transportation, but was defeated in Senate Transportation. Similar to **HB 2403**, **SB 1522** (McPike) would have exempted vehicles bearing clean special fuel license plates obtained before July 1, 2011, from any I-66 high occupancy toll (HOT) lanes, and exempted vehicles bearing clean special fuel license plates obtained before July 1, 2006, from any HOT lanes on I-95 and I-395 inside the Capital Beltway until January 1, 2020 – the bill was ultimately stricken at the patron's request. **SB 1536** (McPike) would have required the operator of a toll facility located in Planning District 8 that uses dynamic pricing to notify motorists using smart roadway technologies of the toll price and estimated travel time for each posted destination – that bill was also stricken at the patron's request.

(3.) Governance – Local Authority

Principle: Existing local government authority should be preserved, particularly in such key areas as taxation and land use, and the protection of public health, safety, and welfare, where local governments must have sufficient authority to govern effectively. Further, local authority should be enhanced to provide localities more flexibility in the administration of local government, as appropriate community solutions differ significantly from one area of the state to another. Finally, local government representatives should be included on all commissions or other bodies established by the state for the purpose of changing or reviewing local revenue authority or governance.

Taxation

Business, Professional and Occupational License (BPOL)

The GA again considered legislation that would significantly reduce BPOL revenues – **SB 836** (Chase) would have required localities to base BPOL on the Virginia taxable income of a business. Under current law, a locality has the option to impose the tax upon gross receipts or Virginia taxable income. The Senate Finance Committee voted to pass the bill by for the year and fold it into a study, **SJ 278** (Hanger), examining local fiscal stress (see also page 58).

HB 1889 (Hugo)/**SB 1274** (McDougle) were introduced to address a Tax Commissioner ruling in Hampton Roads dealing with the BPOL exemption for wholesale purposes as it relates to defense manufacturers. However, as introduced the bills created a broader, more far-reaching BPOL exemption than the described goal of the proponents (potentially creating a significant fiscal impact for Fairfax County) by stating that the exemption for wholesale manufacturers from local license taxes includes repairing, rebuilding, and maintenance services. After lengthy negotiations between the proponents of the legislation, local governments and Commissioners of the Revenue, the scope of the bills was substantially narrowed

and the County and other local governments removed their opposition. The bills then easily passed the GA.

Meals Tax

SB 1296 (Vogel) prohibits a county from holding a new referendum on a meals tax in the three calendar years subsequent to the electoral defeat of such a referendum. The bill also requires the ballot for any such referendum to state the total tax, as a percentage, that would be imposed on food and beverage if the referendum were to pass (based upon a four percent food and beverage tax and any other ad valorem taxes applicable to the purchase of prepared food and beverage in the county). The County opposed **SB 1296** as a further diminution of already restricted revenue options, as revenue diversification has long been a County legislative priority. The bill was amended in a House Finance subcommittee to remove the prohibition on holding a new meals tax referendum in less than three years if that referendum was initiated by a petition of voters, which was a helpful improvement, but the bill still limits county revenue authority. Though several legislators representing Fairfax County raised these concerns in discussions about the bill, **SB 1296** did pass both the House and Senate.

Land Use

Wireless Telecommunications Infrastructure

During the 2016 GA session, a bill was introduced to significantly reduce local authority over the siting and approval of wireless telecommunications facilities, including the fees paid for such approvals. As a result of concerns from local governments, the House Committee on Commerce and Labor sent the bill to a workgroup to meet in the off-session. The workgroup met numerous times, and included efforts by representatives of stakeholder groups to negotiate specific legislation. When those negotiations failed, there was discussion of more general concepts for legislation. However, the divisions were too great to be bridged, and ultimately the workgroup concluded without reaching a compromise.

When the 2017 GA began, two bills were put forth on behalf of the wireless telecommunications industry to address these issues – **HB 2196** (Kilgore) and **SB 1282** (McDougle). As introduced, the bills were remarkably broad in scope, essentially allowing wireless telecommunications companies to place their facilities on any public building, virtually free of charge and with little to no local approval, essentially creating a tremendous public subsidy of such private facilities. Local governments raised concerns immediately, as the bills would have pre-empted local authority over the siting and approval of all wireless facilities, regardless of the size or location of the facility (including very large telecommunications towers), and would have curtailed the existing authority of state and local governments to negotiate fees for the location of wireless facilities on public property and, in particular, in the public rights-of-way.

As the session proceeded and legislators heard more and more from local governments, negotiations began in earnest among representatives of industry, local governments, and the Virginia Department of Transportation (VDOT). The negotiations were helped by a closer than expected vote on the Senate floor during consideration of **SB 1282** (which passed the Senate 21-18 with 1 abstention), and with the defeat on the House floor of **HB 2196** (57-37).

Finally, negotiations on the remaining bill, **SB 1282**, were successful and all sides agreed to a compromise. The resulting bill is limited to two topics: approval of siting of small cell wireless facilities that attach to existing structures and access to government property. Regarding the siting of small cell facilities that attach to existing structures, the bill eliminates local authority to conduct a zoning review and instead replaces that with an administrative review that can only assess compliance with specific requirements prior to approval or denial including:

- The facility's potential interference with existing or planned communication facilities (including public safety communications facilities);
- Public safety or other critical service needs;
- The aesthetics of facilities that are to be located on publicly owned structures; and,
- Any conflict an application may have with a local ordinance designating local historic districts, buildings, or structures that are not on, or are not eligible to be on, the National Register of Historic Places. It is important to note that the National Historic Preservation Act includes a concurrent review at the federal level, with state and local opportunities for input, for wireless facility applications affecting federally-designated historic places.

Additionally, the final bill requires a locality to allow up to 35 facilities to be included on one application and caps the fees for such reviews (a locality could charge up to \$100 for each of the first five facilities and \$50 for each facility thereafter, resulting in a maximum total of \$2000 for 35 facilities). Regarding access to government property, the bill retains state and local government authority to determine whether or not to allow such access as long as the governments are not discriminating against wireless facilities. In addition, the bill includes several new provisions that apply to VDOT and other localities regarding access to public rights-of-way that they operate and maintain. However, many of the most egregious provisions included in the introduced legislation (relating to tall telecommunications towers, use of public facilities, and activity in the right-of-way among others) were removed, and VACo, Virginia Municipal League (VML), Fairfax County and many other local governments removed their opposition. Once a compromise was agreed to, **SB 1282** passed the House and Senate with comfortable majorities.

Proffers

A handful of bills were filed this year attempting to address the substantial changes to local authority for negotiating and accepting proffers adopted by the 2016 GA over the vocal opposition of local governments. All of these attempts were quickly defeated. For example, **HB 1899** (Bell, J.) sought to lift restrictions on affordable housing, and **HB 1674** (Dudenhefer) would have expanded the definition of allowable public facilities to include libraries and other public buildings, among other things. Additionally, **HB 1735** (Bulova) sought to make it easier for local governments and developers to engage in community meetings, by clarifying that a locality could not be liable for statements by persons who did not have a statutory role in the proffer process – the 2016 proffer law provided rezoning applicants standing to challenge any local decision requiring an unlawful proffer in court, including a presumption that their challenge is correct if they prove the proffer was suggested, requested, or required by a locality (a successful plaintiff could be awarded attorney fees, costs, and an order requiring the local governing body to approve the application without the unlawful proffer), but the law is not specific about who in a locality would have to suggest or request such a proffer, and whether community discussions organized by local officials or where local officials are present could be included in such a suggestion or request, potentially creating unintended legal consequences for local governments. Even in light of the reduced communications resulting from last year's change, the GA rejected efforts to clarify the law. Each of these bills failed to be reported from a House subcommittee on Counties, Cities, and Towns. An additional bill in the Senate, **SB 857** (Locke), would have expanded an exemption included in the 2016 law for revitalization areas, by qualifying areas planned to have a floor-area-ratio of 2.0 instead of the current, higher threshold of 3.0 (floor-area-ratio is a method for measuring density). That bill was defeated in the Senate Local Government Committee.

Limited Short-Term Residential Lodging

Interest in statewide legislation addressing the issue of limited short-term residential lodging began in the 2016 GA session, with bills put forth by representatives of hosting platforms like Airbnb. Unfortunately, the 2016 legislation would have preempted state and local taxation and land use ordinances. Late in the 2016 session, a study, combined with a requirement that the bill be re-enacted by the 2017 GA, were added to the bill that passed. As a result, the Virginia Housing Commission convened a workgroup, with representation from the hotel industry, hosting platform providers like Airbnb, local governments, state and local tax officials, property owners, and other interested parties, to explore issues related to registration, land use, taxation, and other items of public interest tied to short-term rentals. The workgroup was directed to take into consideration existing local ordinances governing the activities of bed and breakfast inns, vacation rentals, and other transient occupancy venues, and had a December 1, 2016, deadline to complete its work (with the goal of developing recommendations and draft legislation for the 2017 session).

The workgroup met throughout the summer and fall, receiving presentations and information about short-term rental laws in other states, insurance, taxation, local zoning, and other related areas. The group also received extensive public testimony, and while some was positive about the benefits to would-be entrepreneurs of being able to use a residence to create a small business, most of the testimony was from residents (many from Fairfax County) sharing concerns about the changes short-term rentals have brought to their neighborhoods and communities, including noise, parking violations, frequent events, and changing groups of visitors. At its final meeting in November, the short-term rental workgroup discussed a matrix of issues to be addressed in possible legislation (put together by staff from the Department of Legislative Services). It was expected that the group would use that matrix to begin to make progress on consensus

legislation, but after lengthy discussion, the group was not able to reach consensus on a final bill at that meeting. When the full Housing Commission met in December, the lack of consensus on moving a bill forward to the session continued and no legislation was endorsed.

As a result of the impasse at the Housing Commission, there was an expectation that numerous bills would be considered by the 2017 GA relating to short-term rentals, both bills put forth by proponents of Airbnb and those who wanted to maintain local authority over such use of residences. However, Airbnb proponents elected not to pursue legislation, and the only bills considered were **SB 1578** (Norment) and **SB 1579** (Stanley), which was ultimately incorporated into **SB 1578**.

As it passed the GA, **SB 1578** grants permissive authority to localities to create registries of operators of short-term rentals, defined as the rental of property for fewer than 30 days, and charge a reasonable fee for the actual costs of administration. An operator is any person or entity in possession of property, whether as an owner, tenant, or other capacity. The bill exempts certain property management professionals from being required to register, including licensed realtors, registered time-share properties, bed and breakfasts, hotels, motels, and camp grounds, among others listed in the bill. If a locality enacts an ordinance creating such a registry, it may include a penalty up to \$500 for an operator's failure to register, and may prohibit registry and future short-term rentals of a property by an operator if the operator has repeated violations for that property. The ordinance may also prohibit an operator from short-term rental of a property if there are three or more occasions where other state or local laws are violated on the property. The bill expressly preserves existing local zoning authority to regulate short-term rentals, and makes clear that it is not intended to affect any contracts, including any property associations' agreements or covenants. Aside from these land use provisions, the bill also requires short-term rental operators to obtain an ABC license before they provide alcoholic beverages to customers.

Representatives of Airbnb did seek several times throughout the legislative process to amend the legislation to include restrictions on local land use and taxation, but such efforts were unsuccessful, and ultimately **SB 1578** passed the GA comfortably. It was an incredible reversal from where things stood during the 2016 GA. Localities will likely need to seriously consider this opportunity to modernize or update their ordinances to address short-term rentals, in order to balance the interests of entrepreneurs with that of the broader community.

Stormwater

Several stormwater bills were enacted this year, though none of the bills created an impact for Fairfax County. For example, **HB 1597** (Webert), requires localities with stormwater utility fees to provide full or partial waivers of such fees when a property retains and treats stormwater onsite in accordance with an approved stormwater management plan (Fairfax County does not have a stormwater utility fee, but it is something that could be considered in the future). Also enacted, **HB 2076** (Wilt)/ **SB 1127** (Obenshain) direct the State Water Control Board to enact regulations by July 1, 2018, ensuring that all plans and items that require a license in engineering or a related profession be signed and sealed by a licensed professional (the County already imposes such a requirement). In addition, **HB 2009** (Hodges) provides flexibility by authorizing localities that administer their own stormwater management program to contract with third parties to administer those programs, and also passed the GA.

Eminent Domain and Land Acquisition

As in years past, several bills seeking to increase costs for the exercise of eminent domain authority for public purposes (by localities, among others) were successful. The first addresses the issue of inverse condemnation, which occurs when the government acquires or utilizes private property without following the usual eminent domain procedures – this often occurs due to unanticipated events, like the flooding of private property by a government stormwater drain, can be temporary, and may or may not cause damage to the property. In these cases the landowner may file an inverse condemnation suit against the government (rather than the government filing a suit against a landowner, as occurs in typical condemnations) and receive just compensation for the use of that property. **SB 1153** (Obenshain) instructs courts to award attorney's fees and costs, including expert appraisal and engineering costs, to inverse condemnation awards for the damaging of property. Current law allows these costs in inverse condemnation only for the taking of property. Including payment for attorney's fees in these cases could lead to increased litigation and increased costs for public bodies, particularly in cases where the "damage" to property and corresponding compensation is small, because the attorney's fees could be significantly

higher than the required compensation. **SB 1153** passed the GA unanimously, and although the Governor vetoed a similar bill in 2016, he is not expected to take the same action again this year.

Another bill that passed the GA, **SB 1421** (Mason) addresses the payment of condemnation judgements. Typically, when a government undertakes a condemnation process, it may deposit with the court an amount of funding that represents what the government considers to be just compensation for the condemnation. If the case proceeds to court and the court determines that the property owner is entitled to a higher level of just compensation than what was offered by the government, the government is required to pay the higher amount and also to pay interest on the difference between the government's original deposit and the amount awarded by the court. The interest rate currently used is the rate of return on the Commonwealth's Treasury's portfolio (which is historically low), but **SB 1421** will change that to the statutory judgment rate (which is significantly higher and is currently at six percent per year). Though the County does not often have judgments against it because it negotiates just compensation with property owners, the County is likely to be involved in additional lawsuits due to the passage of another bill this session, **SB 927** (Petersen), addressing the issue of quick-take condemnations. The quick-take process, which provides faster entry to a property and allows a project to begin more quickly (due to the time sensitive nature of a particular project), also includes the deposit of just compensation with the court at the beginning of the condemnation process. Among other things, **SB 927** will require the County to begin its eminent domain lawsuit in such cases within 180 days of recording a certificate of take (which is essentially the declaration that a condemnation is taking place). Current law allows local governments to file an eminent domain lawsuit within 60 days after a project is completed (which is preferable because the local government would then know all of the compensation that is due a property owner, potentially enabling a more comprehensive offer to be made to a property owner in a settlement and avoiding the need for a lawsuit altogether).

On the same topic, **HB 2024** (Freitas) would add two potentially burdensome notices to quick-take condemnations, which already include several notices. Current law requires a good faith attempt to negotiate just compensation with the property owner and a written bona fide offer as prerequisites to any quick-take. In counties, when an agreement about just compensation cannot be reached, current law also requires an advertised public hearing to approve the condemnation (in Fairfax County, the property owner receives individual notice as well). Thereafter, a certificate and a check for the amount of just compensation is filed with the circuit court, as required by current law. **HB 2024** would also require condemners to send an additional notice to the property owner after the public hearing, between 45 and 30 days before the certificate is recorded with the court, and another additional notice within four business days after the certificate is filed. The County sought and received some amendments that improved the bill from its original form, but the GA was not sympathetic to the idea of making substantive changes and **HB 2024** ultimately passed both houses.

Vested Rights

Prompted by a case in another locality, **SB 1173** (Obenshain) as introduced provided that, if a structure did not need a building permit, and was constructed after an employee of a locality had told the property owner that the structure would comply with the zoning ordinance, then that illegal structure could not be required to be removed. Current law prevents removal of an illegal structure if the employee's statement was in writing and remains unchanged for 60 days, while **SB 1173** would prevent the removal of an illegal structure based on oral statements. In spite of opposition from localities including Fairfax County, the bill passed the Senate 40-0. However, the County was able to work with the patron on an amendment to narrow the bill's effect by including language stating that uncorroborated testimony about a local official's statement will be insufficient to prove that the statement was made if the local official is unavailable to testify – the bill then passed the House and Senate with that amendment.

Agritourism

SB 1491 (Stuart) was introduced to expand the definition of agritourism activities to include the rental of single-family residences on farms for a period of at least one week. This change would have created an exemption on agricultural properties from local zoning provisions that regulate such commercial, short-term rentals, placing them in a different category from those in residential areas. Additionally, the bill did not place limits on how large such a single-family residence could be, how many people it could house, or how many single-family residences could be located and rented out on one piece of property. VACo and many other localities opposed this measure as further reducing local land use regulatory authority – under

legislation passed by the 2014 GA, localities were restricted from regulating any “agritourism activity” unless the operation has a “substantial impact upon the health, safety, or general welfare of the public. Localities argued that the subject of short-term rentals of single-family residences should be addressed comprehensively with other residential short-term rentals (**SB 1578**, a bill to do exactly that, was also making its way through the GA and is discussed further on page 10). Though **SB 1491** passed the Senate 31 to 9, the opposition gained more traction as the session wore on, and the bill was ultimately left in a subcommittee of the House Agriculture, Chesapeake, and Natural Resources Committee.

Civil Enforcement of Noise Ordinance

To address concerns about criminal enforcement of noise ordinances, **SB 926** (Petersen) allows localities to enact ordinances that allow the chief law enforcement officer (which is the Police Chief in Fairfax County) to issue a civil penalty, instead of a criminal misdemeanor citation, for violations of the noise ordinance. The bill passed the GA unanimously, and provides a helpful tool for the County, as violations of the noise ordinance are often more appropriately handled through a civil penalty.

Additional Land Use and Local Government Authority Bills

Among other land use bills that passed the GA this year, **SB 932** (Favola) and **SB 1259** (Black) allow localities to convey utility easements related to transportation projects without a public hearing, as is already allowed for other similar easements. **SB 1559** (Petersen) will require that notice of zoning violations be sent to the last known address of a property owner, and creates a rebuttable presumption (essentially an assumption that something is correct) that the mailing address in the tax records is the correct address.

HB 1486 (Albo) and **SB 1225** (Barker) authorize localities to create joint arts and cultural districts, which may be of particular interest to Laurel Hill in Fairfax County and similar entities in nearby Prince William County. In addition, **HB 1970** (Landes) extends to counties the authority that cities currently enjoy to create economic revitalization zones, allowing tax and regulatory exemptions to incentivize private entities to purchase property for economic development. And **HB 1697** (Marshall, D.) resurrected a repeated dispute over the sunset dates for several statutory extensions subdivision plats (allowing a piece of property to be divided into smaller parcels for development) and zoning permits (which allow for exceptional uses of property), attempting to extend these approvals by five years to 2022; opposition this year, however, resulted in a compromise of a three-year extension to 2020. In addition, **SB 1189** (Edwards) clarifies when a locality providing water and sewer services can place a lien on a landlord’s property for a tenant’s unpaid charges for service.

Land use bills that were of note this year but were defeated include **SB 1373** (Norment), which would have created additional hurdles for the placement of group homes or other residential care facilities in residential neighborhoods, including requiring notice be given to the locality and the president of the homeowner’s association of the intent to locate there. The bill raised many concerns, including about federal fair housing protections that require such homes to be treated in the same manner as other similar residential dwellings, and was left in committee after being sent back from the Senate floor. Another bill that was defeated, **SB 938** (Edwards), would have allowed localities to prohibit smoking in outdoor places, prompted by an amphitheater that is operated by a locality in another part of the Commonwealth. And **SB 1569** (Reeves) attempted to replace the “fair and reasonable” standard that is used to calculate water and sewer connection charges with an “equitable and practicable” standard – though this bill did not raise concerns for Fairfax County, numerous other localities opposed this legislation, which ultimately failed.

Two other bills addressing local authority were also defeated. The first was an initiative by the Northern Virginia Regional Park Authority, **SB 901** (Marsden), which sought to extend the existing immunity from claims of ordinary negligence provided to the employees of parks departments run by local governments to the employees of local and regional park authorities. The bill passed the Senate only to be defeated in the House Committee on Courts of Justice, which often has been reluctant to recommend reporting such immunity bills. Finally, a novel idea was introduced in **HB 2272** (Krizek), which would have allowed localities to enact ordinances requiring retailers to accept and recycle used compact fluorescent light bulbs from consumers. Such bulbs are considered hazardous waste because they contain mercury. The bill failed to report from the House Committee on Agriculture, Chesapeake, and Natural Resources.

(4.) State Budget

Principle: The Commonwealth should rebalance its resources and responsibilities so that the funding partnership with localities is restored, ensuring the delivery of critically needed services in communities throughout Virginia. State established standards for locally delivered services must be accompanied by state funding that is adequate to successfully provide those services, and accountability for successes and failures should be reciprocal, ensuring both the state and localities accept responsibility commensurate with their respective roles.

Highlights of Fairfax County Priorities in 2016- 2018 Budget

Similar to last session negotiations on the state budget this year were not a major source of controversy. Even though state revenues came in lower than projected since the 2016-2018 biennium budget was adopted, the Governor had already put in place budget reduction strategies to close the funding gap, while use of the state's Revenue Stabilization Fund helped soften the impact.

The Governor and the 2016 GA made significant strides on K-12 funding, though some of those gains were reduced due to the revenue shortfall that led to cancellation of the state's share of funding for salary increases for teachers and other instructional personnel. However, throughout the consideration of various cuts in the summer and fall of 2016, needed to keep the budget balanced, K-12 was essentially treated as off-limits, a victory in itself as that has not been the case during past state fiscal crises.

In general, the session began with seeming consensus among Senate and House leaders that pay for the Virginia State Police and state employees would take center stage in budget negotiations. Presentations prior to the session highlighted the Virginia State Police's nearly 10 percent vacancy rate and high turnover rate, which was partially blamed on salary. Regarding compensation for state employees, the 1.5 percent bonus that the Governor had included in his December 2016 budget was insufficient in the eyes of lawmakers from both sides of the aisle who expressed a desire to provide a 3 percent salary increase to state employees. At the end of the day, lawmakers were able to provide these raises, as well as a 2 percent raise for state-supported local employees and the state's share of a 2 percent raise for teachers, partially made possible by better than projected revenue collections.

There were few areas of major disagreement throughout the budget process this session, and the 2016-2018 biennium budget conference report was completed one day early. After little discussion, the budget was adopted nearly unanimously in both chambers (96-1 in the House and 40-0 in the Senate) on the final day of the 2017 GA session.

Priority Budget Items for Fairfax County in Conference Report for HB 1500

Teacher Salary Increase

Provides the state share of a 2 percent pay raise for instructional and support positions, effective February 15, 2018 (\$32 million). School divisions would qualify for the funding if they provided at least a 2 percent salary increase in FY 2017 or FY 2018 (as FCPS did).

Distribution of Lottery Proceeds to Local School Divisions

Directs 35 percent (\$34.1 million statewide) of all Lottery proceeds directly back to school divisions without any required local match or restrictions on uses of those funds. FCPS will receive \$2.8 million for additional Lottery Per Pupil allocation in FY 2018.

HB 599

Maintains HB 599 funding at the rate included in the current 2016-2018 biennium budget, which included an increase of \$750,000 for Fairfax County in FY 2017 and level funding in FY 2018.

State-Supported Constitutional Officers and Local Employees Salary Increase

Provides a 2 percent salary adjustment for sheriffs and regional jails, Constitutional officers, and other state-supported local employees.

Funding for Local Health Departments

Restores GF support for local health departments that had been cut in the introduced budget, and eliminates the proposed increase in restaurant fees that localities could have used to replace the reduced funding.

Children's Services Act

Creates a workgroup on private day educational program options to examine alternatives and determine the actions necessary to better manage the quality and costs of private day educational programs currently funded through CSA. See also pages 27 and 46.

Judgeships

Provides funding for 407 judgeships, including two judgeships that are currently vacant in the 19th Judicial Circuit (Fairfax City/County). One judge's term begins on July 1, 2017, and the second judge's term will begin on January 1, 2018. Also reduces the maximum number of judges authorized in the 19th Judicial Circuit from 15 to 14, when one of the current 19th Judicial Circuit judge reaches mandatory retirement in the next couple of years. See also page 52.

Northern Virginia Training Center

Adds language specifying that the \$8.5 million appropriation from the Behavioral Health and Developmental Disabilities Trust Fund in the Governor's proposed budget shall be used for: development of behavior/medical intense programs; subsidies for capital costs associated with rental units; the establishment of a House Call Program in Northern Virginia; support for individual crisis events; and, the development of providers in Virginia for individuals with intellectual and developmental disabilities with significant behavioral and mental health support needs.

Medicaid Waivers

Allocates an additional 144 Family and Individual Support Waiver slots in FY 2018, and eliminates language in the introduced budget that would have delayed access to additional waiver slots in FY 2018. Also adds language directing DMAS and DBHDS to work with stakeholders on various concerns regarding the new DD waiver programs, including a requirement to report on the waivers and waiting list. See also page 24.

Temporary Assistance to Needy Families (TANF)

Provides \$2 million to provide a 2.5 percent increase in TANF benefits statewide. Also provides \$2.5 million to consolidate localities from three to two groupings for the purposes of determining TANF payments; this will provide a modest increase in localities with the lowest payments (does not include Fairfax County).

Northern Virginia Family Services

Provides an additional \$300,000 from the TANF block grant in FY 2018 to NVFS, to sustain current services provided to families who are eligible for the TANF program.

Stormwater

Uses \$8.3 million from the Water Quality Improvement Fund reserve: \$500,000 is for the state's match for participation in the federal Conservation Reserve Enhancement Program, \$1 million is for technical assistance for Virginia Soil and Water Conservation Districts, and \$6.8 million is for Agricultural Best Management Practices cost share program activities.

Dulles Airport

Amends existing language related to the provision of GF support for Dulles Airport to ensure continued efforts are made to maximize revenue generation at the facility by pursuing opportunities to develop non-airport acreage to support operations.

INOVA

Restores \$4 million to fully fund higher education research at INOVA's Global Genomics and Bioinformatics Research Institute.

WMATA

Requires the Secretary of Transportation to initiate an objective review of the operating, governance and financial conditions at WMATA, including specific items that must be analyzed. The Secretary is directed to request the participation of Maryland and the District of Columbia, and to report the findings by November 15, 2017, with a follow-up report, if needed, by June 30, 2018. This review language is similar to that included in the **HB 2136** Enactment Clause and **HJ 617** (see page 55).

Richmond Highway Rail Bridge/Atlantic Gateway

Directs DRPT to work with Fairfax County and VDOT to develop a cost-effective design for a new facility over Richmond Highway that replaces the existing bridge, expands rail capacity, and accommodates the future Bus Rapid Transit system. DRPT is also directed to work with Fairfax County and VDOT to identify funding sources for this portion of the project. This is in response to concerns highlighted by the County (in a December 2016 letter to the Secretary of Transportation regarding the Atlantic Gateway project) that a rail bridge over Richmond Highway had to be addressed. The additional third railway track that is being undertaken as part of the Atlantic Gateway project will require a bridge over Richmond Highway, and the project calls for a new bridge only for the new rail line, rather than modifications to the existing facility carrying the existing rail lines.

**BUDGET PROPOSALS FOR FY 2017 - FY 2018 DURING THE 2017 GENERAL ASSEMBLY SESSION
as of February 28, 2017**

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

Direct County Impact	Governor		House		Senate		Conference	
	FY 2017*	FY 2018						
Provide 1.5% One-time Bonus for State Supported Local Employees	\$0.00	\$0.45	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Eliminate Funding for Salary Compression for Sheriff's Employees in FY 2017	(\$0.29)	\$0.58	(\$0.29)	\$0.53	(\$0.29)	\$0.58	(\$0.29)	\$0.53
Eliminate 2% Salary Increase for State Supported Local Employees in FY 2017	(\$0.23)	\$0.00	(\$0.23)	\$0.00	(\$0.23)	\$0.00	(\$0.23)	\$0.00
Provide 2% Salary Increase for State Supported Local Employees in FY 2018	\$0.00	\$0.00	\$0.00	\$0.57	\$0.00	\$0.57	\$0.00	\$0.57
Decrease HB 599 Funding	\$0.00	\$0.00	(\$0.10)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Eliminate Funding in FY 2017 for the Care Coordination Grant; no reduction in FY 2018	(\$0.19)	\$0.19	(\$0.19)	\$0.19	(\$0.19)	\$0.19	(\$0.19)	\$0.19
TOTAL DIRECT COUNTY IMPACT	(\$0.71)	\$1.22	(\$0.81)	\$1.29	(\$0.71)	\$1.34	(\$0.71)	\$1.29
TOTAL OVER THE BIENNIUM	\$0.51		\$0.48		\$0.63		\$0.58	

* Compares to County's FY 2017 Adopted Budget

Impact to the Fairfax County Public Schools (FCPS) FY 2018 Budget
<p>Governor McAuliffe's Budget: Compared to FCPS' FY 2017 Approved Budget, Governor McAuliffe's Budget includes \$3.9 million less in state aid and sales tax. Compared to FCPS' FY 2018 Proposed Budget presented to the School Board on January 12, 2017, Governor McAuliffe's Budget includes \$3.3 million more in state revenue.</p> <p>House: Compared to FCPS' FY 2018 Proposed Budget presented to the School Board on January 12, 2017, the House Budget Amendments include \$3.5 million more in state revenue.</p> <p>Senate: Compared to FCPS' FY 2018 Proposed Budget presented to the School Board on January 12, 2017, the Senate Budget Amendments include \$3.6 million more in state revenue.</p> <p>Conference: Compared to FCPS' FY 2018 Advertised Budget adopted by the School Board on February 9, 2017, the Conference amendments include \$4.2 million more in state revenue.</p>

**BUDGET PROPOSALS FOR FY 2017 - FY 2018 DURING THE 2017 GENERAL ASSEMBLY SESSION
as of February 28, 2017**

Budget Bill Item #	Issue	Fairfax County Impact
Revenue		
295	<p>Local Health Departments/Restaurant Inspection Fees</p> <p>Governor McAuliffe's Budget: Increases maximum Restaurant Inspection fees from \$40 to \$285 in FY 2018. Reduces GF support for local health departments.</p> <p>House: Eliminates the proposed increase in the Restaurant Inspection fees. Restores GF support for local health departments.</p> <p>Senate: No change from the Governor's Budget.</p> <p>Conference: Eliminates the proposed increase in the Restaurant Inspection fees. Restores GF support for local health departments.</p>	<p>Reduces GF support for Fairfax County's Health Department by approximately \$930,000. It appears the increased restaurant fee is designed to allow the County to replace the reduced state funding by increasing restaurant fees. Should the General Assembly not pass the restaurant fee increase, it could translate into an expenditure reduction for the County's Health Department.</p> <p>No impact to Fairfax County's Health Department.</p> <p>No impact to Fairfax County's Health Department.</p>
Compensation		
69	<p>Sheriffs</p> <p>Governor McAuliffe's Budget: Eliminates funding in the amount of \$3.6 million in FY 2017 that was included to address salary compression for sheriff's employees effective January 1, 2017. Maintains \$8.7 million in FY 2018 effective July 1, 2017.</p> <p>House: Makes the salary compression plan for sheriff's employees effective August 1, 2017, rather than July 1, 2017 (decreases the funding from \$8.7 million to \$7.3 million).</p> <p>Senate: No change from the Governor's Budget.</p> <p>Conference: Makes the salary compression plan for sheriff's employees effective August 1, 2017 rather than July 1, 2017 (decreases the funding from \$8.7 million to \$7.3 million).</p>	<p>Fairfax County would have received approximately \$290,000 in FY 2017. The amount of additional salary reimbursement in FY 2018 is \$580,000.</p> <p>The amount of additional salary reimbursement in FY 2018 is \$530,000 (11 months).</p> <p>The amount of additional salary reimbursement in FY 2018 is \$530,000 (11 months).</p>
475	<p>State-Supported Employee Compensation</p> <p>Governor McAuliffe's Budget: Eliminates the 2% salary increase for all state-supported local constitutional officers and employees that was to be effective December 1, 2016 and was contingent on state revenue projections for FY 2016.</p> <p>House/Senate/Conference: No change from the Governor's Budget.</p> <p>Governor McAuliffe's Budget: Provides \$13.8 million in FY 2018 for a one-time bonus payment of 1.5% for all state-supported local employees distributed on December 1, 2017.</p> <p>House/Senate/Conference: Eliminates the Governor's proposed one-time bonus for state-supported local employees and instead provides a 2% salary increase effective August 1, 2017.</p>	<p>Fairfax County would have received approximately \$230,000 in additional salary reimbursement in FY 2017.</p> <p>Results in an increase of \$450,000 for Fairfax County in FY 2018.</p> <p>Results in an increase of \$570,000 for Fairfax County in FY 2018.</p>
Public Safety		
400	<p>State Aid to Localities with Police Departments (HB 599)</p> <p>Governor McAuliffe's Budget: Maintains the increase included for HB 599.</p> <p>House: Reduces by \$551,000 each year to reflect lower assumed growth in General Fund revenues in FY 2017.</p> <p>Senate/Conference: No change from the Governor's Budget.</p>	<p>No change from the adopted budget, which included an increase of \$750,000 for Fairfax County in FY 2017 with level funding for FY 2018.</p> <p>Results in a decrease of approximately \$76,000 for Fairfax County in FY 2017 and FY 2018.</p>

**BUDGET PROPOSALS FOR FY 2017 - FY 2018 DURING THE 2017 GENERAL ASSEMBLY SESSION
as of February 28, 2017**

Budget Bill Item #	Issue	Fairfax County Impact
Elections		
86	<p>Governor McAuliffe's Budget: In FY 2018, includes \$50,000 for printing costs of voter registration and absentee ballot applications; \$570,000 to maintain online services of military and overseas voters; \$1,000,000 to ensure access to the Virginia Election and Registration Information System (VERIS) and make it more efficient for localities; approximately \$220,000 to improve local access to VERIS; \$2.3 million to continue funding activities supported through the Federal Help America Vote Act (HAVA), including the operation of VERIS.</p> <p>House: No change from the Governor's Budget.</p> <p>Senate: Eliminates most of the funding included in the Governor's Budget, leaving only \$250,000 for HAVA.</p> <p>Conference: Eliminates \$50,000 for printing costs of voter registration and absentee ballot applications, and reduces by \$500,000 funding for continuation of activities supported through the Federal Help America Vote Act (HAVA) grant. Maintains the funding included by the Governor for improvement of the VERIS system.</p>	<p>Potentially improves operation of the voter registration system.</p> <p>Would potentially require local funding to improve the operation of the voter registration system.</p>
Other Items of Interest		
398	<p><u>Victim/Witness and Pre-trial Program Grant Awards</u></p> <p>Governor McAuliffe's Budget: Reduces the general fund funding for Victim/Witness by \$1.7 million in FY 2018. In addition, reduces grant award funding to localities for Pre-trial programs by \$1.5 million in FY 2017 and \$500,000 in FY 2018.</p> <p>House: Provides \$1.5 million in FY 2018 to sustain state funding for Victim/Witness and other sexual and domestic violence victim programs. Reduces the funding for Pre-trial programs by \$1.5 million to the reduced FY 2017 level.</p> <p>Senate: No change from the Governor's Budget.</p> <p>Conference: Provides \$1.5 million in FY 2018 to sustain state funding for Victim/Witness and other sexual and domestic violence victim programs. Reduces the funding for Pre-trial programs by \$1.5 million to the reduced FY 2017 level.</p>	<p>In FY 2017, the County received \$118,514 in state General Funds for the Victim/Witness Grant. Depending on how the state applies the reduction, all or part of this funding could be impacted.</p> <p>Appears that funding for the Victim/Witness Grant will be sustained, while the funding for Pre-trial programs will be reduced.</p> <p>Appears that funding for the Victim/Witness Grant will be sustained, while the funding for Pre-trial programs will be reduced. Fairfax County likely would not have been eligible for the Pre-trial program funding.</p>
393	<p><u>Inmate Medical Costs</u></p> <p>Governor McAuliffe's Budget: Provides \$11.4 million in FY 2017 and \$7.2 million in FY 2018 for increased inmate medical expenses.</p> <p>House/Senate/Conference: No change from the Governor's Budget.</p>	<p>Fairfax County currently does not receive medical funding for inmates from the state.</p>
398	<p><u>Mental Health Screening and Assessment</u></p> <p>Governor McAuliffe's Budget: Provides \$4.2 million in FY 2018 for grants to local and regional jails for costs associated with mental health screening and assessment of individuals committed to their facilities.</p> <p>House/Senate/Conference: Eliminates \$4.2 million in FY 2018 that was included in the Governor's Budget for grants to local and regional jails for costs associated with mental health screening and assessment of individuals committed to their facilities.</p>	<p>Potentially increases grant funding available to Fairfax County.</p> <p>No impact to Fairfax County.</p>
70	<p>Conference: Requires the use of a standardized jail mental health screening instrument. Directs the Compensation Board to review its staffing standards and report on the costs of requiring every jail to conduct an assessment within 72 hours of the initial screening, by a qualified mental health professional, of all persons for whom the initial screening indicates may have a mental illness.</p>	
40	<p><u>Statewide Electronic Summons System</u></p> <p>House: Provides \$3.8 million in FY 2018 for the development and implementation of a statewide electronic summons system for use by the Department of State Police. Previously, a bill was aiming to divert some revenue from local fines for the implementation of the state system.</p> <p>Conference: Directs the Supreme Court to provide a detailed plan on the costs and timelines of implementing a statewide electronic summons system for State Police.</p>	<p>No impact to Fairfax County.</p> <p>No impact to Fairfax County.</p>

**BUDGET PROPOSALS FOR FY 2017 - FY 2018 DURING THE 2017 GENERAL ASSEMBLY SESSION
as of February 28, 2017**

Budget Bill Item #	Issue	Fairfax County Impact
53h	<p><u>Funding for Judicial Vacancies</u> House: Provides \$1.1 million in FY 2018 for filling vacant judgeships. Also fills one of the vacant Circuit Court judgeships in the 19th district (Fairfax County/City).</p>	
53s	<p>Senate: Does not provide additional funding for filling vacant judgeships, but fills one of the vacant Circuit Court judgeships in the 19th district (Fairfax County/City).</p> <p>Conference: Provides funding for 407 judgeships, including two judgeships that are currently vacant in the 19th Judicial Circuit (Fairfax City/County). One judge's term begins on July 1, 2017, and the second judge's term will begin on January 1, 2018. Also reduces the maximum number of judges authorized in the 19th Judicial Circuit from 15 to 14, when one of the current 19th Judicial Circuit judge reaches mandatory retirement in the next couple of years.</p>	
422	<p><u>State Police Study of Concealed Carry Fees</u> Senate: Directs the Department of State Police to review the current fee structure for concealed weapons permits, including the \$10 application and processing fee charged by the clerk, the fee of up to \$35 which may be charged by the local law enforcement agency conducting the background investigation, and the fee of up to \$5 which may be charged by the Department of State Police for the criminal background check. Directs the Department to determine the extent to which the fees are being charged, actual revenues, the actual costs incurred by the agencies charging the fees, and potential options, if feasible, for reducing the fees. A report with the findings should be completed by November 1, 2017.</p> <p>Conference: Does not require a review of the current fee structure for concealed weapons permits.</p>	Could reduce County revenue from these fees.
364	<p><u>Water Quality Improvement Fund (WQIF)</u> House: Transfers \$8.3 million from the WQIF reserve to the Virginia Natural Resources Commitment Fund (\$1.0 million for Technical Assistance for Virginia Soil and Water Conservation Districts and \$7.3 million for Agricultural Best Management Practices cost share program activities).</p> <p>Senate: Same as House.</p> <p>Conference: Uses \$8.3 million from the WQIF reserve (\$0.5 million for the state's match for participation in the federal Conservation Reserve Enhancement Program; \$1.0 million for Technical Assistance for Virginia Soil and Water Conservation Districts and \$6.8 million for Agricultural Best Management Practices cost share program activities).</p>	

**BUDGET PROPOSALS FOR FY 2017 - FY 2018 DURING THE 2017 GENERAL ASSEMBLY SESSION
as of February 28, 2017**

Budget Bill Item #	Issue	Fairfax County Impact
111	<p>Short Term Rentals Senate: Makes contingent certain funding in the Department of Housing and Community Development upon the creation and operation of a registration system for properties offered for short-term rental in the Commonwealth. Authorizes the assessment of a \$100 fee per property to offset the costs of administering the system. In addition, establishes a \$500 penalty for persons offering unregistered properties for short-term rent. This fine is to be collected and retained by the locality. Conference: No change from the Governor's Budget.</p>	Inclusion of this amendment in the budget may be helpful in allowing localities to maintain their local authority over short-term rentals, as SB 1578 is being discussed.
4-8.03; 257	<p>Local Government Fiscal Stress House: Establishes a workgroup to develop a proposed system of financial and other indicators to serve as an early warning mechanism to signal the presence of possible local fiscal distress. Defines fiscal distress as a situation whereby the provision and sustainability of public services is threatened by various administrative and financial shortcomings, including but not limited to: cash flow issues, inability to pay expenses, revenue shortfalls, deficit spending, structurally imbalanced budgets, billing and revenue collection inadequacies and discrepancies, debt overload, and/or lack of trained and qualified staff to process administrative and financial transactions. If localities are determined to be experiencing fiscal stress based on indicators identified by the workgroup, the Auditor of Public Accounts (APA) will notify the locality and request additional information to ascertain if there is cause for concern. If the APA determines that a locality needs state assistance, oversight, or intervention, the Auditor will outline specific actions that need to be addressed by state intervention. Provides \$500,000 in FY 2017 from the general fund to support efforts to address intervention and remediation for localities that are fiscally distressed.</p>	Interest in this issue has arisen as a result of the fiscal crisis in Petersburg. However, the GA appears to be considering assessing the fiscal condition of localities in ways that it hasn't before. State identification of localities that are "fiscally stressed" could lead to unintended consequences that include significant repercussions for such localities.
1#8s	<p>Senate: Establishes a joint subcommittee tasked with identifying issues and potential solutions related to local fiscal stress. The study will review: (i) the taxing authorities of local governments, including the disparity between city and county tax authority; (ii) local responsibilities for service delivery of state-mandated or high priority programs, (iii) causes of fiscal stress among local governments, (iv) the current state tax system, including the future of the car tax; and (v) potential financial incentives and other governmental reforms to encourage increased regional cooperation and consolidation of services.</p>	Interest in this issue has arisen as a result of the fiscal crisis in Petersburg. However, the GA appears to be considering assessing the fiscal condition of localities in ways that it hasn't before. State identification of localities that are "fiscally stressed" could lead to unintended consequences that include significant repercussions for such localities.
1#12c; 4-8.03	<p>Conference: Establishes a joint subcommittee tasked with identifying issues and potential solutions related to local fiscal stress. The study will review: (i) savings opportunities from increased regional cooperation and consolidation of services; (ii) local responsibilities for service delivery of state-mandated or high priority programs, (iii) causes of fiscal stress among local governments, (iv) potential financial incentives and other government reforms to encourage increased regional cooperation; and (v) the different taxing authorities of cities and counties.</p>	This subcommittee could be helpful in illustrating financial pressures and constraints at the local level. However, there are also concerns about state identification of localities that are "fiscally stressed," as this designation could lead to unintended consequences and significant repercussions for such localities. This subcommittee will need to be closely monitored.
4-8.03	<p>Conference: Establishes a workgroup to develop a proposed system of financial and other indicators to serve as an early warning mechanism to signal the presence of possible local fiscal distress. Defines fiscal distress as a situation whereby the provision and sustainability of public services is threatened by various administrative and financial shortcomings, including but not limited to: cash flow issues, inability to pay expenses, revenue shortfalls, deficit spending, structurally imbalanced budgets, billing and revenue collection inadequacies and discrepancies, debt overload, and/or lack of trained and qualified staff to process administrative and financial transactions. If localities are determined to be experiencing fiscal stress based on indicators identified by the workgroup, the Auditor of Public Accounts (APA) will notify the locality and request additional information to ascertain if there is cause for concern. If the APA determines that a locality needs state assistance, oversight, or intervention, the Auditor will outline specific actions that need to be addressed by state intervention. Authorizes the use of \$500,000 if unexpended funds are available.</p>	This subcommittee could be helpful in illustrating financial pressures and constraints at the local level. However, there are also concerns about state identification of localities that are "fiscally stressed," as this designation could lead to unintended consequences and significant repercussions for such localities. This subcommittee will need to be closely monitored.

**BUDGET PROPOSALS FOR FY 2017 - FY 2018 DURING THE 2017 GENERAL ASSEMBLY SESSION
as of February 28, 2017**

Budget Bill Item #	Issue	Fairfax County Impact
109	<p><u>Virginia Growth and Opportunity Fund (Go Virginia)</u> Governor McAuliffe's Budget: Reduces by \$4.6 million in FY 2017 and \$10.4 million in FY 2018 the funding available for the Go Virginia initiative.</p> <p>House/Senate: Restores \$7.5 million over the biennium in funding for the Go Virginia local economic development initiative.</p> <p>Conference: Restores \$7.5 million funding for the Go Virginia initiative.</p>	
88	<p><u>Agriculture and Forestry</u> Conference: Directs the Secretary of Agriculture and Forestry to examine regulations related to noise, traffic, and the viability of the farm wine industry in Virginia.</p>	
395#1c	<p><u>Law Enforcement Training Standards</u> Conference: Directs the Board and the Department of Criminal Justice Services to review, and if necessary, update the compulsory minimum training standards for law enforcement officers in the Commonwealth. Law enforcement training standards were last updated in 1998 and jail training standards regarding mental health were last updated in 2008. The amendment requires the Board and the Department to complete the updates by October 1, 2019.</p> <p><u>Community Service to Offset Court Fines and Costs</u> Senate/Conference: Directs the Executive Secretary of the Supreme Court to study the use of community service to offset fines and costs imposed by the courts</p>	
40		

**BUDGET PROPOSALS FOR FY 2017 - FY 2018 DURING THE 2017 GENERAL ASSEMBLY SESSION
as of February 28, 2017**

Budget Bill Item #	Issue	Fairfax County Impact
Human Services		
1 1h	House: Creates a joint subcommittee of the House Appropriations and Senate Finance Committees to respond to federal health care changes, provide oversight of the Medicaid and children's health insurance programs, and provide oversight of the Health and Human Resources agency operations during transitions between administrations.	TBD.
1 1s	Senate: Creates a joint subcommittee of the House Appropriations and Senate Finance Committees to review and monitor federal changes to health care laws that would impact the Commonwealth and provide oversight of the Health and Human Resources agencies.	TBD.
1 13c	Conference: Creates a joint subcommittee of the House Appropriations and Senate Finance Committees to respond to federal health care changes, provide oversight of the Medicaid and children's health insurance programs, and provide oversight of Health and Human Resources agency operations.	
Medicaid Expansion		
306	Governor McAuliffe's Budget: Provides that, should the Patient Protection and Affordable Care Act be continued, amended or replaced through federal law or regulation on or after October 1, 2017, the Governor shall have the authority to implement such changes and take advantage of the enhanced Medicaid rate.	Support for the expansion of Medicaid as envisioned by the Affordable Care Act is included in the County's Legislative Program.
306 2h	House: Restores language contained in the 2016-2018 biennium budget which conditions expansion of Medicaid pursuant to the federal Patient Protection and Affordable Care Act (PPACA) upon an appropriation by the General Assembly, and eliminates language which provides authority to expand Medicaid pursuant to the PPACA on or after October 1, 2017.	
306 15s	Senate: Same as House.	
306 19c; 4-5.03 1c	Conference: Restores language contained in the 2016-2018 biennium budget which conditions the expansion of Medicaid, pursuant to the federal Patient Protection and Affordable Care Act (PPACA), upon an appropriation by the General Assembly, and eliminates language which provides authority to expand Medicaid pursuant to the PPACA on or after October 1, 2017. Also eliminates any language changes which would allow for such an expansion without an appropriation by the General Assembly.	

**BUDGET PROPOSALS FOR FY 2017 - FY 2018 DURING THE 2017 GENERAL ASSEMBLY SESSION
as of February 28, 2017**

Budget Bill Item #	Issue	Fairfax County Impact
<u>Medicaid Waivers</u>		
306 DDDD	Governor McAuliffe's Budget: Reduces the number of additional Community Living waiver slots in FY 2018 from 415 to 180, but also authorizes DMAS to amend the Community Living waivers to add slots, if additional waivers can be added within appropriation.	Likely negative. There are concerns that the reduction in additional Community Living waivers correlates with a reduction in state funding. In addition, the reduction in Community Living waivers may make it more difficult to obtain waivers for individuals who need, but are not eligible for, residential supports.
306 UUUU; EEEE 1	Governor McAuliffe's Budget: Adds 60 slots for the Building Independence waiver in FY 2018. Increases the number of additional Family and Individual Support waiver slots in FY 2018 from 25 to 200, but also authorizes DMAS to amend the Family and Individual Support waivers to add slots, if additional waivers can be added within appropriation.	Likely positive.
306 13h	House: Adds 144 Family and Individual Support Waiver slots in FY 2018, to increase the number of slots from 200 to 344. Eliminates language in the introduced budget that would have delayed access to additional waiver slots in FY 2018.	Likely positive.
306 10s	Senate: Adds 160 new Family and Individual Support Waiver slots, to increase the number of slots from 200 to 360. Reduces the number of CL waiver slots by 10 as the funding estimates assumed 100 facility discharge slots instead of the 90 required by the DOJ settlement agreement. Also eliminates the language in the introduced budget that provided flexibility to add new slots.	Likely positive.
306 4c	Conference: Adds 144 Medicaid Family and Individual Support Waiver slots in FY 2018. Funding is contained in the introduced budget to provide funding for these slots. Projections of utilization of the newly designed Building Independence, Family and Individual Supports and Community Living Waivers programs have resulted in the ability to serve more individuals than originally anticipated. Language in the introduced budget is eliminated which would have delayed access to additional waiver slots in FY 2018.	Positive, although it is unclear how many of these new waiver slots would be available to Fairfax County residents. The reduction of Community Living waivers slots in the introduced budget still is likely to have a negative impact.
<u>Sponsored Residential Services</u>		
306 4s, 11s	House: No change. Senate: Adds sponsored residential services to the list of services that are eligible to receive customized rates in Medicaid for providing services to high-needs individuals. Also modifies language in the 2016-2018 biennium budget directing DMAS and DBHDS to collect information and feedback related to rates of and payments to sponsored residential providers and family home providers, extending collaborative efforts to collect information and feedback to other provider groups and specifying additional data elements to review.	
306 12c, 16c	Conference: Adds sponsored residential services to the list of services that are eligible to receive customized rates in Medicaid for providing services to individuals with high needs. Also modifies language in the 2016-2018 biennium budget directing DMAS and DBHDS to collect information and feedback related to rates of and payments to sponsored residential providers and family home providers, extending collaborative efforts to collect information and feedback to other provider groups and specifying additional data elements to review.	

**BUDGET PROPOSALS FOR FY 2017 - FY 2018 DURING THE 2017 GENERAL ASSEMBLY SESSION
as of February 28, 2017**

Budget Bill Item #	Issue	Fairfax County Impact
306 TTTT	<u>Consumer-Directed Personal Assistance</u>	TBD.
	Governor McAuliffe's Budget: Authorizes DMAS to pay time and a half for up to 56 hours for a single consumer-directed attendant who works more than 40 hours per week, replacing current language that prohibits overtime hours, and provides \$8.5 million GF and \$8.5 million NGF in FY 2018.	
306 1h	House: Restores the prohibition on Medicaid payment of overtime for consumer-directed personal assistance and respite and companion services. Also removes language authorizing overtime beginning July 1, 2017, along with funding of \$8.5 million GF and \$8.5 million NGF.	
306 6s	Senate: Same as House.	
306 18c	Conference: Restores the prohibition on Medicaid payment of overtime for consumer-directed personal assistance, respite and companion services. Also language authorizing overtime beginning July 1, 2017, is eliminated, along with \$8.5 million GF and \$8.5 million NGF.	
313 1h	<u>Developmentally Disabled Waiver Program</u>	
	House: Requires DBHDS to report on the implementation of the Developmentally Disabled (DD) waiver programs and individuals on the waiting list for DD waivers by October 15, 2017.	
313 6s, 7s	Senate: Requires DBHDS to notify DD waiver participants of their Supports Intensity Scale (SIS) score and appeal rights. Also adds language directing DBHDS and DMAS to convene an annual stakeholders workgroup to oversee and gather feedback on the SIS. The SIS is used to assess the level of support needs of individuals receiving DD waivers.	
310 1c; 313 4c	Conference: Requires DBHDS to report on implementation of the DD Waiver programs and the management and characteristics of individuals on the waiting list for services through the DD Waiver programs. The agency is required to report on these items to the Chairmen of the House Appropriations and Senate Finance Committees by October 15, 2017. Also directs DBHDS, in collaboration with DMAS, to convene an annual stakeholders workgroup on issues related to the developmental disability waiver programs. Specifically, the workgroup will examine issues related to the tools to assess individual support needs, the assigned payment levels for providers, and the communication of these matters to individuals, families, case managers, providers and others.	

**BUDGET PROPOSALS FOR FY 2017 - FY 2018 DURING THE 2017 GENERAL ASSEMBLY SESSION
as of February 28, 2017**

Budget Bill Item #	Issue	Fairfax County Impact
306 17h	<u>Demonstration Waiver (GAP) Program for Adults with Serious Mental Illness</u> House: Adds \$3 million GF in FY 2018 and federal matching Medicaid funds to modify the income eligibility criteria for the Medicaid demonstration waiver program for adults with serious mental illness in Medicaid from 80 to 100 percent of the federal poverty level.	
	Senate: No change.	
310 5c; 306 8c	Conference: Adds \$2 million GF and \$2 million in federal matching Medicaid funds in FY 2018 to modify the income eligibility criteria for the Medicaid demonstration waiver program for adults with serious mental illness in Medicaid from 80 to 100 percent of the federal poverty level, effective October 1, 2017. The waiver provides primary care, outpatient medical services, and prescription drugs, along with a set of behavioral health services to adults with serious mental illness. In addition, language adds addiction recovery and treatment services, including partial day hospitalization and residential treatment, to those services already provided through the waiver. Also adds \$111,521 GF and \$280,052 in enhanced federal Medicaid matching funds for the administrative costs associated with expanding this program.	Likely positive.
	<u>Medicaid</u>	
305	Governor McAuliffe's Budget: Increases funding for the Family Access to Medical Insurance Security (FAMIS) program by \$18.6 million in FY 2017 and \$22.7 million in FY 2018 to reflect the latest forecast of expenditures.	These are required increases due to increased costs and utilization.
	House/Senate/Conference: No change.	
306	Governor McAuliffe's Budget: Increases funding by \$194.3 million in FY 2017 and \$359 million in FY 2018 for the cost of Medicaid utilization and inflation as estimated in the most recent forecast expenditures.	These are required increases due to increased costs and utilization.
306 14h	House: Reduces Medicaid expenditures by \$3.7 million GF and \$3.7 million in matching federal funds to reflect adjustments to the Medicaid forecast based on current expenditures in FY 2017.	
306 7s	Senate: Reduces funding by \$3.5 million GF and \$3.5 million in federal funds in FY 2017, and \$3.6 million GF and \$3.6 million from federal funds in FY 2018 based on an analysis of expenditures year-to-date in FY 2017.	
306 14c	Conference: Reduces funding by \$3.7 million GF and \$3.7 million NGF in FY 2017 and \$3.6 million GF and \$3.6 million NGF in FY 2018 based on an analysis of expenditures year-to-date in FY 2017. The most recent Medicaid forecast of expenditures was completed in November 2016, and the additional months of data since then indicate that expenditures are tracking slightly behind the forecast.	
308	Governor McAuliffe's Budget: Increases funding by \$5.1 million in FY 2017 and \$6.9 million in FY 2018 for the Commonwealth's Medicaid Children's Health Insurance Program to reflect the latest expenditure forecast.	These are required increases due to increased costs and utilization.
	House/Senate/Conference: No change.	

**BUDGET PROPOSALS FOR FY 2017 - FY 2018 DURING THE 2017 GENERAL ASSEMBLY SESSION
as of February 28, 2017**

Budget Bill Item #	Issue	Fairfax County Impact
<u>Children's Services Act</u>		
285	Governor McAuliffe's Budget: Provides \$85.7 million over the biennium for the projected growth in Children's Services Act (CSA) state spending.	Positive.
285 1h	House: Adds language directing the Office of Children's Services to submit an implementation plan in cooperation with the Department of Education (DOE), the Department of Social Services, and the Department of Juvenile Justice Services, to transfer funding for certain target populations of children and youth served through the CSA to the DOE.	Moving CSA responsibilities to DOE potentially removes the sum-sufficiency requirement for this population. Such an action would have serious fiscal implications for localities, as state funding based on most appropriate services for children would no longer be required.
285 1s	Senate: Directs the Office of Children's Services, in collaboration with DOE and the Department of Planning and Budget, to convene a workgroup to assess and determine the actions necessary to implement several options related to the growth in private educational placements paid for through CSA.	Though such discussions raise similar concerns about sum-sufficiency, the Senate budget amendment is more helpful and the preferred approach.
1 6c	Conference: Creates a workgroup on Private Day Educational Program Options to examine options and determine the actions necessary to better manage the quality and costs of private day educational programs currently funded through the CSA. The workgroup will also determine the actions for consideration by the House Appropriations and Senate Finance Committees to be included in the 2018-20 biennial budget. The workgroup will be comprised of state agencies and staffed by House Appropriations and Senate Finance Health and Human Resources and Elementary and Secondary Education Subcommittees. Other stakeholders, such as those from local governments, school superintendents or their designees, CSA Community Policy and Management Teams and Family Assessment and Planning Teams, special education administrators, private providers, parents of special education students and others may provide additional information to the workgroup as requested.	This workgroup will examine critical aspects of the CSA program. This language is preferable to the language included in the House budget on CSA, but it is concerning that a local government representative is not included on the workgroup. It will be important to monitor this workgroup closely, particularly discussions regarding the sum-sufficiency requirement that is an essential part of the state-local partnership in CSA.
<u>Virginia Preschool Initiative</u>		
139 14	Governor McAuliffe's Budget: Reduces FY 2017 by \$1.3 million and provides an additional \$37,575 in FY 2018.	This amendment would update the budget to reflect FY 2017 actual expenditures, which are lower than the amount appropriated.
138 1h	House: Adds language providing maximum flexibility that may be needed in order to implement a successful high-quality mixed delivery preschool program, for at-risk four-year old children, to the recipients of a Mixed-Delivery Preschool grant.	
139 8s	Senate: Makes a technical correction to the Direct Aid funding formula data to adjust the Virginia Preschool Initiative half-day slots to \$3,062 to match the wording in the Appropriation Act. Also makes a technical correction to update the K-3 class size reduction program for the free lunch percentage for a Fairfax County school that split into two effective this school year.	
138 10c; 139 7c	Conference: Adds language providing maximum flexibility that may be needed in order to implement a successful high-quality mixed delivery preschool program to the recipients of a Mixed-Delivery Preschool grant. In addition, the language specifies that new pilot grants awarded beginning in FY 2018 shall be awarded to recipients that offer high quality preschool experience to participating enrolled at-risk four-year-old children.	

**BUDGET PROPOSALS FOR FY 2017 - FY 2018 DURING THE 2017 GENERAL ASSEMBLY SESSION
as of February 28, 2017**

Budget Bill Item #	Issue	Fairfax County Impact
<u>Child Care/ Head Start</u>		
342 H	Governor McAuliffe's Budget: Provides an additional \$8.4 million NGF over the biennium for Head Start wraparound child care services House/Senate/Conference: No change.	This amendment would provide additional funding to cover current expenditures. Likely positive.
<u>Child Protective Services</u>		
343 H1	Governor McAuliffe's Budget: Provides an additional \$3.2 million GF in FY 2018 for the local workers to handle increasing workloads for mandated activities such as child protective services, adult protective services, and adoption case management. Of this amount, \$1.3 million is provided for Child Protective Services assessments and investigations of reports regarding children born exposed to controlled substances. House/Senate/Conference: No change.	Positive. The County's Legislative Program includes support for programs to address substance use disorder.
343 H2	Governor McAuliffe's Budget: Provides \$1.3 million for Child Protective Services assessments and investigations of reports regarding children born exposed to controlled substances. House/Senate/Conference: No change.	Positive. The County's Legislative Program includes support for programs to address substance use disorder.
<u>Foster Care/Adoption</u>		
346	Governor McAuliffe's Budget: Provides \$957,600 GF and \$957,600 NGF in FY 2018 to fund foster care costs for substance exposed infants. House/Senate/Conference: No change.	Positive. The County's Legislative Program includes support for programs to address substance use disorder.
346	Governor McAuliffe's Budget: Provides \$8 million in FY 2017 (in GF and NGF) and \$6.4 million in FY 2018 (although there is a reduction of \$383,328 GF, there is an increase of \$6.7 million NGF) to cover the cost of providing foster care and adoption subsidy payments. House/Senate/Conference: No change.	Likely positive.

**BUDGET PROPOSALS FOR FY 2017 - FY 2018 DURING THE 2017 GENERAL ASSEMBLY SESSION
as of February 28, 2017**

Budget Bill Item #	Issue	Fairfax County Impact
<u>Behavioral Health/Substance Use Disorder</u>		
306, 315 GG	Governor McAuliffe's Budget: Provides \$8.2 million GF and \$1.3 million NGF in FY 2018 to Community Service Boards (CSB) and Behavioral Health Authorities to implement same day access for community behavioral health services.	This funding is about half of the estimated cost of this initiative. Staff estimate that \$17.3 million would be required to implement same day access for community behavioral health services statewide, as would be required by HB 1549/ SB 1005 which is currently under consideration by the Senate Education and Health Committee. Staff estimate that it would cost \$2.5 million annually for the Fairfax-Falls Church CSB to provide same day access. The Fairfax-Fall Church CSB is working towards meeting this standard, but does not have sufficient funding or staffing to meet the demand.
315 4h	House: Reduces funding by \$2.8 million GF in FY 2018 for the costs of providing same day access to assessment services at CSBs. A companion amendment in Item 306 expands eligibility to mental health and substance abuse treatment services for the GAP program. It is anticipated that this expansion will reduce the demand for same day access to assessment services and provide the needed services to address individuals who would otherwise be in need of services from CSBs. Senate: No change.	This amendment underfunds the initiative even more than the introduced budget. The GAP amendment likely would not have a significant impact for the Fairfax-Falls Church CSB.
315 1c	Conference: Reduces funding by \$2 million GF in FY 2018 for the costs of providing same day access to assessment services at CSBs. A companion amendment in Item 306 expands eligibility to mental health and substance abuse treatment services for the GAP program, which provides certain Medicaid services to individuals with serious mental illness. The budget indicates an expectation that this will reduce the demand for same day access to assessment services, providing such services through other sources, rather than the CSB.	County staff are concerned that this level of funding will not be sufficient to implement this initiative. Also, preliminary analysis suggests that the GAP amendment will not reduce the demand for same day access to CSB assessment services, as assumed in the budget, because there are limited behavioral health providers in Northern Virginia who accept Medicaid.
315 V, HH, II, JJ	Governor McAuliffe's Budget: Provides \$9.38 million GF in FY 2018 to CSBs to address community behavioral health service gaps; funds shall be used for the provision of discharge planning, community detoxification programs, opioid treatment, and community-based geriatric psychiatric services.	Likely positive.
315 3h	House: Replaces \$5,278,750 GF in FY 2018 with the same amount of NGF for opioid treatment services, opiate overdose reversal kits, and medication assisted treatment programs.	
315 2s	Senate: Replaces \$6 million GF in FY 2018 with the same amount of NGF for opioid treatment services.	
315 4c	Conference: Replaces \$5 million GF in FY 2018 with the same amount of NGF for opioid treatment services. The NGF source is the federal State Targeted Response to the Opioid Crisis Grant, which was created by the 21st Century CURES Act, passed by Congress in December 2016.	

**BUDGET PROPOSALS FOR FY 2017 - FY 2018 DURING THE 2017 GENERAL ASSEMBLY SESSION
as of February 28, 2017**

Budget Bill Item #	Issue	Fairfax County Impact
313	<p>Governor McAuliffe's Budget: Provides \$200,000 GF in FY 2018 to purchase and distribute approximately 9,000 additional REVIVE! (Opioid Overdose Reversal Project) kits and 6,600 units of Narcan Nasal Spray.</p> <p>House: No change.</p>	Positive. The County's Legislative Program includes support for programs to combat substance use disorder.
313 4s	Senate: Replaces GF with NGF in FY 2018 for REVIVE! Kits and Narcan Nasal Spray.	
313 1c	Conference: Replaces GF with NGF in FY 2018 for REVIVE! Kits and Narcan Nasal Spray.	
313	<p>Governor McAuliffe's Budget: Provides \$78,750 GF in FY 2018 for one additional staff position to coordinate medication assisted treatment programs to assist individuals with substance use disorders.</p> <p>House: Adds language clarifying that the funding provided to increase access to medication assisted treatment for individuals with substance use disorders should be used to include certain drug classes.</p> <p>Senate: No change.</p>	Positive. The County's Legislative Program includes support for programs to combat substance use disorder.
315 2h		
315 2c	Conference: Adds language clarifying that the funding provided to increase access to medication assisted treatment for individuals with substance use disorders should be used to include certain drug classes.	
302 1h	<p>Prescription Monitoring Program</p> <p>House: Adds \$25,000 NGF in FY 2018 from the Prescription Monitoring Program and language directing DMAS to develop and implement a real time prescription drug monitoring demonstration program with Medicaid prescribers. Also requires DMAS to apply for up to \$225,000 in enhanced federal funding to implement the program, and to report on increased use of the PMP by prescribers in the demonstration program by July 1, 2018.</p>	Positive. The County's Legislative Program includes support for programs to combat substance use disorder.
302 1s	Senate: Same as House.	
302 1c	Conference: Adds \$250,000 NGF in FY 2018 and language directing DMAS to develop and implement a real time prescription drug monitoring demonstration program with Medicaid prescribers (contingent on receipt of federal funds). The source of NGF is prescription drug monitoring funds matched with enhanced federal Health Information Technology for Economic and Clinical Health (HITECH) Act funds. Language requires DMAS to apply for up to \$225,000 in federal HITECH Act funds, and requires the Department of Health Professions to report on increased use of the PMP by prescribers in the demonstration program by July 1, 2018.	

**BUDGET PROPOSALS FOR FY 2017 - FY 2018 DURING THE 2017 GENERAL ASSEMBLY SESSION
as of February 28, 2017**

Budget Bill Item #	Issue	Fairfax County Impact
Northern Virginia Training Center (NVTC)		
314 B	Governor McAuliffe's Budget: Reduces funding by \$651,310 over the biennium for community-based services to individuals transitioning from state training centers to community settings who are not eligible for Medicaid.	TBD.
315	Governor McAuliffe's Budget: Appropriates \$8.55 million in trust fund dollars to be used to comply with the DOJ Settlement Agreement. Funds are anticipated to be available due to the sale of NVTC; the majority of these funds will be expended on services to individuals in the NVTC catchment area.	TBD. The County's Legislative Program includes support for additional funding for community-based services for individuals in Northern Virginia. This raises questions about the expansion of "northern Virginia" catchment area by DBHDS to include jurisdictions surrounding the PD 8 jurisdictions.
House: No change.		
315 3s	Senate: Eliminates \$2 million NGF in FY 2018 from the Behavioral Health Trust Fund for issuing an RFP to develop providers in Virginia for individuals with intellectual and developmental disabilities with significant behavioral and mental health support needs requiring out-of-state congregate care. In addition, language is added to specify that the remaining \$6.5 million in the appropriation be used as follows: (i) \$4,500,000 for the development of behavior/medical intense programs; (ii) \$1,250,000 to subsidize capital costs associated with rental units; (iii) \$500,000 for a House Call Program in Northern Virginia; and (iv) \$300,000 for individual crisis events.	TBD.
315 5c	Conference: Adds language to specify that the \$8.5 million appropriation provided in the introduced budget from the Behavioral Health and Developmental Disabilities Trust Fund shall be used for: (i) development of behavior/medical intense programs; (ii) subsidies for capital costs associated with rental units; (iii) establishment of a House Call Program in Northern Virginia; (iv) support for individual crisis events; and (v) development of providers in Virginia for individuals with intellectual and developmental disabilities with significant behavioral and mental health support needs.	Behavioral supports should be funded with an ongoing funding source, instead of one-time funds, like the proceeds from the sale of NVTC. Additionally, the funding set aside to secure a crisis facility in Northern Virginia may not be sufficient for implementation.
324	Governor McAuliffe's Budget: Captures \$2.5 million GF in unobligated funding available in FY 2018 as a result of the closure of NVTC.	TBD.
Senate/House/Conference: No change.		
320; 325	Governor McAuliffe's Budget: Transfers \$136,822 in FY 2018 from NVTC to the Northern Virginia Mental Health Institute (NVMHI) to support shared services at NVMHI associated with the closure of NVTC.	TBD.
Senate/House/Conference: No change.		
Governor McAuliffe's Budget: No language.		
313 3h	House: Adds \$430,000 GF in FY 2018 and directs the DBHDS to work with the Department of Environmental Quality's Division of Land Protection and Revitalization to undertake environmental site assessment work for the Central Virginia Training Center (CVTC).	
284 6s	Senate: Directs the Joint Subcommittee to Consult on the Plan to Close State Training Centers along with the Secretary of Health and Human Resources to develop and evaluate a plan to maintain operation of a smaller facility for CVTC and make recommendations to the GA by October 1, 2017.	
1 8c; 78 1c	Conference: Directs the Joint Subcommittee to Consult on the Plan to Close State Training Centers, in collaboration with DBHDS, to develop and evaluate a plan for consideration of operating a smaller state training center and to make recommendations related to the consideration of such plan to the General Assembly by November 30, 2017. Provides \$260,000 in FY 2018 GF for the Department of General Services to conduct an environmental site assessment at the CVTC to determine remediation activities and associated costs for the site.	

**BUDGET PROPOSALS FOR FY 2017 - FY 2018 DURING THE 2017 GENERAL ASSEMBLY SESSION
as of February 28, 2017**

Budget Bill Item #	Issue	Fairfax County Impact
<u>Safety Net Programs</u>		
294 G	Governor McAuliffe's Budget: Provides that the Department of Education is authorized to administer the Summer Food Service Program and the Child and Adult Care Food Program previously administered by the Department of Health.	TBD.
134 1h; 294 1h	House: Eliminates the proposed transfer; the Department of Health will continue to administer these programs with the same level of funding and positions.	
294 2s	Senate: Maintains the transfer of these programs to the Department of Education as provided in the introduced budget; corrects the position level for the Department of Health.	
294 2c	Conference: Eliminates the proposed transfer and restores funding for the Department of Health to administer federal food programs.	
<u>Temporary Assistance for Needy Families (TANF) Payment Rates</u>		
Governor McAuliffe's Budget: No language.		
342 1h, 2h	House: Provides \$90,000 GF and \$2.5 million from the TANF block grant in FY 2018 to reorganize the three locality groupings for TANF cash assistance into only two. Groups I and II would be combined and the rates in Group II would apply to everyone in the group, resulting in a modest increase in TANF cash assistance payments. The GF amount in FY 2018 is for the TANF Unemployed Parent program, which is a state supported program. Also adds \$2 million from the TANF block grant in FY 2018 to increase the TANF benefit payment for families participating in the TANF program by 2.5 percent.	Likely no impact.
342 2s	Senate: Provides \$90,000 GF and \$2.5 million from the TANF block grant in FY 2018 to update locality groupings for TANF cash assistance payments for eligible individuals. The grouping influences the amount of the cash assistance payment. The locality groupings were created in the 1970's and have rarely been updated since that time. The current Group I, II, and III groupings have grown inconsistent over time and this action updates the groupings based on housing costs. Data from the U.S. Department of Housing and Urban Development on Fair Market Rents by locality was used to update the groupings.	TBD.
342 1c, 2c	Conference: Provides \$90,000 GF and \$2.5 million from the TANF block grant in FY 2018 to reorganize the three locality groupings for TANF cash assistance into two groupings. Groups I and II would be combined, and the rates in Group II would apply to everyone in the group, resulting in a modest increase in TANF cash assistance payments. The GF amount in FY 2018 represents funding for the TANF Unemployed Parent program, which is a state supported program. Also adds \$2 million from the TANF block grant in FY 2018 to increase the TANF benefit payment for families participating in the TANF program by 2.5 percent.	Fairfax County is in Group III, which is not impacted by this change.
<u>Northern Virginia Family Services (NVFS)</u>		
348 G	Governor McAuliffe's Budget: Shifts the source of the FY 2018 funding (\$200,000) for NVFS to provide supportive services that address the basic needs of families in crisis from the GF to the TANF federal block grant.	Likely no impact.
348 5h	House: Provides an additional \$200,000 from the TANF block grant to NVFS to sustain current services provided to families who are eligible for the TANF program. Senate: No change.	Likely positive.
348 2c	Conference: Provides an additional \$300,000 in FY 2018 from the TANF block grant to NVFS to sustain current services provided to families who are eligible for the TANF program.	Likely positive.

**BUDGET PROPOSALS FOR FY 2017 - FY 2018 DURING THE 2017 GENERAL ASSEMBLY SESSION
as of February 28, 2017**

Budget Bill Item #	Issue	Fairfax County Impact
<u>Mental Health</u>		
284 E1	<u>Study of Mental Health System</u> Governor McAuliffe's Budget: Provides \$4.5 million GF in FY 2018 for the state to procure an independent contractor to expedite transformation of Virginia's community mental health system, and to assess the efficiency and effectiveness of the Department of Behavioral Health and Developmental Services' organizational structure. The contractor's final report would be due by October 1, 2018, to the Governor and money committees.	TBD.
284 1h, 2h	House: Eliminates the funding proposed in the Governor's budget and adds \$500,000 in GF in FY 2018 for the Secretary of Health and Human Resources to prepare an implementation plan for the financial realignment of Virginia's public behavioral health system in order to create one that provides community-based services when appropriate and maintains services for individuals in need of state hospital care.	TBD.
284 2s, 4s	Senate: Eliminates the funding proposed in the Governor's budget and provides \$500,000 in FY 2017 GF to support the activities and work of the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century.	TBD.
284 1c; 2c; 1 11c	Conference: Redirects \$4.5 million GF in FY 2018 for a statewide gap analysis of the community mental health system to other mental health services, and adds \$250,000 in GF in FY 2017 for the Secretary of Health and Human Resources to prepare an implementation plan for the financial realignment of Virginia's public behavioral health system, in order to create one that provides community-based services when appropriate and maintains services for individuals in need of state hospital care. Also extends sunset date on the Joint Subcommittee Studying Mental Health Services in the Commonwealth in the 21st Century from December 1, 2017, to December 1, 2019.	
303	Governor McAuliffe's Budget: Provides an additional \$605,185 GF in FY 2018 for hospital and physician services for persons subject to an involuntary mental commitment.	Likely positive.
House/Senate/Conference: No change.		
314 C	Governor McAuliffe's Budget: Provides an additional \$3 million in FY 2018 GF for purchase of acute inpatient psychiatric services at private facilities for children, geriatric patients, and individuals with high acuity, among others.	Likely positive.
House/Senate/Conference: No change.		
319	Governor McAuliffe's Budget: Provides \$3.1 million GF over the biennium to address the increase in costs associated with hospitalization of patients requiring emergency or special medical care not available at state mental health facilities.	Likely positive.
House/Senate/Conference: No change.		

**BUDGET PROPOSALS FOR FY 2017 - FY 2018 DURING THE 2017 GENERAL ASSEMBLY SESSION
as of February 28, 2017**

Budget Bill Item #	Issue	Fairfax County Impact
315 1h	<u>Permanent Supportive Housing (PSH)</u> House: Adds \$2 million GF in FY 2018 to expand PSH for individuals with serious mental illness.	Likely positive.
315 1s; 313 2s; 108 1s	Senate: Adds \$4.9 million GF in FY 2018 to expand PSH for individuals with serious mental illness, and adds \$100,000 GF in FY 2018 to provide one staff position to oversee the PSH program. Also directs the Department of Housing and Community Development to develop and implement strategies for housing individuals with serious mental illness in collaboration with other agencies.	Likely positive.
313 2c, 3c; 108 1c	Conference: Adds \$4.9 million GF in FY 2018 to expand PSH for individuals with serious mental illness, and adds \$100,000 GF in FY 2018 to provide one staff position to oversee the PSH program. Also directs the Department of Housing and Community Development to develop and implement strategies for housing individuals with serious mental illness in collaboration with other agencies.	Likely positive.
319	<u>Northern Virginia Mental Health Institute (NVMHI)</u> Governor McAuliffe's Budget: Provides \$256,488 GF in FY 2018 for four additional security staff at NVMHI, needed due to the higher number of jail transfers and the rise in the number and acuity of admissions at the facility. House/Senate/Conference: No change.	TBD.
	<u>Study of Telemental Health Services</u> Governor McAuliffe's Budget: No language. House: No language.	
30 1s	Senate: Directs the Joint Commission on Health Care to study options for increasing the use of telemental health services in the Commonwealth.	
30 1c	Conference: Directs the Joint Commission on Health Care to study options for increasing the use of telemental health services in the Commonwealth.	
	<u>Long-Term Care</u>	
337 E	Governor McAuliffe's Budget: Provides funding and positions to expand the state Office of Long-Term Care Ombudsman to support Medicaid Managed Long Term Services and Supports (MLTSS) program, known as Commonwealth Coordinated Care Plus (CCC Plus), when it is implemented in Virginia.	This program is not related to the Long-Term Care Ombudsman Program operated by Area Agencies on Aging (AAA). This budget amendment will not impact the local program.
306 4h	House: Adds language that would allow DMAS to exempt residents admitted to these facilities from the CCC Plus program, similar to the way DMAS treats Virginia's veteran nursing facilities. Language would prohibit CCC Plus contracted health plans from limiting Medicaid recipients choosing to receive nursing home services from these facilities.	
306 20s	Senate: Same as House.	
306 10c	Conference: Adds language related to supplemental Medicaid payments for local government-owned nursing homes. New federal regulations prevent Medicaid from making supplemental payments to these facilities when DMAS implements CCC Plus on August 1, 2017. Also adds language exempting residents admitted to these facilities from the CCC Plus program, similar to how DMAS treats Virginia's veteran nursing facilities, unless DMAS has secured federal approval to use a minimum fee schedule for these facilities. Language would prohibit CCC Plus-contracted health plans from limiting Medicaid recipients from choosing to receive nursing home services from these facilities.	Likely positive.

**BUDGET PROPOSALS FOR FY 2017 - FY 2018 DURING THE 2017 GENERAL ASSEMBLY SESSION
as of February 28, 2017**

Budget Bill Item #	Issue	Fairfax County Impact
	<u>Medicaid Screening for Long-Term Services and Supports</u>	
	Governor McAuliffe's Budget: No language.	
310 3h	House: Adds \$687,500 GF and the same amount of matching federal Medicaid funds in FY 2018, four positions and language to implement recommendations from a recent review of the Virginia Medicaid Program by the Joint Legislative Audit and Review Commission to improve the reliability of Medicaid screening for long-term services and supports.	
306 14s	Senate: Adds language directing the DMAS to implement various JLARC recommendations related to oversight of the Medicaid managed care programs.	
310 6c, 7c	Conference: Adds \$687,500 GF and the same amount of matching federal Medicaid funds in FY 2018. Also adds four positions and language to implement recommendations from a recent review of the Virginia Medicaid Program by the Joint Legislative Audit and Review Commission to improve the reliability of Medicaid screening for long-term services and supports. Also adds \$478,394 GF, \$478,394 NG, and seven DMAS positions in FY 2018 to implement the provisions of HB 2304, which reflects the JLARC recommendations related to improving spending in the Medicaid program.	TBD.
333	<u>Care Coordination for the Elderly Virginians Program</u> Governor McAuliffe's Budget: Reduces funding for the Care Coordination Grant by \$1.2 million GF statewide in FY 2017.	Negative; the funding reduction to Fairfax County is \$190,000 in FY 2017 (not \$240,000 as previously estimated by staff and noted during the October 25, 2016, Legislative Committee meeting). Fairfax County will receive full funding of this grant in FY 2018.
333 1h	House: Restores \$490,000 GF in FY 2018 that was reduced in the introduced budget for the Care Coordination for the Elderly Virginians Program. Also provides language to clarify that in FY 2018, the number of Area Agencies on Aging (AAA) authorized to use the funding for the program shall increase from 18 to 25.	Positive, although it is unclear how much funding Fairfax County would receive.
333 1s	Senate: Restores \$200,000 GF in FY 2017 for the Care Coordination for the Elderly Virginians Program.	Positive, although it is unclear how much funding Fairfax County would receive.
333 1c	Conference: Provides \$490,000 GF in FY 2018 for the Care Coordination for the Elderly Virginians Program. Also provides language to clarify that in FY 2018, the number of AAAs authorized to use the funding for the program shall increase from 18 to 25.	Likely no impact, as the additional funding will be used to fund the 7 new AAAs.
306 HHHH	Governor McAuliffe's Budget: Provides \$5.5 million GF and \$ 5.5 million NGF in FY 2018 to fund the full value of inflation for nursing facilities.	TBD.
306 5h	House: Adds \$3.3 million GF and \$3.3 million in matching federal Medicaid funds to increase payments for nursing homes effective July 1, 2017. Also changes the price percentages for direct and indirect care.	
306 1s	Senate: Same as House.	
306 20c	Conference: Adds \$3.3 million GF and \$3.3 million from matching federal Medicaid funds to increase payments for nursing homes effective July 1, 2017. Also changes the price percentages for direct and indirect care.	Likely positive.
333 J; 348 L	Governor McAuliffe's Budget: Transfers \$250,000 GF in FY 2018 from the Department of Social Services to the Department for Aging and Rehabilitative Services to contract with Birmingham Green to provide residential services to low-income, disabled individuals.	Likely no impact.
	House/Senate/Conference: No change.	

**BUDGET PROPOSALS FOR FY 2017 - FY 2018 DURING THE 2017 GENERAL ASSEMBLY SESSION
as of February 28, 2017**

Budget Bill
Item #

139

Public Education	Fairfax County Public Schools (FCPS) Impact
<p>Direct Aid to Public Education</p> <p>Governor McAuliffe's Budget: Decreases the Sales Tax revenue estimates for both FY 2017 and FY 2018. The decline is partially offset by corresponding increases in Basic Aid. In addition, adjustments are made to membership projections, Lottery revenue estimates and other SOQ technical updates.</p> <p>House/Senate/Conference: Includes additional \$0.4 million in Sales Tax revenues collected pursuant to, and contingent on, the passage of HB 1913/SB 1390 (regarding cigarettes purchased for resale).</p>	<p>Results in \$1.3 million sales tax revenue loss compared to FCPS FY 2017 Approved Budget and \$2.4 million loss compared to the FY 2018 Proposed Budget presented to the School Board on January 12, 2017.</p> <p>Results in an additional \$82,000 in sales tax for FCPS.</p>
<p>Salary Increase</p> <p>Governor McAuliffe's Budget: Eliminates the 2% salary increase for teachers, other instructional and support personnel that was to be effective December 1, 2016 and was contingent on state revenue projections for FY 2016.</p> <p>House/Senate/Conference: No change from the Governor's Budget.</p>	<p>Results in revenue loss of \$4.4 million to FCPS as compared to the FY 2017 Approved Budget and revenue loss of \$3.1 million as compared to the FY 2018 Proposed Budget presented to the School Board January 12, 2017.</p>
<p>Governor McAuliffe's Budget: Provides \$55.5 million in FY 2018 for a one-time 1.5% bonus for teachers, other instructional and support personnel distributed on December 1, 2017 (FY 2018), with no requirement for local match.</p> <p>House: Redirects the \$55.5 million that was included in the introduced budget as a one-time teacher bonus to the Lottery Per Pupil Allocation (PPA). Includes an additional \$6.1 million in FY 2018 to the Lottery PPA, bringing the total up to \$219 million (or 40% of lottery proceeds). This funding could be used by school divisions at their discretion, without a required local match.</p> <p>Senate: Redirects the \$55.5 million that was included in the introduced budget as a one-time teacher bonus to provide funding for the state's share of a 2% salary increase for instructional and support positions. In addition, redirects \$27.7 million from the Lottery Per Pupil Allocation for the purpose of providing a 2% salary increase. School divisions would qualify for the funding if they provided at least a 2% salary increase either in FY 2017 or FY 2018.</p> <p>Conference: Reverses the \$55.5 million that was included in the Governor's Budget as a one-time teacher bonus. Redirects the funding, as well as additional resources, to a 2% salary increase for instructional and support positions effective February 15, 2018 (\$32.0 million) and additional Lottery Per Pupil Allocation (\$34.1 million). School divisions would qualify for the funding if they provided at least a 2% salary increase either in FY 2017 or FY 2018.</p>	<p>This results in a one-time increase of \$4.9 million to FCPS as compared to the FY 2018 Proposed Budget presented to the School Board on January 12, 2017.</p> <p>Removes the \$4.9 million to FCPS that was included in the Governor's Budget for a one-time 1.5% teacher bonus and includes \$5.0 million for additional Lottery Per Pupil allocation.</p> <p>Removes \$7.3 million (combination of funding for a one-time 1.5% teacher bonus and portion of the Lottery PPA) and includes \$7.5 million to FCPS for the state's share of a 2% salary increase in FY 2018. FCPS provided more than a 2% salary increase in FY 2017, and therefore would qualify for the additional state funding.</p> <p>Removes the \$4.9 million that was included in the Governor's Budget for a one-time 1.5% teacher bonus and includes \$2.9 million to FCPS for the state's share of a 2% salary increase effective February 15, 2018, and \$2.8 million for additional Lottery Per Pupil allocation.</p>
<p>Virginia Retirement System (VRS) Contributions</p> <p>Governor McAuliffe's Budget: Maintains the increased VRS contribution rates in FY 2018.</p> <p>House/Senate/Conference: No change from the Governor's Budget.</p>	<p>The total FY 2018 budget impact on FCPS of accelerating the VRS employer rate contributions to 100% of the full actuarial rate in FY 2018 rather than FY 2019, is approximately \$25.5 million. Accounting for additional state revenues allocated to FCPS associated with the acceleration, the net local budget impact of the acceleration is approximately \$21.5 million.</p>

475

**BUDGET PROPOSALS FOR FY 2017 - FY 2018 DURING THE 2017 GENERAL ASSEMBLY SESSION
as of February 28, 2017**

Budget Bill
Item #

Other Items of Interest	
<p>House: Adds \$9 million in FY 2018 for a Small School Support Fund supplement. Eligible school divisions would be those with less than 10,000 students and have realized a 10% decline in membership over the last 10 years.</p>	No direct impact to FCPS.
<p>Senate: Adds \$7.0 million in FY 2017 for school divisions with 1.5% or greater student enrollment decrease compared to FY 2016.</p>	No direct impact to FCPS.
<p>Conference: Adds \$7.3 million in FY 2017 for small school divisions that have had a 5% or more decline in their average daily membership from 2011 to 2016.</p>	No direct impact to FCPS.

Impact to the Fairfax County Public Schools (FCPS) FY 2018 Budget
<p>Governor McAuliffe's Budget: Compared to FCPS' FY 2017 Approved Budget, Governor McAuliffe's Budget includes \$3.9 million less in state aid and sales tax. Compared to FCPS' FY 2018 Proposed Budget presented to the School Board on January 12, 2017, Governor McAuliffe's Budget includes \$3.3 million more in state revenue.</p>
<p>House: Compared to FCPS' FY 2018 Proposed Budget presented to the School Board on January 12, 2017, the House Budget Amendments include \$3.5 million more in state revenue.</p>
<p>Senate: Compared to FCPS' FY 2018 Proposed Budget presented to the School Board on January 12, 2017, the Senate Budget Amendments include \$3.6 million more in state revenue.</p>
<p>Conference: Compared to FCPS' FY 2018 Advertised Budget adopted by the School Board on February 9, 2017, the Conference amendments include \$4.2 million more in state revenue.</p>

**BUDGET PROPOSALS FOR FY 2017 - FY 2018 DURING THE 2017 GENERAL ASSEMBLY SESSION
as of February 28, 2017**

Budget Item #	Issue	Fairfax County Impact
Transportation		
County-Related Projects		
449	<p>House: Directs the Department of Rail and Public Transportation to work with Fairfax County and the Virginia Department of Transportation to develop a cost-effective method to make improvements to the rail bridge over Route 1 as part of the Atlantic Gateway project.</p> <p>Senate: No Language</p>	Consistent with the request in the Board's letter to the Secretary in December 2016, this language could help move the replacement of the rail bridge forward.
449	<p>Conference: Directs the Department of Rail and Public Transportation to work with Fairfax County and the Virginia Department of Transportation to develop a cost-effective method to make improvements to the rail bridge over Route 1 as part of the Atlantic Gateway project.</p>	Consistent with the request in the Board's letter to the Secretary in December 2016, this language could help move the replacement of the rail bridge forward.
453	<p>House: No Language</p> <p>Senate: Provides up to \$2 million for the purpose of undergrounding utilities in conjunction with the widening of Rolling Road between Old Keene Mill Road and the Fairfax County Parkway/Franconia-Springfield Parkway. This funding is contingent upon the affirmative determination of the Commissioner of Highways that these funds will be matched by not less than \$2.00 for non-state funds for every \$1.00 in state funds.</p> <p>Conference: No Language</p>	The expected cost for this undergrounding of utilities is approximately \$6 million. The project is envisioned to be funded by the Commonwealth, the County, and Dominion Power, with each providing approximately 1/3 of the cost. The County would therefore have to provide approximately \$2 million for the project.
HB 2313 Regional Implementation		
456	<p>Governor's Budget: Includes the regional funds provided for in HB 2313, including \$657.8 million for distribution of Northern Virginia Transportation Authority Fund Revenues over the biennium. The Commonwealth's revised estimates of the three revenue sources are \$15 million below what was projected for the biennium last year.</p> <p>House: No Change Senate: No Change Conference: No Change</p>	The amount received by the County is dependent on actual collections of the revenue sources. However, based on these projections, over the biennium, Fairfax County should receive approximately \$98.7 million to allocate for local projects approved by the Board of Supervisors, minus the respective shares provided to Vienna and Herndon (30% funding returned to localities). NVTA will allocate approximately \$460 million, of which approximately \$230 million should benefit the County (70% funding retained by NVTA). Fairfax County could be adversely impacted by approximately \$7.5 million of the projected reduction.
Washington Metropolitan Area Transit Authority (WMATA)		
436	<p>House: Directs the Secretary of Transportation to undertake a review of the operating, governance, and financial conditions at WMATA. Also directs the Secretary to request the participation of the District of Columbia and the State of Maryland in such review and report the findings of his review to the House Appropriations, Senate Finance, and House and Senate Transportation Committees no later than November 15, 2017, with a follow-up report, if needed, by June 30, 2018.</p>	Consistent with HJ 617 (LeMunyon), which the Board supports, but includes a broader discussion, which the Board encouraged in its support of the resolution.
436	<p>House: Requires WMATA to submit to the Secretary of Transportation and the Chairmen of the House Appropriations and Senate Finance Committees the six-year Capital Improvement Program (CIP) and six-year operational plan by September 1, 2017.</p>	WMATA's Capital Improvement Program is currently available to the public. While transit agencies do prepare transit development plans, which may incorporate six-years of planning, operation plans are usually developed as part of annual budgets.
448	<p>House: Directs the Secretary of Transportation and the Northern Virginia Transportation Commission (NVTC) to work with the other signatories of the WMATA compact, to seek reforms to that compact and to report quarterly to the legislature on the progress of the discussions.</p> <p>Senate: No Language</p>	Consistent with the enactment language in HB 2136 (LeMunyon), the Metro Safety Commission legislation.
436	<p>Conference: Directs the Secretary of Transportation to undertake a review of WMATA with the intent of identifying issues requiring reform, with the intent of identifying all issues of concern that must be addressed as part of the WMATA Compact renegotiation. The report of the findings, provided to the House Appropriations, Senate Finance and House and Senate Transportation Committees must include a copy of the WMATA six year capital improvement program, as well as an accounting of assumed revenues generated and available by source and assumptions used regarding operating expenses to develop the capital improvement program.</p>	The review is consistent with HJ617 (LeMunyon), which the Board supports, but includes a broader discussion, which the Board encouraged in its support of the resolution. Also, WMATA's Capital Improvement Program is currently available to the public. Further, the amended language seems to address the questions raised regarding six year operational plans.
448	<p>Conference: Directs VDOT to provide a loan of up to \$6.2 million, in each year, to address any shortfall in transit funding due to FTA's withholding of Virginia's transit allocations because the Metro Safety Commission has not been enacted by all of the signatory parties. The amounts would be repaid once FTA releases Virginia's allocations.</p>	Should help address funding shortfalls for transit systems related to FTA's decision. The delay could impact approximately \$4 million for Northern Virginia transit systems, including WMATA and VRE.

Budget Item #	Issue	Fairfax County Impact
Public Private Partnerships/Toll Facilities		
436	House: States that existing statutory provisions governing project labor agreements apply to PPTA projects. A public body would be prevented from requiring or prohibiting labor agreements as part of the contract. Voluntary agreements between contractors and labor would not be impacted.	Could impact the ability to move forward on PPTA projects with neighboring jurisdictions that do not have similar regulations, such as expanding capacity at the American Legion Bridge.
453	Senate: States that existing statutory provisions governing project labor agreements apply to PPTA projects. A public body would be prevented from requiring or prohibiting labor agreements as part of the contract. Voluntary agreements between contractors and labor would not be impacted.	Same as above.
436	Conference: States that existing statutory provisions governing project labor agreements apply to PPTA projects. A public body would be prevented from requiring or prohibiting labor agreements as part of the contract. Voluntary agreements between contractors and labor would not be impacted. However, this will not apply to any such projects or facilities that (i) improve or construct a limited access roadway that crosses state borders, and (ii) include construction of a new bridge or expansion of an existing bridge.	Seems to address concerns related to projects with neighboring states that do not have similar regulations.
455	House: Requires public and private toll road operators to report on the total number of violations, civil penalties, and administrative fees levied and collected each year.	No direct impact to the County. Will provide additional information.
	Senate: No Language	
455	Conference: Directs VDOT to examine how to develop an annual report on public and private toll road violations, civil penalties, and administrative fees levied and collected each year.	No direct impact to the County. Could provide additional information.
Dulles Airport Funding		
436	House: Adds additional requirements prior to the receipt of \$25 million in additional funding for the Metropolitan Washington Airports Authority (MWAA) in the second year to ensure the reduction of enplanement costs at Dulles Airport.	These funds are expected to help improve the competitiveness of Dulles, which is consistent with the Board's Federal Legislative Strategy.
	Senate: No Language	
436	Conference: Same as House language	
Virginia Railway Express (VRE)		
452	Governor's Budget: Retains language directing the CTB rail subcommittee to review the long range plan and financial analysis of the Virginia Railway Express and evaluate the impact of its services on the I-66, 95 and 395 corridors.	The Report was submitted in December and found the basis of analysis conducted by VRE to be reasonable. The report identified some areas where further investigation into the assumptions is advisable (fare policy and local jurisdiction subsidies), but noted that it did not guarantee findings in these areas will alter the overall financial outlook for VRE, which is that additional capital and operating funding is needed to maintain and grow the system.
	House: No Change	
	Senate: No Change	
	Conference: No Change	

Budget Item #	Issue	Fairfax County Impact
Highway Maintenance		
454	<p>Governor's Budget: Reduces funding for Highway System Maintenance and Operations by \$46.4 million for the biennium; with \$4.9 million more for Interstates, \$12.9 million less for primaries, and \$25.3 million less for secondaries, and \$8.9 million less for Transportation Operations Services.</p> <p>House: No Change Senate: No Change Conference: No Change</p>	Using historical estimates, an estimated \$7.9 million less may be available for maintenance within Northern Virginia.
Highway Construction		
Overall Funding		
453	<p>Governor's Budget: Increases Highway Construction Programs overall funding by \$163.2 million over the biennium. \$259.1 million is provided for State of Good Repair (\$9.7 million reduction); \$155.3 million for the High Priority Projects Program (\$14.1 million increase); \$155.3 million for the Construction District Grant Program (\$14.1 million increase); \$2.3 billion for Specialized State and Federal Programs (\$132.9 million increase); and \$1.3 billion is available for Legacy Construction Formula Programs (no change). Of the Specialized State and Federal Programs:</p> <ul style="list-style-type: none"> • \$205.3 million is for the Regional Surface Transportation Program (RSTP); • \$109.1 million is for the Highway Safety Improvement Program (HSIP); • \$140.8 million is for the Congestion Mitigation and Air Quality (CMAQ) Program; • \$250 million is for Revenue Sharing; • \$40.6 million is for the Surface Transportation Block Grant Program Set-Aside; • \$6.9 million is for the Virginia Transportation Infrastructure Bank (VTIB); and • \$3.5 million is for the Transportation Partnership Opportunity Fund (TPOF). <p>House: No Change Senate: No Change Conference: No Change</p>	<ul style="list-style-type: none"> • Many of these funds are subject to the new HB 1887 formula and HB 2 prioritization process, so the impact to Fairfax County is currently unclear. • The continued reduction in Revenue Sharing funding (it received approximately \$185 million in FY 2016, \$150 million in FY 2017, and is proposed to receive \$100 million in FY 2018) could be detrimental to the County, which regularly applies for, and receives, close to the \$10 million maximum award. • RSTP, HSIP, CMAQ, and Transportation Alternatives Program (TAP) funds are similar to what was allocated in previous years.
I-66 Projects		
436	<p>Governor's Budget: Retains language directing the CTB to enter into discussions with Fairfax and Arlington Counties regarding use of air rights over I-66 in their respective jurisdictions no later than October 1, 2016. A report on the progress and outcome of such discussions shall be submitted by July 15, 2017.</p> <p>House: No Change Senate: No Change Conference: No Change</p>	Initial discussions have occurred between the Commonwealth and the County. An update was provided to the Board of Supervisors at the September 13, 2016, Legislative Committee.
436	<p>Governor's Budget: Retains language directing the Secretary of Transportation to report to House Appropriations and Senate Finance on the outcome of negotiations under the I-66 Outside the Beltway RFP by October 31, 2016, to enable consideration of proceeding with public financing of such project if the public-private proposal does not meet the terms outlined in the RFP.</p> <p>House: No Change Senate: No Change Conference: No Change</p>	The CTB approved commercial close with the project partner for the project in December 2016. Financial close is expected Summer 2017.
Miscellaneous		
442	<p>House: No Language</p> <p>Senate: Directs the imposition of a \$1 vehicle registration fee for FY 2018-FY2020 with the proceeds directed to the Jamestown-Yorktown Foundation for the 2019 Commemoration.</p> <p>Conference: No Language</p>	No direct impact on the County

OTHER LEGISLATION OF INTEREST

Constitutional Amendments

Since 2017 is an election year for members of the House of Delegates, this session was the time for consideration of “first resolution” Constitutional amendments (Constitutional amendments must pass in identical form twice; once before and once after a General Assembly (GA) election, before being approved by the voters in a referendum). GA members introduced a total of 51 Constitutional amendments this year, on topics ranging from charter schools and same-sex marriage to redistricting and property tax exemptions. Many proposals had been previously considered by the legislature, such as measures that would have allowed a future Governor to serve two consecutive terms or allowed the GA to provide by statute for the restoration of civil rights to felons. Other proposals were more novel, such as a measure that would have given taxing authority to elected school boards and a measure that would have authorized localities to reduce the assessed value of property when public improvements have caused a significant increase in property values. Although unsuccessful, proposals pertaining to restoration of rights for felons and redistricting received significant attention, with large numbers of interest groups and citizens attending committee meetings and offering public testimony.

Of the four Constitutional amendments that passed the GA this year, two were proposals that had been previously attempted. **HJ 545** (Head)/**SJ 295** (Vogel) would allow the GA to suspend or nullify administrative rules or regulations by a joint resolution, and would also allow the GA to authorize a legislative committee or commission to suspend administrative rules or regulations while the GA is not in session. The measures passed the Senate on a party line vote (21-19), but there was bipartisan opposition in the House. **HJ 693** (LaRock) reignited a debate from previous years regarding the “transportation lock box,” or the requirement that the GA must maintain permanent and separate transportation funds (as introduced, the GA only could borrow money from transportation funds for other purposes by a vote of two-thirds plus one in each house). After passing the House (78-16), the Senate Privileges and Elections Committee reported **HJ 693** with amendments to require an affirmative vote of two-thirds of the members of each house. In previous sessions, the House supported such transportation lock box measures while the Senate supported the concept of a double lock box – prohibiting transportation funds from being used for non-transportation purposes as well as prohibiting General Funds from being used for transportation (which for many years, as state transportation funding failed to keep up with needs, was a more likely risk). Though a double lock box amendment was offered on the Senate floor, it failed 20-19, and **HJ 693** passed (the House accepted the Senate amendments), which took many by surprise.

The 2017 GA also passed two Constitutional amendments pertaining to property tax exemptions. **SJ 331** (Lewis) states that the GA may authorize a county, city, or town to partially exempt any real property subject to recurring flooding upon which flooding abatement, mitigation, or resiliency efforts have been undertaken (this exemption would be a local option). **HJ 562** (Miyares) is an extension of a previously passed Constitutional amendment which provides a property tax exemption for surviving spouses of disabled veterans. Under current law, such surviving spouses are not able to continue receiving the property tax exemption if they move to a different principal residence. Because other property tax exemptions for surviving spouses of service members killed in action and surviving spouses of first responders killed in action (which is local option) do not restrict surviving spouses from continuing to receive the property tax exemption if they move to a new principal residence, the GA showed an interest in conferring the same benefit on spouses of disabled veterans. During consideration of **HJ 562** by the House Privileges and Elections Committee, numerous legislators expressed concern about the continued extension of property tax exemptions that are mandatory for localities to provide, and discussed passing legislation to narrow **HJ 562** to principal places of residence that are of equal or lessor value if this Constitutional amendment is ultimately enacted.

In perhaps a sign of concern in the GA over the steady flow of Constitutional amendments that create property tax exemptions, and therefore fiscal implications for local governments that are extremely reliant on the property tax for their local revenues, one attempt at an additional exemption failed. **SJ 284** (Stuart) would have expanded the property tax exemption for surviving spouses of someone in the armed forces killed in action to the spouse of someone who died in a combat zone, but was not killed in action. After several twists and turns, **SJ 284** went to a conference committee which did not produce a conference report, and **SJ 284** failed to pass the GA.

Elections

Although a significant number of election-related bills were considered this year, the GA largely avoided making major changes to election law, with some exceptions. Election bills were heard this session in the context of the 2016 Presidential election, and many of the issues that became heated discussions in the 2017 GA were foreshadowed by an October 2016 joint Privileges and Elections Committee meeting – that meeting aired concerns regarding the Virginia Election & Registration Information System (VERIS) and voter fraud, among other issues.

An assortment of bills sought to address the issue of voter fraud and the registration of individuals who are not eligible to vote in Virginia. The GA declined to impose registration and recordkeeping requirements on third-party voter registration organizations and their employees/volunteers (**HB 1430** (Fowler)/**SB 871** (Chase) and **SB 1256** (Ebbin)), but passed legislation (**HB 1431** (Cole)) prohibiting the compensation of employees and/or volunteers based on the number of completed voter registration applications collected, and a related bill (**SB 1455** (Black)), which makes it a Class 1 misdemeanor to accept or give monetary payment in exchange for registering a person to vote. The GA did not pass a similar measure (**SB 1454** (Black)), which would have made it a Class 6 felony to register someone who is not a U.S. citizen to vote, or to help such person register to vote. **HB 1598** (Cole), which would have required proof of U.S. citizenship to vote in local, state, and federal elections, passed the House and the Senate Committees on Privileges and Elections, but was re-referred from the Senate floor to Senate Courts of Justice the last week of the session and did not pass. Despite numerous implementation issues, the GA also passed **SB 1581** (Peake), which requires general registrars to manually check Social Security numbers before registering applicants to vote, and to annually re-check the Social Security numbers of all registered voters in their respective jurisdiction. In an attempt to address fraudulent voter registration through maintenance and inspection of voter registration lists, the GA passed **HB 2343** (Bell, Robert B.), which requires the Department of Elections to provide to general registrars a list of registered voters who have been found to be registered in another state. The GA also passed **SB 1105** (Obenshain), which would have required local electoral boards to direct general registrars to investigate the list of registered voters when it exceeds the county or city's population, and to investigate the list of voters when it exceeds the number of registered voters in the county or city; the Governor vetoed **SB 1105** due to concerns that eligible, properly registered Virginians could be improperly disenfranchised.

As was the case in past years, almost all bills to expand options for absentee voting failed, including bills to: provide for “no-excuse” absentee in person voting (**HB 1819** (Hayes), **HB 1935** (Carr), **SB 844** (Howell), **SB 882** (Spruill), **SB 979** (Dance), **SB 1002** (Ebbin)); allow early voting for certain prescribed time periods (**HB 1631** (Sullivan), **HB 2091** (Kory), **SB 1295** (Vogel)); allow voters aged 65 and older to vote absentee (**HB 1818** (Hayes), **HB 2068** (Watts), **HB 2275** (Krizek), **SB 792** (Ebbin), **SB 1016** (Barker), **SB 1132** (Mason)); allow voters aged 70 and older to vote absentee (**SB 827** (Wexton)); or allow absentee voting for persons who are caregivers (**HB 1603** (Sullivan), **HB 2180** (Sickles), **SB 1131** (Mason), **SB 845** (Howell)). **SB 1441** (Sturtevant) would have entitled any person who may lawfully carry a firearm to vote absentee if his polling place is located in a gun-free building. **SB 1567** (Peake) would have allowed voters aged 65 and older to vote absentee, but also would have required such voters and students voting absentee to include a copy of their photo ID with their application to vote absentee. A bill (**SB 1490** (DeSteph)) which would have created a pilot program to test the use of U.S. Department of Defense Common Access Cards for signing military-overseas ballot applications passed the Senate, but was left in the House Committee on Privileges and Elections. One bill that expands absentee voting did pass the 2017 GA – **HB 1912** (Yost) entitles a person to vote absentee if the person has been granted a protective order issued by, or under the authority of, any court of competent jurisdiction.

Numerous bills sought to modify photo identification requirements. Attempts to expand the list of allowable voter IDs failed: **HB 1462** (Sullivan) would have permitted IDs from out-of-state institutions of higher education to be used as voter IDs, and **HB 1953** (Carr)/**SB 826** (Wexton), which was continued from 2016, would have allowed ID cards issued by private entities licensed by state agencies, such as the Department of Medical Assistance Services, to be used as voter IDs. Legislation (**HB 1904** (Heretick)/ **SB 1200** (Lewis)) which sought to repeal photo ID requirements also failed. The GA did pass **SB 1253** (Obenshain), which requires localities using electronic pollbooks to include driver's license photos in the pollbooks, so that voters wishing to use a Virginia driver's license as their photo identification will not need to display it to vote. Unlike similar versions considered in previous years, as passed, this bill does not allow pollworkers to challenge the vote of any person based on the photo associated with the voter in the electronic pollbook. A measure requiring voters to submit a copy of a photo ID with applications to absentee vote (**HB**

1428 (Fowler)/ **SB 872** (Chase)) also passed; Governor McAuliffe vetoed similar legislation in 2015. A related bill which has been attempted in previous years, **SB 1252** (Obenshain), sought to verify the identity of voters by requiring officers of election to compare the signature on an absentee ballot envelope with the signature on that person's voter registration application; after implementation concerns were raised, the bill was struck from the docket by the patron.

An assortment of bills pertaining to the administration of elections were also considered. **HB 1698** (Marshall, D.W.) would have required general registrars to use a specific form to develop a memorandum of understanding with each polling place; the bill was amended to be permissive, leading to concerns in House Privileges and Elections that the lack of uniformity could lead to legal challenges, and the bill failed to report. The GA passed **SB 1467** (Marsden), which incorporates **SB 1503** (Favola), and allows the officers of election at a central absentee voter precinct to begin counting those absentee ballots that are counted by hand at any time after 3:00 p.m. on the day of the election (this bill was introduced at the request of the Fairfax County General Registrar; a similar bill, **HB 2421** (Sickles), was also considered). Bills (**HB 1955** (Kory), **HB 2365** (Toscano), **HB 2405** (Filler-Corn), **SB 1303** (Vogel)) pertaining to the voter registration deadline were also considered, and the GA passed **SB 1303**, which requires the general registrar to close electronic voter registration at 5:00 p.m. on the final day of registration (the same deadline applies to in-person voter registration and the receipt of voter registration applications received in the mail). Bills also sought to examine the reliability of voting machines through audits; the GA passed **SB 1254** (Obenshain), which requires each locality to participate in a risk-limiting audit of ballot scanner machines at least once every five years, beginning July 1, 2018 (at the request of Fairfax County, the bill was amended to clarify that local general registers, instead of the state Department of Elections, will perform the audits).

Finally, a number of bills pertaining to electoral boards' composition and duties were considered. **HB 1399** (Cole) would have changed the proportion of political party representation on state and local electoral boards. Under current law, state and local electoral boards are each comprised of three members, with two members representing the political party of the Governor and one member representing the political party having the next highest number of votes for Governor. This bill would have applied to both state and local electoral boards, and would have required that one member represent the party that cast the highest vote for the Governor, one member represent the party that has the most members in the House of Delegates, and one member represent the party that has the most members in the Senate. The bill narrowly passed the House and was defeated in the Senate. Two less controversial measures passed the GA – **HB 1730** (Ransone) requires the development and dissemination of a description of local electoral boards' duties and responsibilities, and **SB 864** (Stuart) allows the chief judge, or that judge's designee, in a county or city to make appointments to the local electoral board (current law requires that appointments are made by a majority of the circuit judges, and if a majority of the judges cannot agree, the senior judge makes the appointment).

Ethics

Compared to previous years, the GA made only relatively modest changes to Virginia's Conflict of Interest Act (COIA) in 2017. Most of the COIA bills either did not pertain to the County or did not pass, with the exception of **HB 1854** (Gilbert)/**SB 1312** (Norment) – identical companion bills which include numerous recommendations from the Virginia Conflict of Interest and Ethics Advisory Council (the Council). **HB 1854/SB 1312** amend laws governing lobbyist reporting, COIA, and the Council, and many of these changes only affect lobbyists or GA members and not local elected officials or local government employees. As the bills made their way through the GA, numerous substitutes were considered and ultimately the bills were sent to conference; one provision that the House and Senate disagreed on was a change to the definition of "gifts" that would have had the effect of eliminating the disclosure requirement for special occasion gifts arising from personal relationships with lobbyists and contractors if the gifts were the result of a legitimate friendship. As passed by the GA, the following provisions affect the County and would:

- Grant the Clerk of the Board the same explicit statutory authority that the Council has to redact any residential address, personal telephone number, or signature from any disclosure form released to the public, except for real estate disclosure forms, which must include residential addresses.
- Provide immunity from prosecution to persons who can show that an alleged COIA violation resulted from good faith reliance on written advice of the Council (even if provided informally). Currently, informal advice provides no special protection (the introduced bill would

have put informal advice from the Council on par with a written opinion from the County Attorney, which can be introduced at trial as evidence to refute a knowing violation, but the final language puts that advice on par with a written opinion from the Commonwealth's Attorney or a formal opinion from the Council, and provides a much stronger protection than the introduced version). The bill also makes a change to the VFOIA protection for informal advice; if the recipient invokes the immunity protections, the informal advice is releasable upon request.

- Impose a \$250 civil penalty on agency heads or local clerks who fail to provide the disclosure forms to filers in a timely manner if the delay prevents a person from being able to file by the deadline.
- Extend the filing deadline for disclosure forms from January 15 to February 1 of each year, and clarify the reporting period covered by the disclosure forms.
- Eliminate events open to individuals "who share a common interest" from the definition of a "widely attended event;" attendance at "widely attended events" is not subject to the gift cap.
- Exempt from the definition of a "gift" (a) gifts from a person's child-in-law; (b) gifts related to a person's volunteer service; (c) meals provided for attendance at an official meeting of the Commonwealth, its political subdivisions, or certain other entities; and (d) attendance at a reception or similar function where food, such as hors d'oeuvres, and beverages that can be conveniently consumed by a person while standing or walking are offered.
- Lower from \$10,000 to \$5,000 the value of contracts excluded from the prohibition on having a personal interest in certain contracts.
- Require any officer or employee who is required to file a disclosure as a condition of assuming office or employment to file on or before the day the officer or position is assumed – this change would require an amendment to Fairfax County's ordinance.
- Require candidates for Constitutional offices to file the Statement of Economic Interest (SOEI) with the General Registrar. Under current law, candidates for Constitutional offices file their SOEIs with the Council.

Another measure of interest to local governments was **SJ 289** (Ebbin), which would have directed the Council to study the procedures for filing and review of disclosure forms by local government officers and employees, including electronic filing. The bill was defeated in the Senate Committee on Rules.

Firearms

The 2017 session saw numerous competing bills that sought to either lift existing restrictions on gun possession -- including concealed carry provisions -- or increase them. As in the past, many bills expanding gun possession were passed by the GA, while new, proposed restrictions were unsuccessful. For example, **HB 2077** (Wilt) removes local authority to prohibit firearms in emergency disaster shelters. Localities and groups that operate such shelters, including the Red Cross, opposed the bill, but it passed essentially along party lines, and the Governor is expected to veto it. By contrast, **SB 1112** (Edwards) would have allowed local governing bodies to adopt ordinances prohibiting firearms in public meetings, as long as the prohibition was publicly posted and the locality owned or operated the building in which the meeting was being held. That bill was left in the Senate Courts of Justice Committee. Additionally, **HB 1683** (Simon) would have added a loaded shotgun or rifle to the list of loaded weapons that cannot be carried in public, and **HB 1706** (Filler-Corn) would have immunized law-enforcement officers or agencies for damage to firearms that are accepted from, and with the consent of, persons who cannot legally possess firearms because they are subject to protective orders. Both bills were left in House committees as well.

Bills providing firearms safety courses to victims of domestic violence and other types of abuse passed both the House and Senate. **SB 1300** (Vogel)/**HB 1853** (Gilbert) create the Virginia Firearms Safety and Training for Sexual and Domestic Violence Victims Fund, out of which the Department of Criminal Justice Services can reimburse entities that provide firearms safety courses free of charge to victims of domestic violence and other types of abuse. The bills also require that a list of such courses be provided to anyone who obtains a protective order. On a similar topic, **SB 1299** (Vogel)/**HB 1852** (Gilbert) allow persons over 21 years old who obtain a protective order to carry a concealed handgun for either 45 days after the order is entered, or for the duration of the order if it is less than 45 days. While both bills were fairly controversial, they both passed the GA. The Governor vetoed similar bills in 2016.

Freedom of Information Act (FOIA)

A number of FOIA bills were considered by the 2017 GA. The two most comprehensive bills were the result of a three year study by the Virginia Freedom of Information Advisory Council of FOIA – during the study,

every record and open meeting exemption of the act was examined and vetted. The two omnibus bills, submitted by FOIA Council Chairman Delegate Jim LeMunyon, were **HB 1539** (LeMunyon) dealing with records and **HB 1540** (LeMunyon) dealing with meetings. Among other changes, **HB 1539** eliminates the “correspondence” exemption for a number of officials, including the mayor or chief executive officer of any political subdivision of the Commonwealth, and adds the requirement that information publicly available or not otherwise subject to an exclusion under FOIA or other provision of law that has been aggregated, combined, or changed in format without substantive analysis or revision shall not be deemed “working papers.” **HB 1540** limits remote participation by a member of a public body due to a personal matter to two meetings per year, in addition to other changes. Overall, the changes to FOIA recommended by the study were not enormous, but did include some updates.

Another FOIA bill that was not part of the FOIA study but also passed the GA is **HB 2146** (LeMunyon), which creates an online public comment form which will be linked to every locality’s website (if the population is over 250) – the form will be created by the FOIA Council, which will also receive the responses.

Many other FOIA bills were considered and rejected by the 2017 GA including: **SB 1103** (Surovell), which would have imposed a civil penalty on all members voting to certify a closed session that was improper; **HB 2402** (Morris), which stated that if a court found an employee willfully violated FOIA, the locality could terminate the employee for cause; **SB 1128** (DeSteph), which would have created a rebuttable presumption that an employee acted knowingly and willfully if they did not respond to a records request in a timely manner; and, **HB 2401** (Morris), which would have required minutes and recordings of closed sessions.

Geographic Information System (GIS) and Mapping

HB 2145 (LeMunyon) and **SB 1572** (Stanley) were bills that would have required GIS and mapping work to be done by licensed photogrammetrists, creating a significant impact for the GIS and mapping services provided by localities throughout the state. Only licensed surveyors are allowed to legally determine property monumentation, metes and bounds, and other legally accurate property boundaries, but local governments’ GIS and mapping staff use many of the same techniques and technologies to perform services that are not used for legal representation or to provide exact precision measurements (such as crime reporting, neighborhood overviews, utility locations and other similar uses). An agreement to address these issues was enacted just over a decade ago, requiring a disclaimer on GIS products and models not created by licensed surveyors – **HB 2145** and **SB 1572** sought to strike that language from state law. A subcommittee of House General Laws added a re-enactment clause to **HB 2145**, as a result of the issues raised by local governments, while **SB 1572** was defeated in Senate General Laws. Ultimately, **HB 2145** was also defeated in Senate General Laws.

Human Services

Fostering Futures

Fostering Futures is the name given to a Virginia program targeting foster children between the ages of 18 and 21, providing assistance to those who previously “aged out” of the support received from foster parents. Two bills were introduced to further refine the program and passed the GA this session. **HB 1942** (Peace) requires a background check of youth involved in the program, in order to protect other children living in the same foster home. **SB 1461** (McPike) will ensure eligible youth are enrolled in Medicaid upon their 18th birthday, presuming there is no objection from the youth, allowing a continuation in uninterrupted health care.

Administration of Social Services

HB 1435 (Head) would have required the development of a pilot program for screening and assessing participants in the Virginia Initiative for Employment not Welfare (VIEW) program for use of illegal substances. Concerns were raised about the bill in part due to a required report that could have led to statewide implementation of a different approach to screening for drug use than what is already in place, and the bill was defeated in House Appropriations. Other bills also failed that were related to eligibility requirements for participants in VIEW or TANF – **HB 1863** (Lopez) would have required DSS to track and report on participants that receive an exception to the current TANF time limitations, **HB 2213** (O’Bannon) would have reduced the current TANF time limit from 24 to 12 consecutive months, and **SB 1149** (Favola) would have extended time limits for transitional service supports from 12 to 24 months.

HB 2279 (Hester)/**SB 1164** (Reeves) require local departments of social services to transmit information regarding reports, complaints, family assessments, and investigations involving children of active duty members of the U.S. Armed Forces or members of their household to family advocacy representatives of the U.S. Armed Forces. Under current law, local departments of social services may transmit such information, but are only required to transmit information regarding founded complaints or family assessments. These bills were introduced at the request of the U.S. Department of Defense, and were passed by the GA and signed by the Governor.

HB 2092 (LaRock) requires that social services add death records and Lottery records (to determine any winnings the applicant may have received) to those already reviewed when applications for Medicaid or other public assistance are reviewed. **SB 1122** (McPike) requires local social services departments to collect from applicants alternative contact information, such as the applicant's email address and cell phone number, and the applicant's preferred method of contact. Both bills have passed the GA.

A number of bills were considered that would impact food stamp recipients. **HB 2207** (Robinson) requires Virginia Department of Social Services (VDSS) to monitor requests for replacement electronic benefit transfer (EBT) cards issued to food stamp program recipients. A recipient requesting 5 replacements within a 12-month period would find the replacement EBT card is withheld until the household contacts VDSS to provide an explanation for the high volume of replacement requests. The bill has passed both houses. A number of other bills targeting food stamps failed to pass including: **HB 2208** (Pogge), which would have required photos be added to EBT cards; **HB 2408** (Head), which would have expanded eligibility requirements; **SB 810** (Favola), which would have established broad-based categorical eligibility for the food stamp program, exempting families that already qualify for certain public assistance programs from an additional financial eligibility determination for food stamp benefits, and would have eliminated current law prohibiting eligibility if a person has been convicted of felony possession of a controlled substance; and **HB 2305** (Orrock)/**SB 1482** (Sturtevant), which would have prevented the state from applying for, accepting, or renewing any statewide or local waivers of the eligibility requirements for participation in the food stamp program.

Children's Services Act (formerly known as the Comprehensive Services Act)

The Children's Services Act (formerly known as the Comprehensive Services Act) provides funding for services for at-risk youth in Virginia, particularly those who: have serious emotional or behavioral problems; need residential care; need special education through a private school program; or, receive foster care services. **SB 1246** (Stuart) was introduced to provide some flexibility to localities in providing special education programs at public and private schools, including wraparound services. This area of CSA programming has seen significant increases in costs over recent years. While the bill was stricken by the patron, the topic was ultimately addressed in the state budget through language establishing a joint study committee to examine options available to provide private day education programs (see also pages 15 and 27). Because CSA is a state-local partnership (requiring an aggregate local match of approximately 46 percent in Fairfax County), monitoring the actions of the joint subcommittee will be critically important.

Opioids

A series of bills were introduced to tackle the epidemic of opiate addictions, which Governor McAuliffe declared to be a public health emergency in Virginia prior to the session, and have passed both houses. Bills limiting initial and refill prescriptions of opioid pain relieving drugs include **HB 1885** (Hugo)/**SB 1232** (Dunnavant) - the bills passed the GA, the Governor made some amendments which were accepted by the GA and the bills were signed into law. **HB 2163** (Pillion) limits certain pain relieving drugs for pregnant women and also passed the GA. To address this critical issue in the short term, **HB 2167** (Pillion)/**SB 1180** (Chafin) charge the Boards of Dentistry and Medicine to write and adopt regulations on the prescribing of opioids and products containing buprenorphine, while **HB 2161** (Pillion)/**SB 1179** (Chafin) address the issue in the long term by charging professional boards and health-related agencies to study and make recommendations on training and actions to control access to opiates and similar drugs "to treat pain while minimizing the risk of addiction and substance abuse." Those bills also passed the GA, as did **HB 1467** (Greason), which adds neonatal abstinence syndrome (when a newborn is exposed to addictive opiate drugs en utero) to the list of reportable diseases.

Bills to expand access to Naloxone (which effectively treats overdoses and saves lives) were also

successful, along with bills calling for the training of a wide range of people who may be confronted with an individual who has overdosed, including: **HB 1453** (LaRock)/**SB 848** (Wexton) (allowing the dispensing of Naloxone); **HB 1642** (Hope)/**SB 1031** (Marsden) (adds employees of the Department of Forensic Science, employees of the Office of the Chief Medical Examiner, and employees of the Department of General Services Division of Consolidated Laboratory Services to the list of individuals who may possess and administer naloxone or other opioid antagonist, provided that they have completed a training program); and, **HB 1750** (O'Bannon) (allowing pharmacists to dispense to a wide range of persons, including members of the public who have training in the use of Naloxone, under a standing order from the Health Commissioner).

Immigration

As was the case in 2016, multiple bills were introduced this year to prohibit localities from declaring themselves "sanctuary cities," a term that most agree has no legal definition. Rather than defining what a sanctuary city is, three bills sought to prohibit localities from becoming sanctuaries for undocumented immigrants, creating heated discussion throughout the session about immigration, the rule of law and the possible message being sent by enactment of such legislation. As introduced, **HB 2000** (Poindexter) would have prohibited localities from enacting ordinances, policies, or procedures that prevent federal immigration law from being enforced to the fullest extent permitted by law, a vague standard that has engendered much debate. **HB 2000** was ultimately amended to remove the language related to enforcement of federal law to the fullest extent permitted, leaving only the language prohibiting localities from preventing the enforcement of immigration laws, again leading to arguments about the bill's message – Governor McAuliffe has already announced his intention to veto it. **HB 2236** (Cline) contained the same prohibition and would have allowed state funding to be withheld from any locality violating such a prohibition; the House Courts Criminal Subcommittee incorporated **HB 2236** into **HB 2000**, but without the provision that would have allowed state funding to be withheld. **SB 1262** (Black) would have imposed liability on localities with such sanctuary policies for any injury in the locality that was caused by someone in the country illegally. Though **SB 1262** was amended to restrict its application to local actions that "intentionally" seek to "thwart execution of federal immigration law," the amendments were not enough to get the bill reported from the House Courts of Justice Committee.

Also on the topic of immigration, **HB 1468** (Marshall, R.) expands legislation enacted in 2016 regarding federal Immigration and Customs Enforcement (ICE) detainers to jails for undocumented immigrants in custody. The 2016 legislation prohibited the release of undocumented immigrants being held in jail to ICE no more than five days prior to their scheduled release from state custody – **HB 1468** requires the director of the Department of Corrections, sheriff, or any regional jail superintendent to comply with an ICE detainer order and hold the immigrant past the scheduled release date if federal law requires such detention. The bill passed by party line votes in both houses – 21-19 in the Senate and 65-34 in the House.

Mental Health

In 2014, the General Assembly created the Joint Subcommittee Studying Mental Health Services in the Commonwealth in the 21st Century. **HJ 637** (Bell, Robert B.)/**SJ 279** (Deeds) would have continued the Joint Subcommittee for two more years – while the resolutions failed, the state budget conference report includes language continuing the Joint Subcommittee until December 2019.

A number of bills were also introduced to improve the state's public mental health system, though the extensive costs associated with many of these recommendations are widely recognized, including by members of the Joint Subcommittee. Those cost implications resulted in changes to bills originally introduced either directly as a result of the Joint Subcommittee's work, or as a result of recent high-profile events, particularly in local jails.

HB 1549 (Farrell)/**SB 1005** (Hanger/Deeds) seek to improve the minimum services available through any Community Services Board (CSB) statewide, outlining ten services that each CSB would ultimately offer, including: crisis services for individuals with mental health or substance use disorders; outpatient mental health and substance abuse services; psychiatric rehabilitation services; peer support and family support services; mental health services for certain members of the armed forces and veterans; care coordination services; and case management services, including targeted mental health case management services. After significant debate, the final bills that passed the GA include only emergency services, which is currently mandated, and same-day mental health screening services, which creates a new mandate; the

aspiration to include the other services by 2021 as detailed in the original bills is contained within an enactment clause. The Assembly acknowledges that funding for the same-day screening is not added in the budget and, therefore, the bill is not effective until July 1, 2019. The removal of other mandates included in the introduced bills was primarily due to the high costs of full implementation, in addition to a reluctance by the GA to commit to an expansion of budgetary responsibilities that would be difficult to meet.

During its study, the Joint Subcommittee was often frustrated by the lack of aggregate data on critical mental health services, and **HB 1551** (Farrell) and **SB 1006** (Hanger/Deeds) allow for the collection and transmission of data from involuntary admission proceedings, in order to facilitate research on the characteristics and outcomes of such proceedings, in order to improve services in the future. Both bills passed the GA, and **HB 1551** has already been signed by the Governor.

Mental health services for people in local and regional jails was also a major topic of interest for both the House and Senate, following high-profile inmates deaths in 2016. **HB 1782** (Bell, Robert B.)/**SB 942** (Cosgrove)/**SB 1063** (Deeds) resulted from those recent in-custody deaths in local prisons, and were intended to improve oversight. The bills authorize the state Board of Corrections to conduct a review of the death of any inmate in a local or regional correctional facility, in order to determine the circumstances surrounding the inmate's death and compliance with regulations. Though **HB 1782** failed, **SB 1063** passed the GA (**SB 942** was ultimately incorporated into **SB 1063**) and was significantly amended through conference to change the membership and roles of the state Board of Corrections to include members with expertise in corrections, mental health care, training and education, investigation and auditing, and more. The bill also clarifies the Board's responsibility in the review of deaths of inmates in local correctional facilities, and clarifies access to local jails by persons making investigations. Finally, the bill also directs the state Board of Corrections to submit the findings of any review of the death of a person while incarcerated in a local correctional facility or any other review of its own operations to the Governor, the Speaker of the House and the President pro-tempore of the Senate. Additionally, **HB 1783** (Bell, Robert B.)/**SB 940** (Cosgrove)/**SB 1442** (Deeds) were introduced to impose requirements for screening and mental health assessments in jails, but failed to pass due to concerns about cost. Rather, language is included in the budget that requires a common screening instrument be used by all jails, and that the Compensation Board evaluate the costs and benefits of requiring every jail to conduct an assessment within 72 hours of the initial screening, by a qualified mental health professional, of all persons for whom the initial screening indicates may have a mental illness.

HB 2331 (Heretick)/**SB 975** (Lucas) direct how local CSBs would conduct pre-admission screening for mental health issues for those entering regional jails. Additionally, **HB 1784** (Bell, Robert B.)/**SB 941** (Cosgrove) require the DBHDS to develop plans for the provision of discharge planning for persons leaving jails, in order to facilitate accessing other needed services, and **HB 1426** (Garrett)/**SB 1221** (Barker) require the development of a model for the use of alternative transportation services, including criteria for the certification for such providers, which could relieve demands on police and sheriffs, who now must transport persons facing involuntary commitment hearings following a crisis. All of those bills have passed the GA.

Additionally, two bills were introduced to require mental health training for law-enforcement officers, firefighters, and other emergency personnel – **HB 1480** (Helsel)/**SB 933** (Favola). However, the costs associated with the required training (in addition to the training already in place) caused the defeat of those bills. Finally, **HB 1426** (Garrett)/**SB 1221** (Barker) provide another step in addressing the transportation of persons being considered for emergency custody or involuntary admission, by calling for the creation of a comprehensive model for the use of alternative transportation providers to provide safe and efficient transportation as an alternative to transportation by law enforcement. **HB 1426** and **SB 1221** passed the GA and have been signed by the Governor, and require that the model be completed by October 1, 2017, to allow for any necessary state law changes by the 2018 GA.

Online Checkbook

SB 795 (Sturtevant) would have required all localities and school divisions to post all expenditures online, except for transactions exempt from mandatory disclosure under the Freedom of Information Act (FOIA). Numerous localities and school divisions raised concerns about this legislation, emphasizing the fiscal impact of creating such a database, the workload challenges of maintaining it, and concerns about the privacy of numerous transactions that could become public in this type of "online checkbook." For Fairfax County, which already posts information about financial transactions online, the potential problems created by this legislation were largely restricted to the privacy arena -- in creating the County's online

financial database, determinations about what would be posted publicly were carefully examined in a meticulous process that involved staff from multiple County agencies to ensure that sensitive information was not inadvertently revealed (localities are involved in many financial transactions that contain personal information or are otherwise prohibited from disclosure under applicable laws beyond FOIA). The County sought to limit the scope of what the bill would require to be posted to reflect such concerns, and though the bill passed the Senate (24-16), ultimately the questions raised by other localities and school divisions facing yet another unfunded mandate spelled defeat for **SB 795** in a House Counties, Cities and Towns subcommittee.

As **SB 795** was being considered by the GA, a bill that had not raised concerns for local governments suddenly did so. **SB 1307** (Vogel), as introduced, pertained to the Commonwealth Data Point website administered by the Auditor of Public Accounts, and did not have an impact on localities. When the bill was considered by the Senate Committee on Rules, an enactment clause was added to require the Virginia Information Technologies Agency (VITA) to assist localities with the procurement of an online software solution for the purpose of allowing localities to maintain a searchable fiscal transparency website (which sounded very similar to the online checkbook envisioned by **SB 795**). Because of the potential connection to the mandate included in **SB 795**, which was already an issue for localities, there were attempts to make the enactment clause in **SB 1307** permissive. Ultimately, though, **SB 1307** was conformed on the House floor to **HB 2436** (Davis), a bill pertaining only to the Auditor of Public Accounts' Commonwealth Data Point website, thereby alleviating local concerns after a number of unexpected twists and turns.

Public Safety and Court Administration

Bills heard this session dealing with matters of public safety and the administration of the court system encompassed a wide variety of topics, including training standards for public safety personnel, financial exploitation, decriminalization of marijuana, and reform of Virginia's driving under intoxication laws in response to a 2016 U.S. Supreme Court decision (*Birchfield v. North Dakota*, 136 S. Ct. 2160 (2016)). As was the case last year, the intersection of technology and public safety operations was a common theme. The GA considered numerous bills pertaining to unmanned aircraft, passing **HB 2350** (Minchew), which punishes as a Class 1 misdemeanor the use of an electronic device to trespass, peep or spy into a dwelling or occupied building, and **SB 873** (Marsden), which directs the Virginia Departments of Fire Programs and Health to develop guidelines for the use of unmanned aircraft systems by public safety agencies during emergencies.

One overarching issue to consider is that taken together, the complex, multi-faceted changes in Virginia's laws governing public safety and court administration will have a significant impact on the criminal justice system and victims. The benefits of these policy changes should be considered in the context of the associated workload and revenue impact on police departments, courts, jails, and probation offices, which are funded with both state and local dollars. The continued state underfunding of the court system remains a significant issue for all Virginians, and is only exacerbated by the Commonwealth's willingness to continue to shift the funding burden to localities through the passage of legislation that seeks to achieve laudable goals but creates substantial fiscal implications that will require serious examination in years to come.

Body-Worn Cameras

Three bills touched upon law enforcement's use of body-worn cameras, as the State Police and localities throughout Virginia are developing policies to implement this new technology while addressing the inherent challenges of balancing transparency, public records maintenance, and privacy. **HB 2117** (Keam) and **HB 2134** (Levine) would have required localities to utilize body cameras to adopt uniform policies established by the Commonwealth's Department of Criminal Justice Services. Both bills were left in the House Militia, Police, and Public Safety Committee. **HB 1613** (Marshall, R.) would have addressed circumstances that could arise in court if an officer, wearing a body camera that malfunctions, testifies about occurrences that otherwise would have been recorded. The bill would have required courts to instruct juries to consider the weight of the officer's testimony in light of the failure to record the occurrence on camera; if there were no jury, courts would be required to similarly consider the failure to record in weighing the officer's testimony. The bill was left in the House Courts of Justice Committee.

License Plate Readers

Legislation limiting the length of time law enforcement agencies can retain information from license plate readers was considered and defeated by the 2016 GA. After the session, the American Civil Liberties Union (ACLU) filed suit on behalf of an individual against Fairfax County, alleging that the County's current policy of allowing the retention of such data for approximately one year is a violation of the Government Data Collection and Dissemination Practices Act. In late 2016, the case was dismissed in a Fairfax court when the judge determined that license plate data is not "personal information," and that therefore the County's retention policy is not a violation. Though the ACLU has appealed the case to the Virginia Supreme Court, two bills were introduced this session to limit the retention of information obtained by license plate readers, both of which failed to pass. As introduced, **HB 1657** (Marshall, R.) would have limited the retention of such information to seven days unless the information was the subject of an active investigation or was obtained pursuant to a warrant. It was amended to allow retention for 60 days, but was defeated on the House floor (67-30). **SB 924** (Petersen) would have limited the retention of information from license plate readers to no more than seven days unless the information was the subject of an active investigation, but that bill was left in Senate General Laws.

Driver's License Suspension

Against the backdrop of a federal lawsuit challenging the constitutionality of Virginia's use of driver's license suspension as a penalty for non-payment of court fines and costs, the GA considered numerous bills to reform not only that practice, but also the use of driver's license suspension as a penalty for failure to pay child support and drug-related offenses, among others. Some of these measures had been considered in previous years, but there seemed to be bipartisan consensus this year that the status quo was ineffective, with over 650,000 Virginians having a suspended driver's license for non-payment of court fines and costs alone, and over 200,000 Virginians having a suspended driver's license for other, non-motor vehicle related offenses. The House Courts of Justice Criminal Subcommittee chose to use **HB 2386** (Loupassi) as the primary vehicle to address non-payment of court fines and costs; as passed by the House, the bill would establish the requirements for deferred or installment payment agreements that a court must offer a defendant who is unable to pay court-ordered fines, costs, forfeitures, and penalties. The bill would also require, when available, a court to allow a defendant to receive credit towards their debt for community service work. This payment agreement would include restitution, unless the court has entered a separate order regarding payment of restitution. Notably, a recently released Virginia Supreme Court rule, developed to address the concerns raised by the aforementioned lawsuit, contains many of the same provisions that are included in this bill. The House unanimously passed **HB 2386** as did the Senate, after the addition of a reenactment clause, setting the stage for the bill to go to conference.

The Senate had advanced an alternative, broader approach to address this topic – **SB 1188** (Edwards), a bill put forth by the McAuliffe Administration, would have eliminated driver's license suspensions when a person is convicted or placed on deferred disposition for a drug offense, or for violations not pertaining to the operation of a motor vehicle, including non-payment of court fines and costs. The Senate also passed **SB 1280** (Ebbin), which would have extended the period of time before a court could suspend a driver's license for non-payment from 30 to 90 days. When those bills crossed over, the House Courts of Justice Criminal Subcommittee defeated both of them, and instead conformed **SB 854** (Stanley), which originally increased the grace period after which collection activity for unpaid fines, costs, forfeitures, penalties, and restitution could begin from 30 to 90 days, to **HB 2386**, with the intention of working out the details of the bills in conference. The final legislation that emerged from the conference committee combines the provisions of **HB 2386**, as passed by the House, with **SB 854**, and does not include a reenactment clause. The GA passed the conference report unanimously, providing defendants with more options to pay and more time to pay before collection activity begins and driver's license suspension could be imposed. The GA also passed **HB 2467** (Bell, Robert B.), allowing periods of driver's license suspension imposed for failure to pay court fines and costs to run concurrently with any other period of driver's license suspension, revocation, or forfeiture. Although these bills may create workload and revenue impacts, defendants may be more likely to make payments, and less likely to be subject to additional penalties for driving on a suspended license.

In addition, the 2017 GA unanimously passed legislation reforming the use of driver's license suspension as a penalty for simple possession of marijuana. As introduced, **HB 2051** (Adams)/ **SB 1091** (Ebbin) would have removed simple possession of marijuana from the current requirement that a person lose their driver's license for six months when convicted of, or placed on, deferred disposition for a drug offense (the exception would only apply to adults, while juveniles would still be subject to license suspension). The House Courts of Justice Committee added two provisions to both bills. First, in addition to the current requirement of up

to 24 hours of community service, a person whose driver's license is not suspended or revoked would be required to perform at least 100 hours of community service. Second, the court must suspend or revoke for six months the driver's license of a person who was operating a motor vehicle at the time of the offense. The Senate rejected the addition of those provisions, sending the bills to conference. The conferees reduced the 100 hours of community service to 50 hours, and kept the provision requiring the suspension of driver's license for simple possession of marijuana while operating a motor vehicle. Other legislation pertaining to the decriminalization of marijuana did not pass the GA this year, although there was a growing interest in addressing this topic, as evidenced by the Senate Majority Leader's request for the Virginia State Crime Commission to study the issue.

Payments to Victims

The 2017 GA continued efforts to reform laws governing restitution payments to victims, following the completion of the Virginia State Crime Commission's study on the issue (as requested by the 2016 GA after passage of a bill extending the statute of limitations for the issuance of process for failure to pay restitution). The Commission's finding that an enormous amount of restitution – more than \$400 million as of November 2016 – goes uncollected in Virginia underscored the need for reform and led to the introduction of numerous bills on the topic. **HB 1855** (Bell, Robert B.)/ **SB 1284** (Obenshain) were recommended by the Crime Commission, and include measures to improve the uniformity of the restitution payment process. The bills also require circuit and district court clerks to submit quarterly reports of outstanding restitution balances and accounts which have not been paid for 90 days to the Commonwealth's Attorney and any probation agency that serves a locality. In addition, for defendants who have entered into an installment or deferred payment agreement, the bill removes the court's authority to impose a fine up to \$500 for non-payment of court-ordered fines, costs, restitution, forfeiture, or penalties, leaving the presiding judge with only the option to jail the defendant for up to 60 days. Few substantive changes were made to **HB 1855** and **SB 1284** as they made their way through the legislative process, and the bills passed the GA with only one no vote each.

The Commission also recommended legislation to monitor defendants' compliance with the payment of restitution. As introduced, **HB 1856** (Bell, Robert B.)/ **SB 1285** (Obenshain) would have: mandated indefinite supervised probation for all defendants with a restitution order; kept a defendant on supervised probation until restitution was paid in full; required probation agencies to monitor restitution at least twice a year; and, substantially increased the length of time that defendants with restitution orders would be on probation, resulting in larger caseloads for probation agencies. The bills were expected to have a significant fiscal impact on the state Department of Corrections and local probation offices, due to the need to increase probation and parole officers to keep caseloads manageable. Among other amendments, the limit on the length of probation was removed, as were the requirements that the probation be supervised and monitored twice a year. The latter two amendments minimized the state fiscal impact, enabling the bills' passage without an enactment clause requiring state funding in order to take effect. However, local probation officers are already required to contact offenders on probation at least once per month, and this legislation also could result in offenders remaining on locally-provided probation for longer periods of time – local probation offices are funded through state and local dollars, but if state funding is not increased, local governments could face an additional fiscal burden being shifted from the state. In spite of this, **HB 1856** and **SB 1285** passed the GA.

The 2017 GA also prioritized restitution payment to victims over payment of other court fines and costs. **HB 2338** (Bell, Robert B.), which was not a Crime Commission recommendation, requires that any money collected from the defendant first be used to satisfy a restitution order and associated collection costs, prior to the payment of court fines or costs. As a result, victims likely will receive restitution payments earlier than they otherwise would have, but this legislation increases the likelihood that payments for court fines and costs will be delayed, if they are paid at all (if sizeable restitution is ordered against a defendant that is never able to pay the full amount, the court costs will never be paid).

Court Fees

Multiple bills were introduced to lower the fees for concealed handgun permits through varying methods, but with equally unsuccessful results, as none left its chamber of origin. **HB 2234** (Cline) and **SB 791** (Chase) would have changed the \$10 fee charged for a court clerk's administration of a permit application from a mandatory fee to a permissive one. Those bills were left in the House Committee on Militia, Police and Public Safety and Senate Finance Committee, respectively. **HB 1458** (Lingamfelter) and **SB 1422**

(Chase) also would have made that clerk's fee permissive, and eliminated the additional \$35 fee for local law enforcement's background check with the F.B.I.; however, both were amended to add an increase in the local assessment for courthouse security personnel (overseen by the sheriff) from \$10 to \$20 (a fee increase the County has long supported). With that amendment, these bills would have reduced fees collected in the County for concealed handgun permits by approximately \$238,000, but would have increased the County's courthouse security fee revenues by more than \$1.5 million. However, the bills were left in House Appropriations and Senate Court of Justice, respectively. More successfully, **HB 2035** (Miller)/**SB 870** (Stuart) provide that the clerk of a circuit court may charge a fee (not to exceed \$5) for every land record filed by paper – the clerk can improve the efficiency of circuit court operations by encouraging electronic filings. These fees would be deposited in the clerk's nonreverting local fund to pay exclusively for operations of the clerk's office. Both bills passed the GA with little opposition.

Judgeships

The appointing and funding of judges always generates significant interest in Richmond, and this session was no different. A few years ago, the GA began the process of using caseload studies to authorize judgeships in courts throughout the state, though it is ultimately the funding for those judgeships (provided through the state budget) that determines how many judges sit in each court at any given time. In the 19th Judicial Circuit, which includes Fairfax County and Fairfax City, 15 judges are currently authorized, but only 14 have been funded – due to a recent retirement, only 13 judges are currently seated. To address this issue, albeit in an unusual manner, **HB 1487** (Albo) was introduced. **HB 1487** would actually have reduced the maximum number of judges authorized in the 19th Judicial Circuit from 15 to 14, as part of a paradoxical strategy to obtain funding to fill the two current vacancies. Although the bill failed in Senate Finance due to concerns that such an action was premature in light of the next weighted caseload study that is expected in December 2017, the trading of an authorization for two funded positions was ultimately included in the state budget. To fully understand the strategy, it is important to note that another 19th Judicial Circuit judge will reach mandatory retirement in the next couple of years, and when that happens the Circuit's authorization will drop to 14 judges. For now, two vacancies will be filled, with one judge's term beginning on July 1, 2017, and the second judge's term beginning on January 1, 2018 (limiting the budgetary impact of filling all 15 slots). It is also possible that the current caseload study could reaffirm the need for 15 judges to be authorized for the 19th Judicial Circuit; if that happens, the GA could reassess this session's change. Finally, the GA also passed a measure pertaining to substitute judges; **SB 928** (Petersen) removes the prohibition against substitute judges sitting in the courts in which they regularly practice.

Officer-Involved Shootings

HB 2043 (Miller) would have prohibited any public official or public employee (or a person acting on their behalf) from releasing any identifying information about a law enforcement officer who is the subject of an official investigation involving the discharge of a firearm or use of force during the performance of official duties, prior to the conclusion of the official investigation or the conclusion of the first six months of such investigation (a violation would be a Class I misdemeanor). The bill would have authorized the withholding of the law enforcement officer's name if he or she was not charged with a criminal offense, if the release of his or her name would create a risk of harm to the law enforcement officer or his/her family, but would have required that the law enforcement officer's name be released to the public if he/she were charged with a criminal offense. During a House General Laws Committee hearing a great deal of testimony was presented (including about Fairfax County's policy relating to the release of names of officers involved in shootings) – representatives of public safety organizations argued that the quick release of a law enforcement officer's name after a use of force incident could create a charged and potentially dangerous atmosphere for that officer, while open government advocates suggested that the public has a right to such information in a timely manner. The bill passed the full General Laws Committee 11-9, but was ultimately sent from the House floor to the House Courts of Justice Committee where it was left (reportedly as a result of a meeting between Delegate Miller and the Virginia NAACP), effectively killing the bill for the session.

Additional bills related to officer-involved shootings were also considered by the GA but were defeated. **HB 2118** (Keam) would have required the Department of Criminal Justice Services to establish a model policy regarding the independent review of all officer-involved shootings. The bill also would have required that the Department periodically review community-policing programs and establish training standards to ensure sensitivity to and awareness of persons who have a mental illness, substance abuse addiction, or developmental disability. **HB 2099** (Price)/ **SB 1000** (Locke), as introduced, would have required that an attorney for the Commonwealth disclose a report of his findings for any "officer-involved shooting" if no

criminal charges are brought against a law enforcement officer, or, alternatively, if charges were brought, the attorney for the Commonwealth would be required to issue a general statement disclosing the general purpose of bringing such charges or seeking an indictment. The bill also would have directed the Department of Criminal Justice Services to develop a model policy regarding the investigation of an officer-involved shooting. **HB 2118** and **HB 2099** were defeated in the House Militia, Police and Public Safety Committee, while **SB 1000** was defeated in the Senate Courts of Justice Committee.

Release of Victim's Name

As introduced, **HB 2240** (Miller) would have required that, prior to publicly releasing the name or any identifying information about a minor child who dies as a result of a crime involving sexual assault, sexual abuse, or family abuse, law enforcement agencies obtain written consent from the minor child's next of kin. When the patron presented this bill in the House Courts of Justice Criminal Subcommittee, it was noted that the idea for the bill originated from a case in which the Fairfax County Police Department ultimately released the name of a child who died as the result of such a crime, despite the family's request to withhold the child's name. The Subcommittee elected to significantly broaden the scope of the bill, amending it to apply the next of kin consent requirement to all crimes resulting in death irrespective of the victim's age (the code section being amended, which provides protections to victims of crime from the release of certain information, already contains an exclusion from such protections for the release of information that is necessary for law enforcement purposes; therefore, the House version of the bill would not have applied to cases where identifying a victim was necessary due to a criminal investigation or other similar law enforcement purposes). **HB 2240** passed the full House in this broader form. Subsequently, the Senate Courts of Justice Committee narrowed the bill by limiting it to the death of a minor victim of any crime (as opposed to the introduced bill, which applied only to a minor who died as a result of a crime involving sexual assault, sexual abuse, or family abuse); as a result, written consent from a minor victim's next of kin will be required before a law enforcement agency may disclose any identifying information.

School Bus Communication Devices

In 2008, the General Assembly enacted legislation prohibiting school bus drivers from using any wireless telecommunications device, whether handheld or otherwise, while driving a school bus; however, the legislation specifically allowed the use of two-way radio devices as an exception. Since that time, devices have been developed that utilize wireless communications networks (i.e. broadband and internet), have radio Push-to-Talk (PTT) functionality, and operate in the same manner as two-way radio devices from the perspective of driver distractibility, which was a key issue with the 2008 legislation. Such devices and shifts in the technology industry may provide alternatives as school divisions seek to replace and update their school bus radio systems (currently, Fairfax County's Public Service radio system is used by County non-public safety agencies and FCPS, but it is an older, analog technology, and the County would like to explore available options as the system is updated). To address these changes in technology, **HB 1888** (Hugo) was introduced to allow school bus drivers to utilize, in addition to two-way radio devices, wireless telecommunications devices that are used in a manner similar to two-way radio devices to communicate with school or public safety officials. This legislation easily passed the House. In the Senate, the bill was amended to clarify that such wireless telecommunications devices would be used in a hands-free manner – the amended bill then passed the Senate (40-0) and the House (98-0).

Towing

Issues surrounding towing have always been particularly fraught in Virginia, and the GA has often become embroiled in this controversial issue. Balancing the interests of property owners (trying to enforce their parking procedures), towers (trying to operate a business), and consumers (trying to attend to the activities of daily life while avoiding the inconvenience and expense of having their car towed) is a significant challenge, especially in Northern Virginia where driving and limited parking are by-products of a densely populated and often bustling community. In response to events in another jurisdiction in Northern Virginia prior to the session, legislation was again introduced pertaining to towing regulations – the legislation was largely restricted to Northern Virginia, which limited the number of legislators focused on the issue. As introduced, **HB 1960** (Hugo)/**SB 1468** (Marsden) would have made several changes to towing policy, including;

- Creating a civil penalty of \$100 to be paid into the Literary Fund for any tow truck driver or towing and recovery operator convicted of improperly towing.

- Eliminating local authority in Planning District 8 (Northern Virginia) to require written authorization (in addition to a written contract) in the event that a vehicle is being removed from private property, otherwise known as “second signature” or “real time authorization.”
- Requiring contracts between the towing and recovery operators and the owners of property in Planning District 8, stating the terms within which towing and recovery operators could monitor private lots on behalf of property owners, also known as “spotting.”
- Requiring that a tow truck driver immediately notify the animal control office in a locality from which a vehicle is being towed if the vehicle is occupied by a companion animal.
- Increasing the hookup and initial towing fee in Planning District 8 from \$135 to \$150.
- Limiting the membership of local towing advisory boards to only representatives of local law-enforcement agencies, representatives of licensed towing and recovery operators, and one member of the general public - current law requires the voting membership of such advisory boards to consist of an equal number of representatives of local law-enforcement agencies and licensed towing and recovery operators, and one member of the general public.
- Requiring the chairman of any such boards within Planning District 8 to be a representative of a licensed towing and recovery operator (rather than a police or citizen representative).
- Adding improper towing as a prohibited act under the Virginia Consumer Protection Act.

HB 1960 and **SB 1468** were amended in the House and Senate Transportation Committees, respectively. As amended, the legislation made several changes to towing policy in Planning District 8 only, specifically:

- Creating a civil penalty of \$150 (to be paid into the Literary Fund) to be assessed against any tow truck driver or towing operator convicted of improperly towing.
- Requiring towing and recovery operators to provide a written receipt that includes a telephone number or website for customer complaints at the time a towed vehicle is reclaimed (it also allows localities to require additional information on the receipt).
- Eliminating local authority to require second signature/real time authorization.
- Requiring contracts between towing and recovery operators and property owners to specify the terms related to “spotting.”
- Requiring that a tow truck driver immediately notify the animal control office in a locality from which a vehicle is being towed if the vehicle is occupied by a companion animal.
- Requiring the chairman of any towing advisory board to rotate annually between a representative of a local law-enforcement agency, a representative of a licensed towing and recovery operator, and one member of the general public.
- Limiting the membership of such boards to representatives of local law-enforcement agencies, representatives of licensed towing and recovery operators, and one member of the general public.

SB 1468, as amended, was considered by the full Senate, where it was defeated (20-20). In the House, **HB 1960**, as amended, easily passed (68-28). As is often the case at the GA, a week or two can make a tremendous difference in the life of a bill, and when the House bill crossed over and was considered on the Senate floor, the vote was dramatically different and the bill passed (31-9).

Other legislation regarding towing was also considered during the 2017 session, but all of it failed. **SB 1340** (Surovell) would have added several towing violations to the Virginia Consumer Protection Act. **HB 2132** (Levine)/**SB 1151** (Favola) would have required local towing advisory boards to consist of an equal number of representatives of: local law-enforcement agencies; licensed towing and recovery operators; commercial property or business owners, including business tenants residing in commercial buildings; and, the general public.

Transportation

Regional Transportation Issues

As in years past, various bills were introduced pertaining to regional transportation issues and organizations, including bills relating to the Northern Virginia Transportation Authority (NVTA) and comprehensive plan reviews.

HB 2120 (Keam)/**SB 929** (Petersen) would have increased the membership of NVTA by one non-legislative member, to represent towns that receive funds for urban highway systems. **HB 2120** was amended in a House Transportation subcommittee to eliminate the increase in NVTA membership and to instead provide

a vote to the current non-voting town member, but when the bill was discussed in the full Transportation Committee, concerns about the possible impact of the legislation led to the bill's defeat. Similar concerns about **SB 929** yielded a similar result in the Senate Rules Committee. Another NVTA-related bill, **HB 2121** (Keam) would have allowed NVTA funds (both those controlled by NVTA and by the localities) to be utilized for new sidewalk projects. **HB 2121** was tabled by a House Transportation subcommittee.

Continued interest in the coordination of transportation and land use planning generated two bills that were ultimately successful in the GA, but only after significant changes were enacted. At present, each locality embraced by NVTA is required to annually inform NVTA about any land use or transportation elements in its comprehensive plan that are not consistent with NVTA's long-range transportation plan. **HB 2137** (LeMunyon), as introduced, would have required NVTA to annually publish a list of transportation elements where inconsistencies exist. The bill would also have required NVTA to revise its regional transportation plan at least once every five years -- during that process, NVTA would be required to certify that the plan would reduce congestion in Planning District 8 to the greatest extent practicable, or to specify why that was not the case. **HB 2137** was narrowed in the House Transportation Committee, requiring only the publication of differences between localities' comprehensive plans and NVTA's long-range plan. The amended bill also requires NVTA to specify any obstacles to achieving a reduction in congestion in Planning District 8, and any need for cooperation by other regional entities -- it contains a delayed effective date of July 1, 2018. As amended, **HB 2137** passed the House (97-0) and the Senate (40-0).

HB 2138 (LeMunyon), as introduced, would have required that VDOT, during the adoption of any locality's comprehensive plan or review of a proposed rezoning in Planning District 8, consider the transportation impact on any transportation facility for which a reduction in the level of service was anticipated as a result of the proposed plan or rezoning. The bill also required a locality to propose one or more transportation projects in its local transportation plan, or within the regional transportation plan, to ensure there was no reduction in service to any transportation facility affected by the plan or rezoning. **HB 2138** was amended in the House Transportation Committee to instead require VDOT, in its review of a comprehensive plan or proposed rezoning, to specify by name and location any transportation facility within the scope of the review for which an increase in traffic volume is expected to exceed the capacity of the facility as a result of the proposed plan or amendment. **HB 2138**, as amended, then passed the House (97-0) and the Senate (40-0).

Washington Metropolitan Area Transit Authority (WMATA)

The most significant legislation pertaining to Northern Virginia transportation this year was **HB 2136** (LeMunyon)/**SB 1251** (Barker), pertaining to the establishment of the Metrorail Safety Commission (MSC), designed to oversee and ameliorate safety issues of WMATA's Metrorail system. Federal law requires the establishment of the MSC by Virginia, Maryland, and the District of Columbia (DC), along with certification by the Federal Transit Administration (FTA) that the MSC is able to assume safety oversight of the Metrorail system. In February 2016, the FTA threatened to withhold up to five percent of Federal Urbanized Area funds to Virginia, Maryland, and DC if the MSC was not established by February 9, 2017 (delaying approximately \$6 million to Virginia annually). Though that deadline was known to be problematic due to the schedules of the Virginia and Maryland General Assemblies, prior to the session it was anticipated that the federal government would be flexible about enforcement as long as Virginia and Maryland could show significant progress on such legislation by February 9th (DC adopted this legislation in early 2017). The legislation, which has been negotiated by the Virginia, Maryland, and DC and must be enacted in identical form by the three entities, includes the following elements:

- The MSC will be governed by a Board of Directors (comprised of 6 board members and 3 alternates), and each signatory will appoint two members and one alternate – members from Virginia will be appointed by the Governor, subject to confirmation by the Senate. Board members must have backgrounds in transportation, safety, applicable engineering, or public finance. The Board will elect its officers, establish bylaws, and carry out other oversight responsibilities, while a Board-appointed CEO will lead MSC staff and day-to-day operations.
- The MSC will operate as an independent governmental entity (procurement, finance, personnel, and records regulations will be based on federal law, not the laws of the signatory jurisdictions). The MSC Board will develop administrative and governance procedures through regulations, and will adopt federal Freedom of Information Act (FOIA) and open meeting requirements.
- The MSC may review and approve WMATA's safety plan; set and update minimum safety standards for WMATA; and require and enforce any Corrective Action Plans that the MSC deems appropriate.

- The MSC will be able to compel compliance of MSC orders and standards by taking legal action; issuing citations or fines; directing WMATA to prioritize spending on safety-critical items; removing a vehicle, infrastructure element, or hazard; restricting, suspending, or prohibiting rail service (which must be agreed to by a unanimous vote of its members); compelling WMATA to remove an individual from a Safety Sensitive Position; and, compelling WMATA's Office of the Inspector General to conduct safety-related audits or investigations.
- The MSC will be able to investigate any emerging rail safety concerns; conduct inspections of WMATA property (MSC may access adjacent land to perform inspections, if necessary); take primary responsibility for the investigation of accidents and prepare reports; and audit WMATA's compliance with its own safety plan requirements.
- The MSC must publish, annually, a Safety Report to FTA and signatories, a Report of Operations detailing its programs, operations and finances; and an Independent Audit of its finances.
- Due process provisions are included to permit WMATA to petition MSC to reconsider an order.
- The MSC will be funded independently of WMATA. FTA currently provides approximately \$1.5 million per year in grants for the activities that will be undertaken by the MSC (which is expected to be the federal share of MSC's funding), and the non-federal share will be split equally by DC, Maryland, and Virginia (Virginia's share is currently estimated to be \$1-2 million per year).

HB 2136 was considered by a House Transportation subcommittee, where an enactment clause requiring certain conditions be met prior to the establishment of the MSC was added to the legislation. That amendment created significant consternation because establishment of the MSC in a timely manner was essential. As a result of those concerns, the original enactment clause was rejected by the full House Transportation Committee, which instead included an enactment clause requiring that the Secretary of Transportation, in coordination with the Northern Virginia Transportation Commission (NVTC), engage his counterparts in Maryland, DC and the federal government for the purpose of revising the WMATA Compact and implementing other reforms necessary to ensure the near-term and long-term viability of WMATA. The language requires the Secretary to develop, propose, and seek agreement on reforms related to: the legal and organizational structure of WMATA; the composition and qualifications of the WMATA Board of Directors and the length of terms of its members; labor costs and labor relations; measures necessary to resolve WMATA's unfunded pension liability and other post-employment benefits; measures necessary to better ensure the safety of riders and employees, including safety in the event of a homeland security emergency in the National Capital Area; and, financial and operational improvements necessary to ensure that WMATA's performance is at least as efficient as its closest comparable transit systems in the United States. An emergency clause was also added to the bill, which means that the bill will become law as soon as it is signed by the Governor. **SB 1251** passed the Senate unanimously, without the aforementioned Enactment and Emergency Clauses. After crossover, both clauses were included in both bills and the legislation passed the GA unanimously (at the same time, the House budget included language addressing WMATA as well – details about the final language included in the budget conference report appears on page 16). A separate resolution addressing potential changes to the WMATA compact also passed the GA – **HJ 617** (LeMunyon) asks the Governor to review the WMATA Compact and enter into discussions with his counterparts in DC and Maryland to identify possible improvements to the agreement, particularly with regard to the governance, financing, and operation of WMATA.

As **HB 2136** and **SB 1251** were moving through the legislative process, the U.S. Secretary of Transportation announced that FTA would, in fact, begin withholding the full five percent of Urbanized Area formula funds provided to Virginia, Maryland, and DC until the MSC is in place and fully certified. This action served to further highlight the importance of improving safety at WMATA, as well as the importance of the Metrorail system to the entire Commonwealth, as federal funding is now being withheld from transit systems throughout the state (as a way to mitigate those impacts, language was included in the budget conference report directing VDOT to provide a \$6.2 million loan each year to DRPT to address any shortfall in transit funding due to this withholding; that funding will be repaid once FTA releases Virginia's allocations).

Transportation Safety

Similar to previous years, various bills were introduced related to transportation safety. **HB 2235** (Cline) would have removed the requirement that individuals operating motorcycles or autocycles and their passengers wear protective helmets. **SB 1338** (Surovell) would have prohibited the driver of a motor vehicle from using a bicycle lane to pass or attempt to pass another vehicle. **SB 1339** (Surovell) would have directed that a person who operates a motor vehicle in a careless or distracted manner, and is the cause of serious physical injury to a vulnerable road user (defined in the bill as a pedestrian or person riding

a bicycle, electric wheelchair, electric bicycle, wheelchair, skateboard, skates, foot-scooter, animal, or animal-drawn vehicle) is guilty of a traffic infraction. **SB 1409** (Sutterlein) would have raised 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 bill would have maintained the reckless driving threshold for driving at or more than 20 miles per hour in excess of the speed limit. **HB 2235** failed to report in a House Transportation subcommittee. **SB 1338** passed the Senate (22-18), but failed to report in the House Transportation Committee. **SB 1339** passed the Senate, but was tabled by a House Courts of Justice subcommittee, and **SB 1409** passed the Senate (34-6), but was tabled by a House Transportation subcommittee.

HB 1834 (Anderson) would have expanded the prohibition on texting while driving by removing the condition that such manual entry of multiple letters or text in a handheld communications device be prohibited only if performed as a means of communicating with another person. The bill also would have prohibited the operator of a motor vehicle from reading any information displayed on the device (current law prohibits reading an email or text message), but would not apply to reading any information displayed by a global positioning system for the purposes of navigation. **HB 1606** (Villanueva) would have prohibited any person from texting or otherwise using a handheld personal communications device while operating a motor vehicle in a highway work zone with workers present. In the House Transportation Committee, it was amended to add an exemption to the prohibition for an operator of a vehicle who activates, deactivates, or initiates a factory-installed feature or function on the vehicle. **HB 1834** failed to report from the House Courts of Justice Committee by a vote of 10-9. **HB 1606** passed the House (80-18), was further amended by the Senate Transportation Committee, but was ultimately rereferred from the Senate floor to the Senate Courts of Justice Committee, effectively defeating the bill.

Other Transportation Bills of Interest

Fare Enforcement Inspectors

In 2008, legislation was enacted at the request of WMATA to allow the appointment of fare enforcement inspectors to enforce payment of transit fares in Planning District 8. **HB 1931** (Carr) expanded the applicability of that law to Planning District 15 (Richmond), while **SB 1172** (Dance) expanded the applicability statewide. The bills were conformed so they both apply statewide, and passed the GA.

Soundwalls

Legislation related to the noise impacts of transportation facilities was brought forward this year. **HJ 691** (Murphy)/**SJ 233** (Favola) would have directed VDOT to develop, in cooperation with the Federal Highway Administration, procedures to measure and assess the noise impact of a particular transportation project on neighborhoods previously deemed ineligible for noise abatement mitigation remedies. Because the issue of soundwalls is typically complicated, the idea of potentially reopening discussions after a project has been concluded and the cost of doing so also proved to be complicated and both bills failed to pass – **HJ 691** was tabled by the House Rules Committee, while **SJ 233** was passed by indefinitely by the Senate Rules Committee.

Air Rights

Air rights development was also an issue that came before the GA this year. **SB 1148** (Favola) provides the Commissioner of Highways the authority to select any competitive procurement process for leases and conveyances of airspace, including authority to reject any bid deemed not to be in the best interest of the Commonwealth. Current law requires public advertisement for bids and requires the Commissioner to accept the highest bid from a responsible bidder. Existing requirements prohibiting the Commonwealth from entering into any lease or conveyance unless the locality in which it is located has approved the projected use of the airspace in question remains in place. **SB 1148** passed both houses of the GA.

Vehicle Fees

In 2015, at the request of the Town of Herndon, legislation was passed that allowed counties and adjoining towns to enter into reciprocal agreements to collect each other's non-delinquent vehicle license fees and taxes. **HB 1595** (Boysko)/**SB 1211** (Wexton) were introduced this session to expand that collection ability

to delinquent fees. **HB 1595** charted a challenging course through the GA, while **SB 1211** moved through the process fairly easily. **SB 1211** has already been signed by the Governor, but **HB 1595** was eventually left in a Senate Committee.

HB 2447 (Marshall, R) would have eliminated the ability of a locality to assess local license fees for motor vehicles, trailers, and semitrailers after July 1, 2018. The bill received substantial opposition from local governments due to its tremendous fiscal impact (the bill would have cost Fairfax County approximately \$27 million per year). **HB 2447** was heard by a House Transportation subcommittee, but no motion was made on the bill and it was defeated.

ONGOING ISSUES AND STUDIES

Studies

Due to budget constraints, the General Assembly declined to create many new study commissions, and passed few bills and study resolutions directing state agencies to conduct studies. A handful of study commissions were continued, including: **HB 1716** (Anderson)/**SB 869** (Ruff), which extends the sunset date of the Alzheimer's Disease and Related Disorders Commission to July 1, 2020; **HB 1718** (Anderson)/**SB 840** (Marsden), which renames the Commission on Civics Education as the Commission on Civic Education and extends the Commission to July 1, 2019; and, **HB 1736** (Hope)/**SB 1043** (Dance), which extends the Joint Commission on Health Care to July 1, 2022.

Several proposals that would have studied issues of importance to the localities failed to advance this year, including resolutions to study funding for elections, requiring seat belts on school buses, pay compression for police and deputy sheriffs' salaries, allocating a larger portion of Virginia Lottery money to localities, and the Prescription Monitoring Program. **HJ 676** (Webert), which would have directed the Department of Education to recalculate the Local Composite Index for school funding after determining the use value of real estate in those localities that have opted to assess and tax real estate based on use value, failed to advance again this year (it was continued from 2016). The County opposed this resolution because it only considered one aspect of the school funding formula, which should be considered holistically, not piecemeal, if it is to be examined at all.

Another study, **SJ 278** (Hanger), would have established a 15-member joint subcommittee to study local government fiscal stress including:

- The taxing authorities of local governments and disparities between city and county tax authority;
- Local responsibilities for service delivery of state-mandated or high priority programs;
- Causes of fiscal stress among local governments;
- The current state tax system and the future of the car tax; and,
- Potential financial incentives and other governmental reforms to encourage increased regional cooperation and consolidation of services.

The idea of examining differences between county and city taxing authority and the increasing shift of financial responsibility for core services from the state to localities has long been of interest to local governments. And as the patron of this study resolution, Senator Hanger's willingness to provide an honest assessment of these issues is sincere and designed to be helpful to localities. However, interest in the broader issue of local fiscal stress arose as a result of the 2016 fiscal crisis in Petersburg, Virginia. There is clearly a new interest in the GA and Administration in casting a closer look at the financial situations of localities. As a result, local governments have expressed concern about state identification of localities that are "fiscally stressed," as this designation could lead to unintended consequences and significant repercussions for such localities. Although the GA did not pass this study resolution, budget language authorized the creation of the Joint Subcommittee on Local Government Fiscal Stress, which is charged with studying: savings opportunities from increased regional cooperation and consolidation of services; local responsibilities for service delivery of state-mandated or high priority programs; causes of fiscal stress among local governments; potential financial incentives and other governmental reforms to encourage increased regional cooperation; and, the different taxing authorities of cities and counties.

Additional studies of interest to the County that passed the 2017 GA are provided below. County staff will be monitoring the progress of these studies:

HB 1451 (Farrell) directs the Department of Social Services, in coordination with the Commission on Youth, to develop a process and standardized survey to gather feedback from children aging out of foster care.

SB 1363 (Obenshain) requires the Secretary of Transportation or his designee to convene a task force to study the feasibility of establishing a one-stop online portal for citizen address changes, in order to develop a single statewide address database for utilization by state entities. The task force shall submit to the Governor and the GA a report on its findings and recommendations by November 1, 2017. The bill has a sunset of July 1, 2018.

SB 1387 (Sturtevant) authorizes the Joint Legislative Audit and Review Commission to establish an operational and programmatic efficiency and effectiveness review and assessment of state agencies, under a contract with a United States-based private management consulting firm with experience in conducting statewide performance reviews. The purpose of the review and assessment is to provide an objective and independent cost-savings analysis of the Commonwealth's organizational structure and its programs, in order to provide information to the Governor and the GA to effect savings in expenditures, a reduction in duplication of effort, and programmatic efficiencies in the operation of state government. The bill also provides certain required terms for the contract with the private entity, and requires the Commission to submit a report to the GA with the results of any review and assessment by December 1 of the year in which the review is conducted.



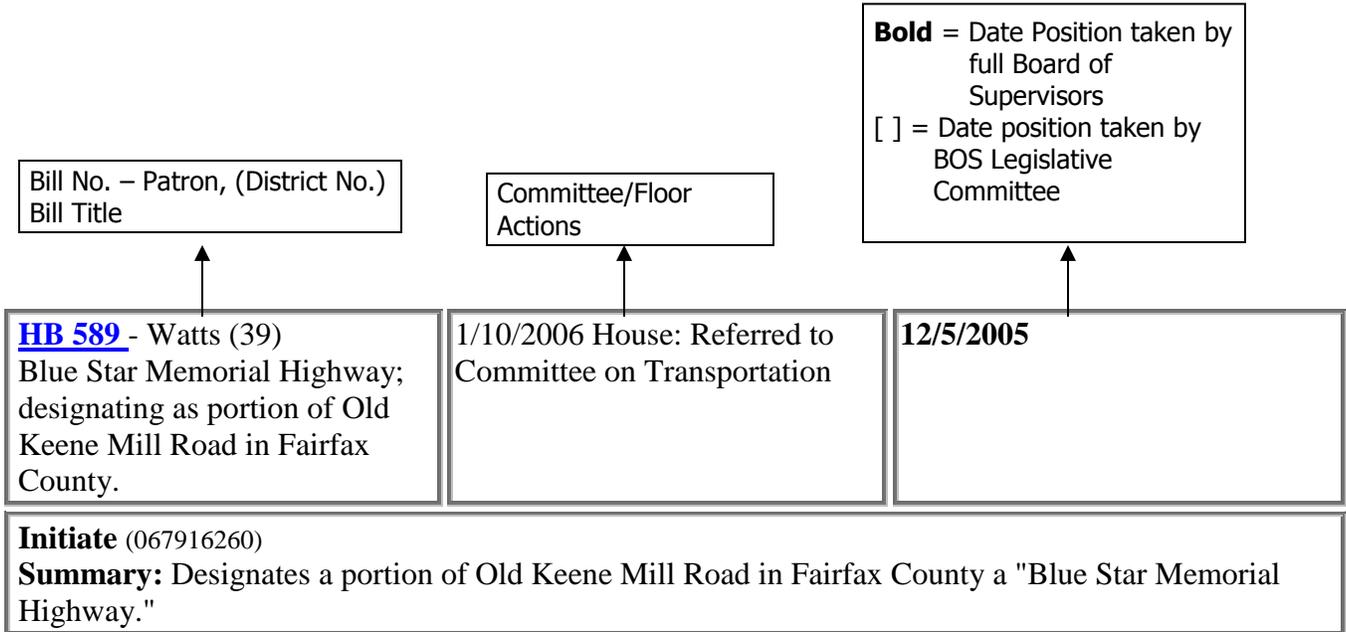
FAIRFAX COUNTY LEGISLATIVE SUMMARY

2017 GENERAL ASSEMBLY

February 26, 2017

Fairfax County Legislative Summary 2017 General Assembly

Board of Supervisors Report Key



Bold = Board Position, [] = BOS Legislative Committee Position (LD No. is version of bill on which position was taken)
Summary -- Reflects latest version of summary available on the Legislative Information System Web Site (If not noted otherwise, reflects summary as introduced)

Table of Contents

Bills	Subject	
<i>Fairfax County Initiative</i>		<i>Page 74-75</i>
<i>(Bill Introduced at County's request) :</i>		
<u>SB 1354</u>	Comprehensive plan; telecommunications towers and facilities in Northern Virginia.	
Favola, B		
<i>Fairfax County Positions</i>		
<i>(Oppose or Amend):</i>		<i>Pages 76-84</i>
<u>HB 1428</u>	Absentee voting; photo identification required with application.	
Fowler, Jr., H		
<u>HB 1766</u>	Utility Facilities Act; associated facilities of an electrical transmission line.	
Habeeb, G		
<u>HB 1784</u>	Forensic discharge planning services; local and regional correctional facilities.	
Bell, R		
<u>HB 2000</u>	Sanctuary policies; prohibited.	
Poindexter, C		
<u>HB 2024</u>	Condemnation powers and proceedings; notice to owner or tenant.	
Freitas, N		
<u>HB 2077</u>	Emergency Services and Disaster Law of 2000; reference to firearms, emergency shelter.	
Wilt, T		
<u>HJ 562</u>	Const. amend. (first resolution); real property tax; exemption for surviving spouse of disabled vet.	
Miyares, J		
<u>SB 872</u>	Absentee voting; applications and ballots; photo identification required.	
Chase, A		
<u>SB 927</u>	Eminent domain; timing for initiation of 'quick-take' condemnation procedure for just compensation.	
Petersen, J		
<u>SB 1153</u>	Inverse condemnation proceeding; reimbursement of owner's costs.	
Obenshain, M		
<u>SB 1253</u>	Voter identification; photograph contained in electronic pollbook.	
Obenshain, M		
<u>SB 1296</u>	County food and beverage tax; referendum.	
Vogel, J		
<u>SB 1307</u>	Auditor of Public Accounts; register of funds expended, etc.	
Vogel, J		
<u>SB 1581</u>	Voter registration; verification of social security numbers.	
Peake, M		

Fairfax County Positions***(Support):******Pages 85-114***

<u>HB 1404</u> Cole, M	Fire alarms; maliciously activating, penalty.
<u>HB 1426</u> Garrett, T	Emergency custody or involuntary admission process; alternative transportation model.
<u>HB 1453</u> LaRock, D	Naloxone; dispensing for use in opioid overdose reversal, etc.
<u>HB 1486</u> Albo, D	Arts and cultural districts.
<u>HB 1549</u> Farrell, P	Community services boards and behavioral health authorities; services to be provided.
<u>HB 1719</u> Anderson, R	Wireless E-911 Fund; distribution percentages.
<u>HB 1767</u> Garrett, T	Telemedicine, practice of; prescribing controlled substances.
<u>HB 1795</u> Bell, R	Adoptive and foster care placements; Mutual Family Assessment home study.
<u>HB 1815</u> Yancey, D	Computer trespass; government computers and computers used for public utilities; penalty.
<u>HB 1885</u> Hugo, T	Opioids; limit on amount prescribed, extends sunset provision.
<u>HB 1888</u> Hugo, T	Wireless telecommunications devices; use by persons driving school buses.
<u>HB 1912</u> Yost, J	Absentee voting; eligibility of persons granted protective order.
<u>HB 1936</u> Carr, B	Derelict and blighted buildings; land banks, receivership.
<u>HB 1960</u> Hugo, T	Tow truck drivers and towing and recovery operators; civil penalty for improper towing.
<u>HB 1992</u> Habeeb, G	Lien priority.
<u>HB 2035</u> Miller, J	Electronic filing of land records; fee for paper filing.
<u>HB 2095</u> Price, M	Registration of peer recovery specialists and qualified mental health professionals.
<u>HB 2105</u> Byron, K	Investment of Public Funds Act; investment of funds in Virginia Investment Pool Trust Fund.
<u>HB 2136</u> LeMunyon, J	Washington Metrorail Safety Commission Interstate Compact; Va. authorized to become a signatory.
<u>HB 2161</u> Pillion, T	Opioids; workgroup to establish guidelines for prescribing.

HB 2162 Pillion, T	Substance-exposed infants; study of barriers to treatment in Commonwealth.
HB 2165 Pillion, T	Opiate prescriptions; electronic prescriptions.
HB 2167 Pillion, T	Opioids and buprenorphine; Boards of Dentistry and Medicine to adopt regulations for prescribing.
HB 2386 Loupassi, G	Court-ordered fines, etc.; deferred, modified deferred, or installment payment agreements.
HB 2467 Bell, R	Driving on a suspended or revoked license; period of suspension.
HJ 617 LeMunyon, J	Washington Metropolitan Area Transit Authority Compact of 1966 gubernatorial review.
SB 848 Wexton, J	Naloxone; dispensing for use in opioid overdose reversal, etc.
SB 870 Stuart, R	Electronic filing of land records; fee for paper filing.
SB 919 Edwards, J	Removal of blight; building collapse; emergency.
SB 920 Edwards, J	Lien priority.
SB 926 Petersen, J	Noise violations; civil penalty.
SB 932 Favola, B	Conveyance of utility easements; transportation.
SB 1003 Ebbin, A	Wireless E-911 Fund; distribution percentages.
SB 1005 Hanger, Jr., E	Community services boards and behavioral health authorities; services to be provided, report.
SB 1009 Dunnavant, S	Telemedicine, practice of; prescribing controlled substances.
SB 1020 Barker, G	Peer recovery specialists and qualified mental health professionals; registration.
SB 1054 Stuart, R	Fire alarms; maliciously activating, penalty.
SB 1179 Chafin, A	Opioids; workgroup to establish guidelines for prescribing.
SB 1180 Chafin, A	Opioids and buprenorphine; Boards of Dentistry and Medicine to adopt regulations for prescribing.
SB 1211 Wexton, J	Vehicle license fees and taxes, local; collection by counties and adjoining towns.
SB 1221 Barker, G	Emergency custody or involuntary admission process; alternative transportation model.

<u>SB 1225</u>	Arts and cultural districts.
Barker, G	
<u>SB 1232</u>	Opioids; limit on amount prescribed, extends sunset provision.
Dunnavant, S	
<u>SB 1251</u>	Washington Metrorail Safety Commission Interstate Compact; Virginia authorized to become signatory.
Barker, G	
<u>SB 1254</u>	Voting machines; Department of Elections shall coordinate post-election risk-limiting audit, report.
Obenshain, M	
<u>SB 1343</u>	Guardian ad litem; reimbursement for cost.
Surovell, S	
<u>SB 1382</u>	Alcoholic beverage control; applications for retail license.
Ebbin, A	
<u>SB 1416</u>	Investment of Public Funds Act; investment of funds in Virginia Investment Pool Trust Fund.
Newman, S	
<u>SB 1461</u>	Foster care; local in the Commonwealth's program of medical assistance.
McPike, J	
<u>SB 1467</u>	Central absentee voter precincts; expedited counting of absentee ballots.
Marsden, D	
<u>SB 1578</u>	Short-term rental of property; registration of persons offering property for rental.
Norment, Jr., T	

Fairfax County Positions

(Monitor):

Pages 115-131

<u>HB 1468</u>	Compliance with detainers; U.S. Immigration and Customs Enforcement.
Marshall, R	
<u>HB 1477</u>	Cats and dogs; local government may, by ordinance, provide for lifetime licenses.
Orrock, Sr., R	
<u>HB 1515</u>	Circuit court clerks; electronic transfer of certain documents.
Leftwich, J	
<u>HB 1539</u>	Virginia Freedom of Information Act; public access to records of public bodies.
LeMunyon, J	
<u>HB 1540</u>	Virginia Freedom of Information Act (FOIA); public access to meetings of public bodies.
LeMunyon, J	
<u>HB 1597</u>	Stormwater management utility, local; waiver of charges when stormwater retained on site.
Webert, M	
<u>HB 1619</u>	Watershed discharge permits; review of allocations.
Bulova, D	
<u>HB 1697</u>	Extension of approvals to address housing crisis.
Marshall, III, D	

<u>HB 1740</u>	Sanitary districts; creation by board of supervisors.
Minchew, J	
<u>HB 1889</u>	License taxes, local; exemption for certain defense production businesses.
Hugo, T	
<u>HB 1961</u>	License tax, local; methodology for deducting certain gross receipts.
Hugo, T	
<u>HB 2137</u>	Northern Virginia Transportation Authority; regional transportation plan.
LeMunyon, J	
<u>HB 2138</u>	Transportation planning, state and local; adoption of comprehensive plan in Northern Virginia.
LeMunyon, J	
<u>HB 2207</u>	Food stamp program; requests for replacement of electronic benefit transfer card.
Robinson, R	
<u>HB 2240</u>	Victims of crime; right to nondisclosure of certain information.
Miller, J	
<u>HB 2244</u>	Public-Private Transportation Act of 1995; changes name of Advisory Committee.
Jones, S	
<u>HB 2338</u>	Restitution; priority of payments.
Bell, R	
<u>SB 854</u>	Unpaid court fines, etc.; increases grace period for collection.
Stanley, Jr., W	
<u>SB 856</u>	Cats and dogs; authorizes local government to provide for lifetime licenses.
Hanger, Jr., E	
<u>SB 1127</u>	State Water Control Board; stormwater management programs, regulations, professional license.
Obenshain, M	
<u>SB 1173</u>	Vested property rights; nonconforming uses.
Obenshain, M	
<u>SB 1189</u>	Water and sewer services; liens, owners, lessees, or tenants.
Edwards, J	
<u>SB 1274</u>	License taxes, local; exemption for certain defense production businesses.
McDougle, R	
<u>SB 1282</u>	Wireless communications infrastructure; procedure for approved by localities.
McDougle, R	
<u>SB 1322</u>	Public-Private Transportation Act of 1995; changes name of Advisory Committee.
Carrico, Sr., C	
<u>SB 1421</u>	Condemnation proceeding; interest on the amount of award.
Mason, T	
<u>SB 1559</u>	Zoning appeals, board of; recipient to receive notice of zoning violation.
Petersen, J	

*Fairfax County Positions**Pages 132-169*

* * *

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

HB 1435 Head, C	VIEW; pilot program for substance abuse screening and assessment.
HB 1441 Kory, K	Incapacitated persons; expands class of victims of crime of financial exploitation.
HB 1449 Boysko, J	Naloxone; dispensing for use in opioid overdose reversal, etc.
HB 1458 Lingamfelter, L	Law enforcement, local; fees for concealed handgun permits, courthouse and courtroom security.
HB 1480 Helsel, Jr., G	Mental health awareness training; law-enforcement officers, firefighters, and emergency personnel.
HB 1487 Albo, D	Maximum number of circuit court judges; 19th Judicial Circuit.
HB 1488 Albo, D	Collection of delinquent local taxes; period of delinquency.
HB 1595 Boysko, J	Vehicle license fees and taxes, local; collection by counties and adjoining towns.
HB 1606 Villanueva, R	Handheld personal communications devices; use of devices in highway work zones.
HB 1657 Marshall, R	Government Data Collection and Dissemination Practices Act; license plate readers.
HB 1698 Marshall, III, D	Polling places; memorandum of understanding.
HB 1723 Anderson, R	Resettlement of refugees; notice to localities, the Sec. of the Commonwealth, and General Assembly.
HB 1739 Minchew, J	Civil immunity; emergency services and communications.
HB 1757 Dudenhefer, L	School personnel; staffing ratios; school nurses.
HB 1782 Bell, R	State Board of Corrections; membership; powers and duties; review of deaths of inmates.
HB 1788 Yancey, D	Incapacitated persons; abuse and neglect, financial exploitation, penalty.
HB 1800 Toscano, D	Electric utility regulation; third party power purchase agreements.

HB 1802 Bell, J	Companion animals; prohibits tethering of animals outdoors unless owner is outdoors.
HB 1808 Bell, J	Virginia Public Procurement Act; use of best value contracting.
HB 1834 Anderson, R	Distracted driving; penalty.
HB 1877 Pogge, B	Tethering of dogs; local ordinances.
HB 1894 Herring, C	DCJS training standards; community engaged policing.
HB 2043 Miller, J	Law-enforcement officer; public release of identifying information, etc.
HB 2057 Kory, K	Discrimination; prohibited in private or public employment.
HB 2070 Watts, V	Additional powers of certain counties.
HB 2073 Watts, V	Virginia Consumer Protection Act; adds certain fraud crimes.
HB 2094 Price, M	Localities; regulation of firearms in government buildings.
HB 2097 Price, M	HIV or hepatitis B or C virus; testing for infection, order of magistrate.
HB 2104 Byron, K	Machinery and tools tax; valuation, appeal of certain local taxes.
HB 2120 Keam, M	Northern Virginia Transportation Authority (NVTA); membership composition.
HB 2124 Minchew, J	Eminent domain; just compensation for entry onto property.
HB 2129 Levine, M	Virginia Human Rights Act; prohibits discrimination in employment.
HB 2130 Levine, M	Motor vehicles; motor fuel sales tax in certain transportation districts.
HB 2132 Levine, M	Towing advisory board, local; membership.
HB 2145 LeMunyon, J	Dept.of Professional and Occupational Regulation; regulation of land surveyor photogrammetrists.
HB 2196 Kilgore, T	Wireless communications infrastructure; procedure for approved by localities.
HB 2208 Pogge, B	Food stamp program; electronic benefit transfer (EBT) card.

HB 2213	TANF; time limit on the receipt of financial assistance.
O'Bannon, III, J	
HB 2223	Virginia Freedom of Information Act; right to speak at open meetings.
Kory, K	
HB 2235	Motorcyclists or autocyclists; removes requirement to wear protective helmets.
Cline, B	
HB 2236	Sanctuary policies; enforcement of federal immigration laws
Cline, B	
HB 2272	Compact fluorescent light (CFL) bulb recycling; local ordinances, civil penalties.
Krizek, P	
HB 2333	Multi-jurisdiction grand jury; certain fraud crimes.
Watts, V	
HB 2334	Fraud crimes, certain; forfeiture of motor vehicle.
Watts, V	
HB 2335	Contractors, Board for; unlicensed activity, penalty.
Watts, V	
HB 2385	Assessed court costs; electronic summons system.
Lingamfelter, L	
HB 2401	Virginia Freedom of Information Act; minutes of closed meetings required, audio recordings.
Morris, R	
HB 2403	Vehicles bearing clean special fuel license plates; use of high-occupancy toll (HOT) lanes.
Greason, T	
HB 2421	Central absentee voter precincts; expedited counting of absentee ballots.
Sickles, M	
HB 2447	Motor vehicles, local licensure; eliminates ability of a locality to assess local license fees.
Marshall, R	
HB 2448	Traffic congestion; measures to relieve in certain areas of the Commonwealth.
Marshall, R	
HJ 570	Study; JLARC; effectiveness of requiring seat belts on school buses in the Commonwealth; report.
Lingamfelter, L	
HJ 618	Study; the costs and benefits of assisting localities in alleviating pay compression.
Davis, G	
HJ 627	Study; JLARC to study feasibility of allocating a larger portion of Virginia Lottery prize money.
Wright, Jr., T	
HJ 634	Constitutional amendment (first resolution); authority of elected school boards to impose taxes.
Cole, M	
HJ 676	Study; Department of Education; effect of local use value assessment of certain real estate.
Webert, M	

HJ 697 Byron, K	Const. amend.(first resolution); real property tax; exemption surviving spouse of disabled veteran.
HJ 702 Sickles, M	Study; Joint Legislative Audit and Review Commission to study the funding needs of elections.
HJ 703 Sickles, M	Study; joint committee to study the streamlining of special elections in the Commonwealth; report.
SB 791 Chase, A	Concealed handgun permits; fee for processing.
SB 792 Ebbin, A	Absentee voting; entitles persons age 65 or older on date of an election to vote absentee.
SB 795 Sturtevant, Jr., G	Register of funds expended; required posting by localities & school divisions on public gov website.
SB 801 Stanley, Jr., W	Dogs; public animal shelters required to notify intent to euthanize.
SB 802 Stanley, Jr., W	Camping in tent or recreational vehicle; special use permit.
SB 810 Favola, B	Food stamp program; categorical eligibility.
SB 827 Wexton, J	Elections; absentee voting by persons age 70 or older.
SB 836 Chase, A	License taxes; if locality imposes tax upon business, tax shall be based upon Va. taxable income.
SB 844 Howell, J	Absentee voting; no-excuse in-person available 21 days prior to election.
SB 845 Howell, J	Absentee voting; eligibility of certain caregivers.
SB 857 Locke, M	Conditional rezoning; certain conditional rezoning proffers, floor area ratio.
SB 876 Favola, B	Kinship Guardianship Assistance program.
SB 882 Spruill, Sr., L	Absentee voting; eligibility of any registered voter.
SB 884 Locke, M	Waste and recycling charges; liens.
SB 887 Chafin, A	Prioritization of statewide transportation projects; exceptions.
SB 888 Chafin, A	Civil immunity; emergency services and communications.

SB 901 Marsden, D	Park authority liability; immunity.
SB 918 Edwards, J	Renewable energy; third-party power purchase agreements.
SB 924 Petersen, J	Gov Data Collection and Dissemination Practices Act; use of personal inform. by law enforcement.
SB 929 Petersen, J	Northern Virginia Transportation Authority (NVTA); membership composition.
SB 942 Cosgrove, Jr., J	Deaths of inmates in local correctional facilities; review by State Board of Corrections.
SB 954 DeSteph, Jr., B	Toll violations.
SB 956 Locke, M	County food and beverage tax.
SB 979 Dance, R	Elections; absentee voting; no-excuse, in-person.
SB 980 Stanley, Jr., W	Statewide Fire Prevention Code; State Fire Marshal; consumer fireworks; penalties.
SB 1002 Ebbin, A	Absentee voting; no-excuse, in-person available 21 days prior to election.
SB 1016 Barker, G	Absentee voting; entitles persons age 65 or older on date of an election to vote absentee.
SB 1047 Lucas, L	DCJS training standards; community engaged policing.
SB 1064 Deeds, R	Mental health awareness training; law enforcement officers, firefighters, etc.
SB 1092 Petersen, J	Motor vehicle fuels; establishes a floor on sales tax imposed in Northern Virginia.
SB 1096 Petersen, J	Virginia Property Owners' Association Act; home-based businesses, licensed child care provider.
SB 1110 Stanley, Jr., W	Utility Facilities Act; associated facilities of an electrical transmission line.
SB 1132 Mason, T	Absentee voting; entitles persons age 65 or older on date of an election to vote absentee.
SB 1138 Mason, T	Computer trespass; government computers and computers used for public utilities; penalty.
SB 1157 Reeves, B	Lobbyist disclosure; reporting by certain political subdivisions.

SB 1188 Edwards, J	Driver's license; suspension of license for nonpayment of fines and court costs.
SB 1204 Lewis, Jr., L	Sale of dog or cat not obtained from releasing agency or animal rescue.
SB 1252 Obenshain, M	Absentee voting; signature verification.
SB 1259 Black, R	Conveyance of utility easements; transportation.
SB 1262 Black, R	Sanctuary cities; liability for certain injuries and damages caused by an illegal alien.
SB 1263 Black, R	Cats and dogs; lifetime licenses.
SB 1275 Ebbin, A	Va. Public Procurement Act; use of best value contracting, construction and professional services.
SB 1280 Ebbin, A	Driver's license; suspension for nonpayment of fines or costs.
SB 1340 Surovell, S	Towing; regulations.
SB 1373 Norment, Jr., T	Group homes; written notice prior to issuance of license.
SB 1409 Suetterlein, D	Reckless driving; raises threshold for speeding.
SB 1411 Suetterlein, D	Statewide Fire Prevention Code; authorizes use of consumer fireworks, penalties.
SB 1420 Mason, T	Incapacitated persons; abuse and neglect, financial exploitation, penalty.
SB 1433 Reeves, B	Consumer fireworks; regulation of sale, permit issued by Board of Housing and Community Development.
SB 1456 Wagner, F	Motor vehicle fuels; definitions, sales tax in certain transportation districts, price floor.
SB 1468 Marsden, D	Tow truck drivers and towing and recovery operators; civil penalty for improper towing.
SB 1490 DeSteph, Jr., B	Uniform Military and Overseas Voters Act; applying for and casting military-overseas ballots.
SB 1491 Stuart, R	Agritourism activity; definition to include rental of a single-family residence.
SB 1567 Peake, M	Absentee ballots; eligibility of persons age 65 or older.

<u>SB 1572</u> Stanley, Jr., W	DPOR; regulation of land surveyor photogrammetric.
<u>SB 1579</u> Stanley, Jr., W	Short-term rental; affirms rights of localities to regulate rental of property.
<u>SJ 221</u> Surovell, S	United States Constitution; Ratifies Equal Rights Amendment.
<u>SJ 233</u> Favola, B	Noise abatement remedies; VDOT to develop procedures to measure and assess in certain neighborhoods.
<u>SJ 248</u> Ruff, Jr., F	Study; JLARC to study feasibility of allocating a larger portion of VA Lottery prize money.
<u>SJ 278</u> Hanger, Jr., E	Study; local government fiscal stress; report.
<u>SJ 284</u> Stuart, R	Constitutional amendment (first resolution); real property tax; exemption for surviving spouse.
<u>SJ 289</u> Ebbin, A	Study; Virginia Conflict of Interest and Ethics Advisory Council; local government officers.

Fairfax County Initiative

*Bill Introduced
at Fairfax County's Request*

Bill	General Assembly Actions	Date of BOS Position
<p>SB 1354 - Favola (31) Comprehensive plan; telecommunications towers and facilities in Northern Virginia.</p>	<p>1/11/2017 Senate: Referred to Committee on Local Government 1/31/2017 Senate: Passed by indefinitely in Local Government (10-Y 2-N 1-A)</p>	<p>1/24/2017</p>
<p>Initiate (17103135D) Summary: Comprehensive plan; telecommunications towers and facilities; Planning District 8. Provides that localities in Planning District 8 (Northern Virginia) have the option to enact ordinances that deem proposed telecommunications towers or facilities constructed by certain entities to be substantially in accord with the comprehensive plan if any such proposed telecommunications tower or facility is located in a zoning district that allows such telecommunications towers or facilities by right, in which case local planning commission approval shall not be required. Under existing law, commission approval is not required for such proposed telecommunications towers and facilities statewide.</p>		

Fairfax County Positions
(Oppose or Amend)

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1428 - Fowler, Jr. (55) Absentee voting; photo identification required with application.</p>	<p>11/9/2016 House: Referred to Committee on Privileges and Elections 1/20/2017 House: Reported from Privileges and Elections with substitute (14-Y 7-N) 1/20/2017 House: Referred to Committee on Appropriations 1/25/2017 House: Subcommittee recommends reporting (6-Y 1-N) 1/30/2017 House: Reported from Appropriations (15-Y 7-N) 2/7/2017 House: Read third time and passed House (61-Y 35-N) 2/8/2017 Senate: Referred to Committee on Privileges and Elections 2/14/2017 Senate: Reported from Privileges and Elections (8-Y 6-N) 2/17/2017 Senate: Passed Senate (21-Y 19-N) 2/21/2017 House: Enrolled 2/21/2017 House: Signed by Speaker 2/21/2017 Senate: Signed by President 2/21/2017 House: Enrolled Bill communicated to Governor on 2/21/17 2/21/2017 Governor: Governors Action Deadline Midnight, March 27, 2017</p>	<p>1/24/2017</p>
<p>Oppose (17100844D) - See also SB 872 (Chase). Summary: Requires any voter submitting an application for an absentee ballot by mail or by electronic or telephonic transmission to a facsimile device to submit with his application a copy of one of the forms of identification acceptable under current law. The bill exempts military and overseas voters and persons with a disability from this requirement.</p>		
<p>HB 1766 - Habeeb (8) Utility Facilities Act; associated facilities of an electrical transmission line.</p>	<p>1/9/2017 House: Referred to Committee on Commerce and Labor 1/17/2017 House: Reported from Commerce and Labor (18-Y 1-N) 1/24/2017 House: Read third time and passed House (67-Y 30-N 1-A) 1/25/2017 Senate: Referred to Committee on Commerce and Labor 2/13/2017 Senate: Reported from Commerce and Labor (10-Y 2-N) 2/16/2017 Senate: Passed Senate with amendment (32-Y 8-N) 2/20/2017 House: Senate amendment agreed to by House (60-Y 34-N 1-A) 2/23/2017 House: Enrolled</p>	<p>1/24/2017</p>
<p>Oppose (17101914D) - See also SB 1110 (Stanley). Summary: Provides that the issuance by the State Corporation Commission of a certificate of public convenience and necessity for construction of an electrical transmission line of 138 kilovolts and any associated facilities shall be deemed to satisfy local comprehensive plan requirements and all local zoning ordinances with respect to the transmission line and associated facilities. The measure defines "associated facilities" as including any station, substation, transition station, and switchyard facilities to be constructed outside of any county operating under the county executive form of government that is located in Planning District 8 (e.g., Prince William County) in association with the 138 kilovolt transmission line.</p>		

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

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1784</u> - Bell (58) Forensic discharge planning services; local and regional correctional facilities.</p>	<p>1/9/2017 House: Referred to Committee for Courts of Justice 1/27/2017 House: Subcommittee recommends reporting (7-Y 0-N) 2/3/2017 House: Reported from Courts of Justice (20-Y 0-N) 2/7/2017 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 2/8/2017 Senate: Referred to Committee on Rehabilitation and Social Services 2/10/2017 Senate: Reported from Rehabilitation and Social Services (14-Y 0-N) 2/14/2017 Senate: Passed Senate (40-Y 0-N) 2/16/2017 House: Enrolled 2/16/2017 House: Signed by Speaker 2/17/2017 Senate: Signed by President 2/17/2017 House: Enrolled Bill communicated to Governor on 2/17/17 2/17/2017 Governor: Governors Action Deadline Midnight, February 24, 2017 2/23/2017 Governor: Approved by Governor-Chapter 192 (effective 7/1/17)</p>	<p>2/14/2017</p>
<p>Amend (17100865D) - Amend to ensure sufficient state funding to implement comprehensive plan. Summary: Directs the Commissioner of Behavioral Health and Developmental Services, in conjunction with the relevant stakeholders, to develop a comprehensive plan, by November 1, 2017, for the provision of forensic discharge planning services at local and regional correctional facilities for persons who have serious mental illnesses who are to be released from such facilities. This bill is identical to SB 941.</p>		
<p><u>HB 2000</u> - Poindexter (9) Sanctuary policies; prohibited.</p>	<p>1/10/2017 House: Referred to Committee for Courts of Justice 2/1/2017 Subcommittee recommends reporting with substitute (8-Y 3-N) 2/3/2017 Incorporates HB 2236 (Cline) 2/3/2017 House: Reported from Courts of Justice with substitute (14-Y 6-N) 2/7/2017 House: VOTE: PASSAGE (63-Y 33-N) 2/8/2017 Senate: Referred to Committee for Courts of Justice 2/13/2017 Senate: Rereferred to Local Government 2/14/2017 Failed to report (defeated) in Local Government (6-Y 6-N 1-A) 2/22/2017 Senate: Reconsidered by Local Government (13-Y 0-N) 2/20/2017 Senate: Reported from Local Government with amendment (7-Y 6-N) 2/22/2017 Senate: Defeated by Senate (20-Y 20-N) 2/22/2017 Senate: Reconsideration of defeated action agreed to by Senate (40-Y 0-N) 2/22/2017 Senate: Passed Senate with amendment (21-Y 19-N) 2/23/2017 House: Senate amendment agreed to by House (65-Y 34-N)</p>	<p>1/24/2017</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Oppose (17102598D) - Board has historically opposed. Scope of bill is significant and not well-defined. Requires local enforcement of federal laws that are currently permissive, and constitutes an unfunded mandate.</p> <p>Summary: Sanctuary policies prohibited. Provides that no locality shall adopt any ordinance, procedure, or policy that restricts the enforcement of federal immigration laws to less than the full extent permitted by federal law.</p>		
<p>HB 2024 - Freitas (30) Condemnation powers and proceedings; notice to owner or tenant.</p>	<p>1/10/2017 House: Referred to Committee for Courts of Justice 1/25/2017 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 1/27/2017 House: Reported from Courts of Justice with substitute (21-Y 0-N) 2/2/2017 House: Read third time and passed House BLOCK VOTE (95-Y 0-N) 2/3/2017 Senate: Referred to Committee for Courts of Justice 2/8/2017 Senate: Reported from Courts of Justice with substitute (14-Y 0-N) 2/14/2017 Senate: Passed Senate with substitute (40-Y 0-N) 2/16/2017 House: Senate substitute rejected by House (0-Y 97-N) 2/20/2017 Senate insisted on substitute (40-Y 0-N) and requested conference committee 2/21/2017 House: House acceded to request 2/22/2017 Senate: Conferees appointed by Senate: Senators: Obenshain, Petersen, Peake 2/23/2017 House: Conferees appointed by House: Delegates: Freitas, Habeeb, Hope 2/24/2017 Conference: Amended by conference committee 2/24/2017 Senate: Conference report agreed to by Senate (40-Y 0-N) 2/24/2017 House: Conference report agreed to by House (94-Y 0-N)</p>	<p>2/14/2017 {1/27/2017} 1/24/2017</p>
<p>Oppose (17105301D-S1) [Monitor] (17104805D-H1) — Amended to address concerns. Oppose (17101207D) Summary: Requires an authorized condemnor, or the Commissioner of Highways, as applicable, to give notice to the owner or tenant of freehold property subject to condemnation no later than 15 days prior to the filing or recordation of a certificate in any "quick take" condemnation proceeding. Current law requires notice but does not provide a time frame within which such notice must be given.</p>		
<p>HB 2077 - Wilt (26) Emergency Services and Disaster Law of 2000; reference to firearms, emergency shelter.</p>	<p>1/10/2017 House: Referred to Committee on Militia, Police and Public Safety 1/20/2017 House: Reported from Militia, Police and Public Safety (12-Y 7-N) 1/25/2017 House: Read third time and passed House (65-Y 34-N) 1/26/2017 Senate: Referred to Committee on General Laws and Technology 2/13/2017 Senate: Reported from General Laws and Technology (8-Y 7-N)</p>	<p>2/14/2017</p>

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Bills	General Assembly Actions	Date of BOS Position
	2/16/2017 Senate: Passed Senate (21-Y 19-N) 2/20/2017 House: Enrolled 2/20/2017 House: Signed by Speaker 2/21/2017 Senate: Signed by President 2/21/2017 House: Enrolled Bill communicated to Governor on 2/21/17 2/21/2017 Governor: Governors Action Deadline Midnight, March 27, 2017	
<p>Oppose (17102969D) Summary: Emergency Services and Disaster Law of 2000; firearms; emergency shelter. Removes the authority of a governmental entity under the Emergency Services and Disaster Law of 2000 to limit lawful possession, carrying, transportation, sale, or transfer of firearms in any place or facility used by the governmental entity as an emergency shelter.</p>		
<p><u>HJ 562</u> - Miyares (82) Const. amend. (first resolution); real property tax; exemption for surviving spouse of disabled vet.</p>	12/23/2016 House: Referred to Committee on Privileges and Elections 1/30/2017 House: Subcommittee recommends reporting with amendment (6-Y 1-N) 2/3/2017 House: Reported from Privileges and Elections with amendment (21-Y 0-N) 2/6/2017 House: Agreed to by House (95-Y 0-N) 2/7/2017 Senate: Referred to Committee on Privileges and Elections 2/14/2017 Senate: Reported from Privileges and Elections (14-Y 0-N) 2/17/2017 Senate: Agreed to by Senate (39-Y 0-N)	2/14/2017
<p>Amend (17102260D) - Amend to support as a state tax credit. Board has historically recommended amendment. See also HJ 697 (Byron). Summary: Constitutional amendment (first resolution); real property tax; exemption for surviving spouse of a disabled veteran. Provides that the real property tax exemption for the principal residence of the surviving spouse of a disabled military veteran applies without any restriction on the spouse's moving to a different principal place of residence.</p>		
<p><u>SB 872</u> - Chase (11) Absentee voting; applications and ballots; photo identification required.</p>	12/12/2016 Senate: Referred to Committee on Privileges and Elections 1/24/2017 Senate: Reported from Privileges and Elections with substitute (8-Y 6-N) 1/30/2017 Senate: Read third time and passed Senate (20-Y 19-N) 2/2/2017 House: Referred to Committee on Privileges and Elections 2/7/2017 House: Subcommittee recommends reporting with amendment (5-Y 2-N) 2/10/2017 House: Reported from Privileges and Elections with amendment (13-Y 7-N) 2/14/2017 House: Passed House with amendment (60-Y 38-N)	1/24/2017

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Bills	General Assembly Actions	Date of BOS Position
	2/16/2017 Senate: House amendment agreed to by Senate (21-Y 19-N) 2/16/2017 Senate: Reconsideration of House amendment agreed to by Senate (40-Y 0-N) 2/16/2017 Senate: House amendment agreed to by Senate (21-Y 19-N) 2/20/2017 Senate: Enrolled 2/20/2017 House: Signed by Speaker 2/21/2017 Senate: Signed by President 2/21/2017 House: Enrolled Bill communicated to Governor on 2/21/17 2/21/2017 Governor: Governors Action Deadline Midnight, March 27, 2017	
<p>Oppose (17102046D) - See also HB 1428 (Fowler). Summary: Absentee voting; photo identification required with application. Requires any voter submitting an application for an absentee ballot by mail or by electronic or telephonic transmission to a facsimile device to submit with his application a copy of one of the forms of identification acceptable under current law. The bill exempts military and overseas voters and persons with a disability from this requirement.</p>		
<p>SB 927 - Petersen (34) Eminent domain; timing for initiation of 'quick-take' condemnation procedure for just compensation.</p>	12/27/2016 Senate: Referred to Committee for Courts of Justice 1/30/2017 Senate: Reported from Courts of Justice (15-Y 0-N) 2/2/2017 Senate: Read third time and passed Senate (40-Y 0-N) 2/6/2017 House: Referred to Committee for Courts of Justice 2/13/2017 House: Subcommittee recommends reporting (9-Y 0-N) 2/20/2017 House: Reported from Courts of Justice (21-Y 0-N) 2/22/2017 House: Passed House BLOCK VOTE (100-Y 0-N)	1/24/2017
<p>Oppose (17101891D) Summary: Eminent domain; timing for initiation of "quick-take" condemnation procedure and petition for determination of just compensation. Provides that an authorized condemnor in a "quick-take" condemnation proceeding shall institute such proceedings within 180 days of the recordation of a certificate terminating the interest of the owner of the property. Under current law, such proceedings must be instituted within 60 days after the completion of the construction of the improvements upon the property. The bill further provides that the owner of such property has 180 days after the authorized condemnor has entered upon and taken possession of the property or after the recordation of a certificate to petition the court for a determination of just compensation for the property taken or damaged by the authorized condemnor.</p>		
<p>SB 1153 - Obenshain (26) Inverse condemnation proceeding; reimbursement of owner's costs.</p>	1/9/2017 Senate: Referred to Committee for Courts of Justice 2/1/2017 Senate: Reported from Courts of Justice (15-Y 0-N) 2/6/2017 Senate: Passed Senate (40-Y 0-N) 2/8/2017 House: Referred to Committee for Courts of Justice 2/13/2017 House: Subcommittee recommends reporting (9-Y 0-N) 2/20/2017 House: Reported from Courts of Justice (21-Y 0-N) 2/22/2017 House: Passed House BLOCK VOTE (100-Y 0-N)	1/24/2017

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Bills	General Assembly Actions	Date of BOS Position
<p>Oppose (17100907D) Summary: Directs the court to reimburse a plaintiff for the costs of an inverse condemnation proceeding for "damaging" property if a judgment is entered for the plaintiff. Under current law, the court is directed to award costs only for the "taking" of property. The change made in this bill corresponds with the language of amendments to Article I, Section 11 of the Constitution of Virginia, which became effective on January 1, 2013.</p>		
<p>SB 1253 - Obenshain (26) Voter identification; photograph contained in electronic pollbook.</p>	<p>1/10/2017 Senate: Referred to Committee on Privileges and Elections 1/24/2017 Senate: Reported from Privileges and Elections with substitute (8-Y 6-N) 1/24/2017 Senate: Rereferred to Finance 2/1/2017 Senate: Reported from Finance (11-Y 5-N) 2/6/2017 Senate: Read third time and passed Senate (21-Y 19-N) 2/8/2017 House: Referred to Committee on Privileges and Elections 2/17/2017 House: Reported from Privileges and Elections (15-Y 7-N) 2/17/2017 House: Referred to Committee on Appropriations 2/20/2017 House: Reported from Appropriations (14-Y 7-N) 2/22/2017 House: Passed House (65-Y 34-N)</p>	<p>2/14/2017 1/24/2017</p>
<p>Oppose (17104455D-S1) Monitor (17103100D) Summary: Requires electronic pollbooks to contain the photographs of registered voters that are obtained by the general registrars in the production of voter photo identification cards or contained in a voter's Department of Motor Vehicles record. The bill also provides that if the electronic pollbook contains the voter's photograph, the officer of election is required to access that photograph and the voter is not required to present one of the statutorily required forms of identification. The bill prohibits lists of voters furnished pursuant to current law from containing any voter's photograph. The bill has a delayed effective date of July 1, 2018.</p>		
<p>SB 1296 - Vogel (27) County food and beverage tax; referendum.</p>	<p>1/10/2017 Senate: Referred to Committee on Finance 1/24/2017 Senate: Reported from Finance (15-Y 1-N) 1/27/2017 Senate: Read third time and passed Senate (31-Y 8-N) 1/27/2017 Senate: Reconsideration of passage agreed to by Senate (39-Y 0-N) 1/27/2017 Senate: Passed Senate (32-Y 7-N) 1/31/2017 House: Referred to Committee on Finance 2/8/2017 House: Subcommittee recommends reporting with amendment (8-Y 1-N) 2/13/2017 House: Reported from Finance with amendment (16-Y 6-N) 2/15/2017 House: Passed House with amendment (67-Y 31-N 1-A) 2/17/2017 Senate: House amendment agreed to by Senate (32-Y 8-N) 2/22/2017 Senate: Enrolled 2/22/2017 Senate: Signed by President</p>	<p>2/14/2017</p>

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Bills	General Assembly Actions	Date of BOS Position
	2/22/2017 House: Signed by Speaker 2/23/2017 Senate: Enrolled Bill Communicated to Governor on 2/23/17 2/23/2017 Governor: Governors Action Deadline Midnight, March 27, 2017	
<p>Oppose (17103024D) - Oppose further limitation of County revenue authority. Summary: Prohibits a county from holding a new referendum on the levy of a food and beverage tax in the three calendar years subsequent to its electoral defeat, but only if such referendum is initiated by a resolution of the board of supervisors. The bill also requires the ballot for any such referendum to state the total tax, as a percentage, that would be imposed on food and beverage if the referendum were to pass, based upon a four percent food and beverage tax and any other ad valorem taxes applicable to the purchase of prepared food and beverage in the county.</p>		
<p><u>SB 1307</u> - Vogel (27) Auditor of Public Accounts; register of funds expended, etc.</p>	1/10/2017 Senate: Referred to Committee on Rules 2/2/2017 Senate: Reported from Rules with amendments (14-Y 0-N) 2/6/2017 Senate: Passed Senate (40-Y 0-N) 2/8/2017 House: Referred to Committee on Appropriations 2/15/2017 House: Subcommittee recommends reporting (7-Y 0-N) 2/15/2017 House: Reported from Appropriations (22-Y 0-N) 2/21/2017 House: Substitute by Delegate Davis agreed to 17105720D-H1 2/21/2017 House: Passed House with substitute (94-Y 0-N) 2/22/2017 Senate: House substitute agreed to by Senate (40-Y 0-N)	<p>2/14/2017</p>
<p>Amend (17103809D-E) - Amend to make it optional for localities to work with VITA to procure an online software solution for a searchable fiscal transparency web site. <i>Note: This bill was conformed to HB 2436 (Davis), a bill pertaining only to the Auditor of Public Accounts' Commonwealth Data Point website, eliminating the need for this amendment.</i> Summary: Auditor of Public Accounts; online database; register of funds expended. Requires the Commonwealth Data Point website administered by the Auditor of Public Accounts to include information for major categories of spending for each state agency and institution, including each independent agency. Currently, the Commonwealth Data Point website includes such information for only secretariats and major state agencies. In addition, the bill provides that the database shall include the name, phone number, and email address for a contact at each agency or institution. This bill is identical to HB 2436.</p>		
<p><u>SB 1581</u> - Peake (22) Voter registration; verification of social security numbers.</p>	1/20/2017 Senate: Referred to Committee on Privileges and Elections 1/31/2017 Senate: Reported from Privileges & Elections (8-Y 5-N) 2/6/2017 Senate: Read third time and passed Senate (21-Y 19-N) 2/8/2017 House: Referred to Committee on Privileges and Elections 2/14/2017 House: Subcommittee recommends reporting (5-Y 2-N) 2/14/2017 House: Subcommittee recommends referring to Committee on Appropriations	<p>2/14/2017</p>

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Bills	General Assembly Actions	Date of BOS Position
	2/17/2017 House: Reported from Privileges & Elections (15-Y 7-N) 2/17/2017 House: Referred to Committee on Appropriations 2/20/2017 House: Reported from Appropriations (14-Y 7-N) 2/22/2017 House: Passed House (65-Y 34-N)	

Oppose (17104556D)
Summary: Requires the general registrars to verify that the name, date of birth, and social security number provided by an applicant on the voter registration application match the information on file with the Social Security Administration or other database approved by the State Board before registering such applicant. The bill also requires the general registrars to verify annually that the name, date of birth, and social security number in the registration record of each registered voter in the registrar's jurisdiction match the information on file with the Social Security Administration or other database approved by the State Board. The State Board is authorized to approve the use of any government database to the extent required to enable each general registrar to carry out the provisions of this section and to promulgate rules for the use of such database. The Department of Elections is required to provide access to the general registrars to the Social Security Administration database and any other database approved by the State Board. The Department of Elections is further required to enter into any agreement with any federal or state agency in order to facilitate such access.

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

Fairfax County Positions
(Support)

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1404 - Cole (88) Fire alarms; maliciously activating, penalty.</p>	<p>9/8/2016 House: Referred to Committee for Courts of Justice 1/20/2017 House: Reported from Courts of Justice (20-Y 0-N) 1/26/2017 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 1/27/2017 Senate: Referred to Committee for Courts of Justice (SCT) 2/6/2017 Senate: Reported from SCT w/ substitute (15-Y 0-N) 2/8/2017 Senate: Passed Senate with substitute (38-Y 1-N) 2/10/2017 House: Senate substitute agreed to by House (93-Y 2-N) 2/13/2017 House: Enrolled 2/13/2017 House: Signed by Speaker 2/13/2017 Senate: Signed by President 2/14/2017 House: Enrolled Bill communicated to Governor on 2/14/17 2/14/2017 Governor: Governors Action Deadline Midnight, February 21, 2017 2/20/2017 Governor: Approved by Governor-Chapter 98 (effective 7/1/17)</p>	<p>1/24/2017</p>
<p>Support (17100210D) Summary: Activation of fire alarms; penalty. Removes the provision that a building must be for public use in order for the Class 1 misdemeanor for maliciously activating a fire alarm to apply. The bill authorizes any locality to provide by ordinance that a person convicted of maliciously activating a fire alarm shall be liable for the reasonable expense in responding to such a fire alarm. Current law allows such an ordinance to impose liability for the reasonable expense of an emergency response to an imitation version of a weapon of terrorism, fire bomb, other explosive device, bomb threat, or incitement of a bomb threat. The bill increases the maximum amount that a locality or volunteer emergency medical services agency may recover under such an ordinance from \$1,000 to \$2,500.</p>		
<p>HB 1426 - Garrett (23) Emergency custody or involuntary admission process; alternative transportation model.</p>	<p>11/3/2016 House: Referred to Committee for Courts of Justice 1/13/2017 House: Rereferred to Committee on Health, Welfare and Institutions 1/19/2017 House: Subcommittee recommends reporting with amendment (7-Y 0-N) 1/24/2017 House: Reported from Health, Welfare and Institutions with amendments (22-Y 0-N) 1/27/2017 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 1/30/2017 Senate: Referred to Committee for Courts of Justice 2/6/2017 Senate: Rereferred to Education and Health 2/9/2017 Senate: Reported from Education and Health (15-Y 0-N) 2/13/2017 Senate: Passed Senate (40-Y 0-N) 2/15/2017 House: Enrolled 2/15/2017 House: Signed by Speaker 2/17/2017 Senate: Signed by President 2/17/2017 House: Enrolled Bill communicated to Governor on 2/17/17 2/17/2017 Governor: Governors Action Deadline Midnight, February 24, 2017 2/20/2017 Governor: Approved by Governor-Chapter 94 (effective 7/1/17)</p>	<p>1/24/2017</p>

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Bills	General Assembly Actions	Date of BOS Position
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Support (17100871D) - See also SB 1221 (Barker).
Summary: Directs the Commissioner of Behavioral Health and Developmental Services and the Director of Criminal Justice Services, in conjunction with the relevant stakeholders, to develop a comprehensive model for the use of alternative transportation providers to provide safe and efficient transportation of individuals involved in the emergency custody or involuntary admission process as an alternative to transportation by law enforcement. The bill requires that the model be completed by October 1, 2017, and reported to the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century, the House Committee for Courts of Justice, and the Senate Committee for Courts of Justice. This bill is identical to SB 1221.

<p>HB 1453 - LaRock (33) Naloxone; dispensing for use in opioid overdose reversal, etc.</p>	<p>12/2/2016 House: Referred to Committee on Health, Welfare and Institutions 1/24/2017 House: Subcommittee recommends reporting with substitute (11-Y 0-N) 1/26/2017 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 1/31/2017 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 2/1/2017 Senate: Referred to Committee for Courts of Justice 2/6/2017 Senate: Rereferred to Education and Health 2/9/2017 Senate: Reported from Education and Health (15-Y 0-N) 2/13/2017 Senate: Passed Senate (40-Y 0-N) 2/15/2017 House: Enrolled 2/15/2017 House: Signed by Speaker 2/17/2017 Senate: Signed by President 2/17/2017 House: Enrolled Bill communicated to Governor on 2/17/17 2/17/2017 Governor: Governors Action Deadline Midnight, February 24, 2017 2/23/2017 Governor: Approved by Governor-Chapter 168 (effective 2/23/17)</p>	<p>1/24/2017</p>
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Support (17102196D) - See also HB 1449 (Boysko) and SB 848 (Wexton).
Summary: Dispensing of naloxone. Allows a person who is authorized by the Department of Behavioral Health and Developmental Services to train individuals on the administration of naloxone for use in opioid overdose reversal and who is acting on behalf of an organization that provides services to individuals at risk of experiencing opioid overdose or training in the administration of naloxone for overdose reversal and that has obtained a controlled substances registration from the Board of Pharmacy pursuant to § 54.1-3423 to dispense naloxone to a person who has completed a training program on the administration of naloxone for opioid overdose reversal, provided that such dispensing is (i) pursuant to a standing order issued by a prescriber, (ii) in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, and (iii) without charge or compensation. The bill also provides that dispensing may occur at a site other than that of the controlled substance registration, provided that the entity possessing the controlled substance registration maintains records in accordance with regulations of the Board of Pharmacy. The bill further provides that a person who dispenses naloxone shall not be liable for civil damages of ordinary negligence for acts or omissions resulting from the rendering of such treatment if he acts in good faith and that a person to whom naloxone has been dispensed pursuant to the provisions of the bill may possess naloxone and may administer naloxone to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose. The bill contains an emergency clause. This bill is identical to SB 848.

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1486 - Albo (42) Arts and cultural districts.</p>	<p>12/13/2016 House: Referred to Committee on Counties, Cities and Towns 1/20/2017 House: Reported from Counties, Cities and Towns (19-Y 0-N) 1/25/2017 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 1/26/2017 Senate: Referred to Committee on Local Government 2/14/2017 Senate: Reported from Local Government (8-Y 0-N) 2/17/2017 Senate: Passed Senate (40-Y 0-N) 2/21/2017 House: Enrolled 2/21/2017 House: Signed by Speaker 2/21/2017 Senate: Signed by President 2/21/2017 House: Enrolled Bill communicated to Governor on 2/21/17 2/21/2017 Governor: Governors Action Deadline Midnight, March 27, 2017</p>	<p>2/14/2017</p>
<p>Support (17102012D) - See also SB 1225 (Barker). Summary: Provides that arts and cultural districts may be created jointly by two or more localities.</p>		
<p>HB 1549 - Farrell (56) Community services boards and behavioral health authorities; services to be provided.</p>	<p>12/29/2016 House: Referred to Committee on Health, Welfare and Institutions 1/19/2017 House: Reported from Health, Welfare and Institutions (21-Y 1-N) 1/19/2017 House: Rereferred to Committee on Appropriations 2/1/2017 House: Reported from Appropriations with substitute (20-Y 0-N) 2/7/2017 House: Read third time and passed House (97-Y 0-N) 2/8/2017 Senate: Referred to Committee on Education and Health 2/16/2017 Senate: Reported from Education and Health with substitute (15-Y 0-N) 2/16/2017 Senate: Rereferred to Finance 2/16/2017 Senate: Reported from Finance (14-Y 0-N) 2/21/2017 Senate: Passed Senate with substitute (40-Y 0-N) 2/21/2017 Senate: Reconsideration of Senate passage agreed to by Senate (40-Y 0-N) 2/21/2017 Senate: Passed Senate with substitute (40-Y 0-N) 2/22/2017 House: Senate substitute rejected by House 17105589D-S1 (0-Y 98-N) 2/23/2017 Senate: Senate insisted on substitute (39-Y 0-N) and requested conference committee 2/23/2017 House: House acceded to request and appointed conferees: Delegates: Farrell, Jones, Torian 2/23/2017 Senate: Conferees appointed by Senate: Senators: Hanger, Cosgrove, Barker 2/25/2017 Conference: Amended by conference committee 2/25/2017 Senate: Conference report agreed to by Senate (40-Y 0-N) 2/25/2017 House: Conference report agreed to by House (94-Y 0-N)</p>	<p>1/24/2017</p>

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Bills	General Assembly Actions	Date of BOS Position
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Support (17100770D) - Support with sufficient funding for implementation. See also SB 1005 (Hanger).
Summary: Provides that the core of services provided by community services boards and behavioral health authorities shall include, effective July 1, 2019, same-day access to mental health screening services. The bill also requires the Department of Behavioral Health and Developmental Services to report annually regarding progress in the implementation of this act.

<p>HB 1719 - Anderson (51) Wireless E-911 Fund; distribution percentages.</p>	<p>1/7/2017 House: Referred to Committee on Commerce and Labor 1/17/2017 House: Reported from Commerce and Labor (20-Y 0-N) 1/23/2017 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 1/24/2017 Senate: Referred to Committee on Commerce and Labor 2/13/2017 Senate: Reported from Commerce and Labor (11-Y 0-N) 2/16/2017 Senate: Passed Senate (39-Y 0-N) 2/16/2017 Senate: Reconsideration of Senate passage agreed to by Senate (40-Y 0-N) 2/16/2017 Senate: Passed Senate (40-Y 0-N) 2/20/2017 House: Enrolled 2/20/2017 House: Signed by Speaker 2/21/2017 Senate: Signed by President 2/21/2017 House: Enrolled Bill communicated to Governor on 2/21/17 2/21/2017 Governor: Governors Action Deadline Midnight, March 27, 2017</p>	<p>1/24/2017</p>
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Support (17102186D) - See also SB 1003 (Ebbin).
Summary: Postpones from July 1, 2017, to July 1, 2018, the date by which the Department of Taxation is required to conduct its first recalculation of the percentage of funds in the Wireless E-911 Fund that is required to be distributed to each public safety answering point (PSAP). The recalculation is required to be based on the cost and call load data of each PSAP for the previous five fiscal years. The bill is identical to SB 1003.

<p>HB 1767 - Garrett (23) Telemedicine, practice of; prescribing controlled substances.</p>	<p>1/9/2017 House: Referred to Committee on Health, Welfare and Institutions 1/17/2017 House: Reported from Health, Welfare and Institutions with amendments (22-Y 0-N) 1/23/2017 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 1/24/2017 Senate: Referred to Committee on Education and Health 2/9/2017 Senate: Reported from Education and Health (15-Y 0-N) 2/13/2017 Senate: Passed Senate (40-Y 0-N) 2/15/2017 House: Enrolled 2/15/2017 House: Signed by Speaker 2/17/2017 Senate: Signed by President 2/17/2017 House: Enrolled Bill communicated to Governor on 2/17/17 2/17/2017 Governor: Governor's Action Deadline Midnight, February 24, 2017 2/21/2017 Governor: Approved by Governor-Chapter 110 (effective 2/21/17)</p>	<p>1/24/2017</p>
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Bills	General Assembly Actions	Date of BOS Position
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Support (17101012D) - See also SB 1009 (Dunnavant).
Summary: Practice of telemedicine; prescribing. Provides that a health care practitioner who performs or has performed an appropriate examination of the patient, either physically or by the use of instrumentation and diagnostic equipment, for the purpose of establishing a bona fide practitioner-patient relationship may prescribe Schedule II through VI controlled substances to the patient, provided that the prescribing of such controlled substance is in compliance with federal requirements for the practice of telemedicine. The bill also authorizes the Board of Pharmacy to register an entity at which a patient is treated by the use of instrumentation and diagnostic equipment for the purpose of establishing a bona fide practitioner-patient relationship and is prescribed Schedule II through VI controlled substances to possess and administer Schedule II through VI controlled substances when such prescribing is in compliance with federal requirements for the practice of telemedicine and the patient is not in the physical presence of a practitioner registered with the U.S. Drug Enforcement Administration. The bill contains an emergency clause. This bill is identical to SB 1009.

<p>HB 1795 - Bell (20) Adoptive and foster care placements; Mutual Family Assessment home study.</p>	<p>1/9/2017 House: Referred to Committee on Health, Welfare and Institutions 1/17/2017 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 1/23/2017 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 1/24/2017 Senate: Referred to Committee on Rehabilitation and Social Services 2/10/2017 Senate: Reported from Rehabilitation and Social Services (15-Y 0-N) 2/14/2017 Senate: Passed Senate (40-Y 0-N) 2/16/2017 House: Enrolled 2/16/2017 House: Signed by Speaker 2/17/2017 Senate: Signed by President 2/17/2017 House: Enrolled Bill communicated to Governor on 2/17/17 2/17/2017 Governor: Governors Action Deadline Midnight, February 24, 2017 2/23/2017 Governor: Approved by Governor-Chapter 193 (effective 7/1/17)</p>	<p>2/14/2017</p>
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Support (17101503D)
Summary: Adoptive and foster placements; Mutual Family Assessment home study. Requires that home studies conducted by local boards of social services to determine the appropriateness of an adoptive or foster placement comply with the Mutual Family Assessment home study template and any addenda thereto developed by the Department of Social Services. The bill authorizes the Department to amend or update its Mutual Family Assessment home study template and any addenda thereto when necessary to improve the process of adoptive and foster placements, provided that such amendments or updates do not lessen the requirements of the home study process.

<p>HB 1815 - Yancey (94) Computer trespass; government computers</p>	<p>1/9/2017 House: Referred to Committee for Courts of Justice 2/1/2017 House: Reported from Courts of Justice with amendment (21-Y 0-N) 2/1/2017 House: Rereferred to Committee on Appropriations</p>	<p>1/24/2017</p>
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Bills	General Assembly Actions	Date of BOS Position
and computers used for public utilities; penalty.	2/3/2017 House: Reported from Appropriations (20-Y 0-N) 2/7/2017 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 2/8/2017 Senate: Referred to Committee for Courts of Justice 2/13/2017 Senate: Reported from Courts of Justice with substitute (13-Y 0-N) 2/13/2017 Senate: Rereferred to Finance 2/15/2017 Senate: Reported from Finance (16-Y 0-N) 2/17/2017 Senate: Passed Senate with substitute (40-Y 0-N) 2/21/2017 House: Senate substitute agreed to by House 17105361D-S1 (97-Y 0-N) 2/24/2017 House: Enrolled	
<p>Support (17102280D) - See also SB 1138 (Mason). Summary: Increases the Class 1 misdemeanor computer trespass crimes to a Class 6 felony if the computer targeted is one that is exclusively for the use of, or used by or for, the Commonwealth, a local government within the Commonwealth, or certain public utilities.</p>		
<p>HB 1885 - Hugo (40) Opioids; limit on amount prescribed, extends sunset provision.</p>	1/10/2017 House: Referred to Committee on Health, Welfare and Institutions 1/23/2017 House: Subcommittee recommends reporting with substitute (9-Y 0-N) 1/26/2017 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 1/31/2017 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 2/1/2017 Senate: Referred to Committee on Education and Health 2/9/2017 Senate: Reported from Education and Health (15-Y 0-N) 2/13/2017 Senate: Passed Senate (40-Y 0-N) 2/15/2017 House: Enrolled 2/15/2017 House: Signed by Speaker 2/17/2017 Senate: Signed by President 2/17/2017 House: Enrolled Bill communicated to Governor on 2/17/17 2/17/2017 Governor: Governors Action Deadline Midnight, February 24, 2017 2/21/2017 House: Governor's recommendation received by House 2/23/2017 House: House concurred in Governor's recommendation (100-Y 0-N) 2/24/2017 Senate: Senate concurred in Governor's recommendation (40-Y 0-N) 2/24/2017 Governor: Governor's recommendation adopted 2/24/2017 Governor: Approved by Governor-Chapter 249 (effective 7/1/17)	<p>1/24/2017</p>
<p>Support (17100971D) - Support concept of limiting supply of opioids with input from prescribing professionals in an expeditious manner. See also SB 1232 (Dunnivant). Summary: Limits on prescription of controlled substances containing opioids. Requires a prescriber registered with the Prescription Monitoring Program (the Program) to request information about a patient from the Program</p>		

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Bills	General Assembly Actions	Date of BOS Position
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upon initiating a new course of treatment that includes the prescribing of opioids anticipated, at the onset of treatment, to last more than seven consecutive days and exempts the prescriber from this requirement if the opioid is prescribed as part of treatment for a surgical or invasive procedure and such prescription is for no more than 14 consecutive days. Current law requires a registered prescriber to request information about a patient from the Program upon initiating a new course of treatment that includes the prescribing of opioids anticipated, at the onset of treatment, to last more than 14 consecutive days and exempts the prescriber from this requirement if the opioid is prescribed as part of a course of treatment for a surgical or invasive procedure and such prescription is not refillable. The bill extends the sunset for this requirement from July 1, 2019, to July 1, 2022.

<p><u>HB 1888</u> - Hugo (40) Wireless telecommunications devices; use by persons driving school buses.</p>	<p>1/10/2017 House: Referred to Committee on Transportation 1/19/2017 House: Reported from Transportation (22-Y 0-N) 1/24/2017 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 1/25/2017 Senate: Referred to Committee on Transportation 2/8/2017 Senate: Reported from Transportation with amendment (13-Y 0-N) 2/13/2017 Senate: Passed Senate with amendment (40-Y 0-N) 2/15/2017 House: Senate amendment agreed to by House (98-Y 0-N) 2/17/2017 House: Enrolled 2/17/2017 House: Signed by Speaker 2/20/2017 Senate: Signed by President 2/21/2017 House: Enrolled Bill communicated to Governor on 2/21/17 2/21/2017 Governor: Governors Action Deadline Midnight, March 27, 2017</p>	<p>1/24/2017</p>
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Support (17101457D)
Summary: Use of wireless telecommunications devices by persons driving school buses. Allows school bus drivers to use, in addition to two-way radio devices, wireless telecommunications devices used hands free to communicate with school or public safety officials.

<p><u>HB 1912</u> - Yost (12) Absentee voting; eligibility of persons granted protective order.</p>	<p>1/10/2017 House: Referred to Committee on Privileges and Elections 1/20/2017 House: Reported from Privileges and Elections (21-Y 0-N) 1/27/2017 House: Read third time and passed House (98-Y 0-N) 1/30/2017 Senate: Referred to Committee on Privileges and Elections 2/14/2017 Senate: Reported from Privileges and Elections (12-Y 0-N) 2/17/2017 Senate: Passed Senate (40-Y 0-N) 2/21/2017 House: Enrolled 2/21/2017 House: Signed by Speaker 2/21/2017 Senate: Signed by President 2/21/2017 House: Enrolled Bill communicated to Governor on 2/21/17 2/21/2017 Governor: Governors Action Deadline Midnight, March 27, 2017</p>	<p>2/14/2017</p>
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Support (17102030D)
Summary: Entitles a person to vote absentee if the person has been granted a protective order issued by or under the authority of any court of competent jurisdiction.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1936</u> - Carr (69) Derelict and blighted buildings; land banks, receivership.</p>	<p>1/10/2017 House: Referred to Committee on Counties, Cities and Towns 1/25/2017 House: Subcommittee recommends reporting (10-Y 0-N) 1/27/2017 House: Reported from Counties, Cities and Towns (20-Y 1-N) 2/1/2017 House: Read third time and passed House (96-Y 1-N) 2/2/2017 Senate: Referred to Committee on Local Government 2/14/2017 Senate: Reported from Local Government (13-Y 0-N) 2/17/2017 Senate: Passed Senate (40-Y 0-N) 2/21/2017 House: Enrolled 2/21/2017 House: Signed by Speaker 2/21/2017 Senate: Signed by President 2/21/2017 House: Enrolled Bill communicated to Governor on 2/21/17 2/21/2017 Governor: Governors Action Deadline Midnight, March 27, 2017</p>	<p>1/24/2017</p>
<p>Support (17102899D) Summary: Derelict and blighted buildings; land banks; receivership. Authorizes a locality to petition the circuit court to appoint a land bank entity to act as a receiver in certain limited circumstances to repair derelict and blighted buildings that contains residential dwelling units.</p>		
<p><u>HB 1960</u> - Hugo (40) Tow truck drivers and towing and recovery operators; civil penalty for improper towing.</p>	<p>1/10/2017 House: Referred to Committee on Transportation 2/2/2017 House: Reported from Transportation with substitute (21-Y 0-N) 2/7/2017 House: Read third time and passed House (68-Y 28-N) 2/8/2017 Senate: Referred to Committee on Transportation 2/15/2017 Senate: Reported from Transportation with amendment (10-Y 3-N) 2/20/2017 Senate: Passed Senate with amendment (31-Y 9-N) 2/21/2017 House: Senate amendment agreed to by House (66-Y 31-N) 2/24/2017 House: Enrolled</p>	<p>1/24/2017</p>
<p>Support (17101900D) - Support increasing consumer protections, including creation of civil penalty for improper towing, while retaining existing local authority. See also SB 1468 (Marsden). Summary: Tow truck drivers and towing and recovery operators; requirements; penalties. Creates a civil penalty of \$150 to be paid into the Literary Fund for any tow truck driver or towing and recovery operator convicted of improperly towing in Planning District 8 (Northern Virginia). The bill exempts tow truck drivers and towing and recovery operators in Planning District 8 from any requirement by a towing advisory board for written authorization in addition to a written contract in the event that a vehicle is being removed from private property. The bill requires that a tow truck driver in Planning District 8 immediately notify the animal control office in the locality from which the vehicle is being towed if the vehicle is occupied by a companion animal. The bill limits the membership of a local towing advisory board to only representatives of local law-enforcement agencies, representatives of licensed towing and recovery operators, and one member of the general public and requires the chairmanship of any towing advisory board within Planning District 8 to rotate annually between board members who represent a licensed towing and recovery operator, a local law-enforcement agency, and the general public.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1992 - Habeeb (8) Lien priority.</p>	<p>1/10/2017 House: Referred to Committee on Counties, Cities and Towns 1/17/2017 House: Rereferred to Committee for Courts of Justice 1/20/2017 House: Reported from Courts of Justice (21-Y 0-N) 1/26/2017 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 1/27/2017 Senate: Referred to Committee on Local Government 2/14/2017 Senate: Reported from Local Government (7-Y 1-N) 2/17/2017 Senate: Passed Senate (40-Y 0-N) 2/21/2017 House: Enrolled 2/21/2017 House: Signed by Speaker 2/21/2017 Senate: Signed by President 2/21/2017 House: Enrolled Bill communicated to Governor on 2/21/17 2/21/2017 Governor: Governors Action Deadline Midnight, March 27, 2017</p>	<p>1/24/2017</p>
<p>Support (17101885D) - See also SB 920 (Edwards). Summary: Inserts "real estate" in several places related to the priority of tax liens so that the operative language now reads "on a parity with liens for unpaid local real estate taxes." This bill is identical to SB 920.</p>		
<p>HB 2035 - Miller (50) Electronic filing of land records; fee for paper filing.</p>	<p>1/10/2017 House: Referred to Committee for Courts of Justice 1/23/2017 House: Subcommittee recommends reporting (6-Y 0-N) 1/27/2017 House: Reported from Courts of Justice (21-Y 0-N) 2/3/2017 House: Read third time and passed House BLOCK VOTE (95-Y 0-N) 2/6/2017 Senate: Referred to Committee for Courts of Justice 2/13/2017 Senate: Reported from Courts of Justice (11-Y 1-N 1-A) 2/15/2017 Senate: Passed Senate (36-Y 2-N 2-A) 2/20/2017 House: Enrolled 2/20/2017 House: Signed by Speaker 2/21/2017 Senate: Signed by President 2/21/2017 House: Enrolled Bill communicated to Governor on 2/21/17 2/21/2017 Governor: Governors Action Deadline Midnight, March 27, 2017</p>	<p>1/24/2017</p>
<p>Support (17102364D) - See also SB 870 (Stuart). Summary: Provides that a clerk of a circuit court that has established an electronic filing system for land records may charge a fee not to exceed \$5 per instrument for every land record filed by paper. This bill is identical to SB 870.</p>		
<p>HB 2095 - Price (95) Registration of peer recovery specialists and qualified mental health professionals.</p>	<p>1/10/2017 House: Referred to Committee on Health, Welfare and Institutions 1/24/2017 House: Reported from Health, Welfare and Institutions with amendments (18-Y 4-N) 1/24/2017 House: Rereferred to Committee on Appropriations 2/1/2017 House: Reported from Appropriations (19-Y 1-N) 2/7/2017 House: Read third time and passed House (83-Y 12-N) 2/8/2017 Senate: Referred to Committee on Education and Health 2/16/2017 Senate: Reported from Education and Health (15-Y 0-N)</p>	<p>2/14/2017 1/24/2017</p>

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Bills	General Assembly Actions	Date of BOS Position
	2/20/2017 Senate: Passed Senate (39-Y 0-N) 2/20/2017 Senate: Reconsideration of Senate passage agreed to by Senate (40-Y 0-N) 2/20/2017 Senate: Passed Senate (40-Y 0-N) 2/23/2017 House: Enrolled	

Support (17101364D-E) - Amended to resolve conflict between language defining "qualified mental health professionals" and other professional licensing rules, which could have been costly to CSB. See also SB 1020 (Barker). ~~**Oppose Unless Amended** (17101364D) - Oppose unless amended to resolve conflict between language defining "qualified mental health professionals" and other professional licensing rules, which could be costly to CSB. See also SB 1020 (Barker).~~

Summary: Authorizes the registration of peer recovery specialists and qualified mental health professionals by the Board of Counseling. The bill defines "qualified mental health professional" as a person who by education and experience is professionally qualified and registered by the Board of Counseling to provide collaborative mental health services for adults or children. The bill requires that a qualified mental health professional provide such services as an employee or independent contractor of the Department of Behavioral Health and Developmental Services or a provider licensed by the Department of Behavioral Health and Developmental Services. The bill defines "registered peer recovery specialist" as a person who by education and experience is professionally qualified and registered by the Board of Counseling to provide collaborative services to assist individuals in achieving sustained recovery from the effects of addiction or mental illness, or both. The bill requires that a registered peer recovery specialist provide such services as an employee or independent contractor of the Department of Behavioral Health and Developmental Services, a provider licensed by the Department of Behavioral Health and Developmental Services, a practitioner licensed by or holding a permit issued from the Department of Health Professions, or a facility licensed by the Department of Health. The bill adds qualified mental health professionals and registered peer recovery specialists to the list of mental health providers that are required to take actions to protect third parties under certain circumstances and notify clients of their right to report to the Department of Health Professions any unethical, fraudulent, or unprofessional conduct. The bill directs the Board of Counseling and the Board of Behavioral Health and Developmental Services to promulgate regulations to implement the provisions of the bill within 280 days of its enactment.

<p>HB 2105 - Byron (22) Investment of Public Funds Act; investment of funds in Virginia Investment Pool Trust Fund.</p>	1/10/2017 House: Referred to Committee on General Laws 1/19/2017 House: Rereferred to Committee on Finance 1/25/2017 House: Subcommittee recommends reporting with substitute (8-Y 1-N) 1/30/2017 House: Reported from Finance with substitute (20-Y 2-N) 2/2/2017 House: Read third time and passed House (92-Y 3-N) 2/3/2017 Senate: Referred to Committee on Finance 2/14/2017 Senate: Reported from Finance with substitute (16-Y 0-N) 2/16/2017 Senate: Passed Senate with substitute (39-Y 0-N) 2/16/2017 Senate: Reconsideration of Senate passage agreed to by Senate (40-Y 0-N) 2/16/2017 Senate: Passed Senate with substitute (40-Y 0-N) 2/20/2017 House: Senate substitute agreed to by House 17105291D-S1 (92-Y 1-N) 2/23/2017 House: Enrolled	<p>1/24/2017</p>
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Support (17102038D) - See also SB 1416 (Newman).
Summary: Investment of Public Funds Act; investment of funds in qualified investment pools. Authorizes a treasurer to act on behalf of his locality to become a participating political subdivision in qualified

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Bills	General Assembly Actions	Date of BOS Position
<p>investment pools without an ordinance adopted by the locality. The bill defines a qualified investment pool as one that has maintained for a year at least 40 participants and \$400 million in invested assets. Investments in qualified investment pools pursuant to the bill are required to comply with the requirements of the Investment of Public Funds Act (§ 2.2-4500 et seq.) applicable to municipal corporations and other political subdivisions. The bill states that none of its provisions shall be construed to diminish existing legal authority of treasurers related to the investment of public funds. HB 2105 and SB 1416 are identical.</p>		
<p><u>HB 2136</u> - LeMunyon (67) Washington Metrorail Safety Commission Interstate Compact; Va. authorized to become a signatory.</p>	<p>1/11/2017 House: Referred to Committee on Transportation 1/26/2017 House: Subcommittee recommends reporting with substitute (6-Y 1-N) 2/2/2017 House: Reported from Transportation with substitute (21-Y 0-N) 2/7/2017 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 2/8/2017 Senate: Referred to Committee on Privileges and Elections 2/14/2017 Senate: Rereferred to Transportation 2/15/2017 Senate: Reported from Transportation (13-Y 0-N) 2/20/2017 Senate: Passed Senate with amendment (39-Y 0-N) 2/20/2017 Senate: Reconsideration of Senate passage agreed to by Senate (40-Y 0-N) 2/20/2017 Senate: Passed Senate with amendment (40-Y 0-N) 2/21/2017 House: Senate amendment agreed to by House (97-Y 0-N) 2/24/2017 House: Enrolled</p>	<p>2/14/2017 [1/27/2017] 1/24/2017</p>
<p>Support (17104697D-H1) [Support with Amendment] (HTRAN subcommittee) — Support with amendments to remove language requiring certain conditions be met prior to establishment of the Commission. See also SB 1251 (Barker). Support (17102733D) — See also SB 1251 (Barker). Summary: Washington Metrorail Safety Commission Interstate Compact. Authorizes Virginia to become a signatory to the Washington Metrorail Safety Commission Interstate Compact. The compact establishes a state safety oversight authority for the Washington Metropolitan Area Transit Authority (WMATA) Rail System, pursuant to the mandate of federal law, to review, approve, oversee, and enforce the safety of the WMATA Rail System. The bill requires the Secretary of Transportation to negotiate, on the Commonwealth's behalf, the terms for revision of the WMATA Compact with the other signatories to the WMATA Compact. The bill contains an emergency clause.</p>		
<p><u>HB 2161</u> - Pillion (4) Opioids; workgroup to establish guidelines for prescribing.</p>	<p>1/11/2017 House: Referred to Committee on Health, Welfare and Institutions 1/23/2017 House: Subcommittee recommends reporting with amendments (9-Y 0-N) 1/26/2017 House: Reported from Health, Welfare and Institutions with amendments (22-Y 0-N) 1/31/2017 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 2/1/2017 Senate: Referred to Committee on Rules</p>	<p>1/24/2017</p>

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Bills	General Assembly Actions	Date of BOS Position
	2/10/2017 Senate: Reported from Rules (13-Y 0-N) 2/14/2017 Senate: Passed Senate (40-Y 0-N) 2/16/2017 House: Enrolled 2/16/2017 House: Signed by Speaker 2/17/2017 Senate: Signed by President 2/17/2017 House: Enrolled Bill communicated to Governor on 2/17/17 2/17/2017 Governor: Governors Action Deadline Midnight, February 24, 2017 2/23/2017 Governor: Approved by Governor-Chapter 180 (effective 2/23/17)	
<p>Support (17100758D) - Support as long-term comprehensive review to improve current practices on pain management. See also SB 1179 (Chafin).</p> <p>Summary: Secretary of Health and Human Resources; workgroup to establish educational guidelines for training health care providers in the safe prescribing and appropriate use of opioids. Requires the Secretary of Health and Human Resources to convene a workgroup that shall include representatives of the Departments of Behavioral Health and Developmental Services, Health, and Health Professions as well as representatives of the State Council of Higher Education for Virginia and each of the Commonwealth's medical schools, dental schools, schools of pharmacy, physician assistant education programs, and nursing education programs to develop educational standards and curricula for training health care providers, including physicians, dentists, optometrists, pharmacists, physician assistants, and nurses, in the safe and appropriate use of opioids to treat pain while minimizing the risk of addiction and substance abuse. The workgroup shall report its progress and the outcomes of its activities to the Governor and the General Assembly by December 1, 2017. The bill contains an emergency clause. This bill is identical to SB 1179.</p>		
<p><u>HB 2162</u> - Pillion (4) Substance-exposed infants; study of barriers to treatment in Commonwealth.</p>	1/11/2017 House: Referred to Committee on Health, Welfare and Institutions 1/26/2017 House: Reported from Health, Welfare and Institutions with amendment (22-Y 0-N) 1/31/2017 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 2/1/2017 Senate: Referred to Committee on Rules 2/10/2017 Senate: Reported from Rules (13-Y 0-N) 2/14/2017 Senate: Passed Senate (40-Y 0-N) 2/16/2017 House: Enrolled 2/16/2017 House: Signed by Speaker 2/17/2017 Senate: Signed by President 2/17/2017 House: Enrolled Bill communicated to Governor on 2/17/17 2/17/2017 Governor: Governors Action Deadline Midnight, February 24, 2017 2/23/2017 Governor: Approved by Governor-Chapter 197 (effective 2/23/17)	<p>2/14/2017</p>
<p>Support (17100769D)</p> <p>Summary: Secretary of Health and Human Resources to convene work group to study barriers to treatment of substance-exposed infants in the Commonwealth. Directs the Secretary of Health and Human Resources (the Secretary) to convene a work group to study barriers to treatment of substance-exposed infants in the Commonwealth. Such work group shall include representatives of the Departments of Behavioral Health and</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>Developmental Services and Health and Social Services and such other stakeholders as the Secretary may deem appropriate and shall (i) review current policies and practices governing the identification and treatment of substance-exposed infants in the Commonwealth; (ii) identify barriers to treatment of substance-exposed infants in the Commonwealth, including barriers related to identification and reporting of such infants, data collection, interagency coordination and collaboration, service planning, service availability, and funding; and (iii) develop legislative, budgetary, and policy recommendations for the elimination of barriers to treatment of substance-exposed infants in the Commonwealth. The Secretary shall report his findings to the Governor and the General Assembly by December 1, 2017. The bill contains an emergency clause.</p>		
<p><u>HB 2165</u> - Pillion (4) Opiate prescriptions; electronic prescriptions.</p>	<p>1/11/2017 House: Referred to Committee on Health, Welfare and Institutions 1/26/2017 House: Reported from Health, Welfare and Institutions with amendments (22-Y 0-N) 1/31/2017 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 2/1/2017 Senate: Referred to Committee on Education and Health 2/9/2017 Senate: Reported from Education and Health (15-Y 0-N) 2/13/2017 Senate: Passed Senate (40-Y 0-N) 2/15/2017 House: Enrolled 2/15/2017 House: Signed by Speaker 2/17/2017 Senate: Signed by President 2/17/2017 House: Enrolled Bill communicated to Governor on 2/17/17 2/17/2017 Governor: Governors Action Deadline Midnight, February 24, 2017 2/21/2017 Governor: Approved by Governor-Chapter 115 (effective - see bill)</p>	<p>2/14/2017</p>
<p>Support (17101952D) Summary: Requires a prescription for any controlled substance containing an opiate to be issued as an electronic prescription and prohibits a pharmacist from dispensing a controlled substance that contains an opiate unless the prescription is issued as an electronic prescription, beginning July 1, 2020. The bill defines electronic prescription as a written prescription that is generated on an electronic application and provides that Schedule II through V prescriptions must be transmitted in accordance with federal regulations. The bill requires the Secretary of Health and Human Resources to convene a work group to review actions necessary for the implementation of the bill's provisions and to evaluate hardships on prescribers and the inability of prescribers to comply with the deadline for electronic prescribing and to make recommendations for any extension or exemption processes relative to compliance or disruptions due to natural or manmade disasters or technology gaps, failures, or interruptions of service. The bill requires the work group to report on its progress to the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by November 1, 2017, and to issue a final report to such Chairmen by November 1, 2018.</p>		
<p><u>HB 2167</u> - Pillion (4) Opioids and buprenorphine; Boards of Dentistry and Medicine to adopt regulations for prescribing.</p>	<p>1/11/2017 House: Referred to Committee on Health, Welfare and Institutions 1/23/2017 House: Subcommittee recommends reporting (9-Y 0-N) 1/26/2017 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 1/31/2017 House: Read third time and passed House BLOCK VOTE (97-Y 0-N)</p>	<p>1/24/2017</p>

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Bills	General Assembly Actions	Date of BOS Position
	2/1/2017 Senate: Referred to Committee on Education and Health 2/9/2017 Senate: Reported from Education and Health with amendment (15-Y 0-N) 2/13/2017 Senate: Passed Senate with amendment (40-Y 0-N) 2/15/2017 House: Senate amendment agreed to by House (97-Y 0-N) 2/17/2017 House: Enrolled 2/17/2017 House: Signed by Speaker 2/20/2017 Senate: Signed by President 2/21/2017 House: Enrolled Bill communicated to Governor on 2/21/17 2/21/2017 Governor: Governors Action Deadline Midnight, March 27, 2017	

Support (17103362D) - See also SB 1180 (Chafin).
Summary: Boards of Dentistry and Medicine; regulations for the prescribing of opioids and buprenorphine. Directs the Boards of Dentistry and Medicine to adopt regulations for the prescribing of opioids and products containing buprenorphine. The bill requires the Prescription Monitoring Program at the Department of Health Professions to provide an annual report to the Joint Commission on Health Care on the prescribing of opioids and benzodiazepines in the Commonwealth. The bill contains an emergency clause.

<p><u>HB 2386</u> - Loupassi (68) Court-ordered fines, etc.; deferred, modified deferred, or installment payment agreements.</p>	1/17/2017 House: Referred to Committee for Courts of Justice 1/27/2017 House: Reported from Courts of Justice with substitute (21-Y 0-N) 2/2/2017 House: Read third time and passed House BLOCK VOTE (95-Y 0-N) 2/3/2017 Senate: Referred to Committee for Courts of Justice 2/13/2017 Senate: Reported from Courts of Justice with amendment (15-Y 0-N) 2/15/2017 Senate: Passed Senate with amendment (40-Y 0-N) 2/17/2017 House: Senate amendment rejected by House (0-Y 99-N) 2/21/2017 Senate: Senate insisted on amendment (39-Y 0-N) and requested conference committee 2/22/2017 House: House acceded to request and appointed conferees: Delegates: Loupassi, Bell, Robert B., Carr 2/23/2017 Senate: Conferees appointed by Senate: Senators: Stuart, Ebbin, Obenshain 2/24/2017 Senate: Conference report agreed to by Senate (40-Y 0-N) 2/24/2017 House: Conference report agreed to by House (92-Y 0-N)	<p>2/14/2017</p>
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Support (17103954D) - Support concept of alternatives to driver's license suspension to address non-payment of court fines and costs.
Summary: Collection of unpaid court fines; payment of court-ordered fines, etc.; deferred or installment payment agreements. Increases the grace period after which collection activity for unpaid court fines, costs, forfeitures, penalties, and restitution may be commenced from 30 days to 90 days after sentencing or judgment. Also establishes the requirements for deferred or installment payment agreements that a court must offer a defendant who is unable to pay court-ordered fines, costs, forfeitures, and penalties. The bill requires that a court take into account a defendant's financial circumstances, including whether the defendant owes fines and costs to other courts, in setting the terms of a payment agreement. The bill fixes the maximum down payments that a court may require as a condition of entering a payment plan and provides that payments made within 10 days of their due date are timely made. The bill precludes a

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Bills	General Assembly Actions	Date of BOS Position
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court from denying a defendant the opportunity to enter into a payment agreement solely because of the crime committed, the total amount owed or that such amount has been referred to collections, any previous default by the defendant or failure to establish a payment history, or the defendant's eligibility for a restricted driver's license. The bill allows all costs and fines owed by a defendant to any one court to be incorporated into one payment agreement and allows a defendant to request a modification of the terms of the agreement, which shall be granted upon a good faith showing of need. The bill requires a court to consider a request by a defendant who has defaulted on a payment agreement to enter into a subsequent agreement and requires the court to fix a down payment for subsequent payment agreements. Finally, the bill provides that the payment agreement includes restitution unless the court has entered a separate order regarding the payment of restitution.

<p>HB 2467 - Bell (58) Driving on a suspended or revoked license; period of suspension.</p>	<p>1/20/2017 House: Referred to Committee for Courts of Justice 1/27/2017 House: Reported from Courts of Justice (21-Y 0-N) 2/2/2017 House: Read third time and passed House BLOCK VOTE (95-Y 0-N) 2/3/2017 Senate: Referred to Committee on Transportation 2/8/2017 Senate: Rereferred to Courts of Justice 2/13/2017 Senate: Reported from Courts of Justice with amendment (15-Y 0-N) 2/15/2017 Senate: Passed Senate with amendment (40-Y 0-N) 2/17/2017 House: Senate amendment rejected by House (0-Y 99-N) 2/21/2017 Senate: Senate insisted on amendment (40-Y 0-N) and requested conference committee 2/22/2017 House: House acceded to request and appointed Conferees: Delegates: Bell, Robert B., Loupassi, Watts 2/23/2017 Senate: Conferees appointed by Senate: Senators: Deeds, Peake, Reeves 2/24/2017 Senate: Conference report agreed to by Senate (40-Y 0-N) 2/24/2017 House: Conference report agreed to by House (92-Y 0-N)</p>	<p>2/14/2017</p>
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Support (17103953D) - Support concept of alternatives to driver's license suspension to address non-payment of court fines and costs.
Summary: Provides that any driver's license suspension imposed upon a person for the failure to pay court-ordered fines and costs shall run concurrently with any other period of license suspension, revocation, or forfeiture imposed upon such person. The bill also provides that in the event that a person whose license has been suspended for the failure to pay court-ordered fines and costs is convicted of driving on a suspended or revoked license, the additional period of license suspension imposed as a result of that conviction runs concurrently with the underlying suspension for the failure to pay court-ordered fines and costs. Under current law, such additional suspension period does not commence until the expiration of the previous suspension or revocation.

<p>HJ 617 - LeMunyon (67) Washington Metropolitan Area Transit Authority Compact of 1966 gubernatorial review.</p>	<p>1/8/2017 House: Referred to Committee on Transportation 1/26/2017 House: Subcommittee recommends reporting (6-Y 1-N) 1/31/2017 House: Reported from Transportation (22-Y 0-N) 2/2/2017 House: Agreed to by House BLOCK VOTE (91-Y 1-N) 2/3/2017 Senate: Referred to Committee on Rules 2/10/2017 Senate: Reported from Rules by voice vote 2/14/2017 Senate: Agreed to by Senate by voice vote</p>	<p>1/24/2017</p>
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Bills	General Assembly Actions	Date of BOS Position
<p>Support (17102277D) - Discussion regarding the Washington Metropolitan Area Transit Authority should be comprehensive.</p> <p>Summary: Requests the Governor to review the Washington Metropolitan Area Transit Authority Compact of 1966 and enter into discussions with his counterparts in the District of Columbia and Maryland to identify possible improvements to the agreement, particularly with regard to the governance, financing, and operation of the Washington Metropolitan Area Transit Authority.</p>		
<p><u>SB 848</u> - Wexton (33) Naloxone; dispensing for use in opioid overdose reversal, etc.</p>	<p>12/1/2016 Senate: Referred to Committee for Courts of Justice 1/16/2017 Senate: Rereferred to Education and Health 1/26/2017 Senate: Reported from Education and Health with substitute (15-Y 0-N) 1/31/2017 Senate: Read third time and passed Senate (40-Y 0-N) 2/3/2017 House: Referred to Committee on Health, Welfare and Institutions 2/9/2017 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 2/13/2017 House: Passed House BLOCK VOTE (97-Y 0-N) 2/14/2017 Senate: Enrolled 2/14/2017 House: Signed by Speaker 2/15/2017 Senate: Signed by President 2/15/2017 Senate: Enrolled Bill Communicated to Governor on 2/15/17 2/15/2017 Governor: Governors Action Deadline Midnight, February 22, 2017 2/20/2017 Governor: Approved by Governor-Chapter 55 (effective 2/20/17)</p>	<p>1/24/2017</p>
<p>Support (17100988D) - See also HB 1453 (LaRock) and HB 1449 (Boysko).</p> <p>Summary: Dispensing of naloxone. Allows a person who is authorized by the Department of Behavioral Health and Developmental Services to train individuals on the administration of naloxone for use in opioid overdose reversal and who is acting on behalf of an organization that provides services to individuals at risk of experiencing opioid overdose or training in the administration of naloxone for overdose reversal and that has obtained a controlled substances registration from the Board of Pharmacy pursuant to § 54.1-3423 to dispense naloxone to a person who has completed a training program on the administration of naloxone for opioid overdose reversal, provided that such dispensing is (i) pursuant to a standing order issued by a prescriber, (ii) in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, and (iii) without charge or compensation. The bill also provides that dispensing may occur at a site other than that of the controlled substance registration, provided that the entity possessing the controlled substance registration maintains records in accordance with regulations of the Board of Pharmacy. The bill further provides that a person who dispenses naloxone shall not be liable for civil damages of ordinary negligence for acts or omissions resulting from the rendering of such treatment if he acts in good faith and that a person to whom naloxone has been dispensed pursuant to the provisions of the bill may possess naloxone and may administer naloxone to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose. The bill contains an emergency clause. This bill is identical to HB 1453.</p>		
<p><u>SB 870</u> - Stuart (28) Electronic filing of land</p>	<p>12/9/2016 Senate: Referred to Committee for Courts of Justice 1/16/2017 Senate: Reported from Courts of Justice (10-Y 1-N 1-A) 1/19/2017 Senate: Read third time and passed Senate (33-Y 6-N 1-A) 1/30/2017 House: Referred to Committee for Courts of Justice</p>	<p>1/24/2017</p>

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Bills	General Assembly Actions	Date of BOS Position
records; fee for paper filing.	2/8/2017 House: Reported from Courts of Justice (21-Y 0-N) 2/13/2017 House: Passed House BLOCK VOTE (97-Y 0-N) 2/14/2017 Senate: Enrolled 2/14/2017 House: Signed by Speaker 2/15/2017 Senate: Signed by President 2/15/2017 Senate: Enrolled Bill Communicated to Governor on 2/15/17 2/15/2017 Governor: Governors Action Deadline Midnight, February 22, 2017 2/20/2017 Governor: Approved by Governor-Chapter 90 (effective 7/1/17)	
<p>Support (17102470D) - See also HB 2035 (Miller). Summary: Provides that a clerk of a circuit court that has established an electronic filing system for land records may charge a fee not to exceed \$5 per instrument for every land record filed by paper. This bill is identical to HB 2035.</p>		
<p><u>SB 919</u> - Edwards (21) Removal of blight; building collapse; emergency.</p>	12/27/2016 Senate: Referred to Committee on Local Government 1/17/2017 Senate: Reported from Local Government (12-Y 0-N) 2/2/2017 Senate: Passed Senate (40-Y 0-N) 2/6/2017 House: Referred to Committee on Counties, Cities and Towns 2/8/2017 House: Subcommittee recommends reporting with amendment (10-Y 0-N) 2/10/2017 House: Reported from Counties, Cities and Towns with amendments (21-Y 0-N) 2/14/2017 House: Passed House with amendments BLOCK VOTE (98-Y 0-N) 2/16/2017 Senate: House amendments agreed to by Senate (40-Y 0-N) 2/20/2017 Senate: Enrolled 2/20/2017 House: Signed by Speaker 2/21/2017 Senate: Signed by President 2/21/2017 House: Enrolled Bill communicated to Governor on 2/21/17 2/21/2017 Governor: Governors Action Deadline Midnight, March 27, 2017	1/24/2017
<p>Support (17102099D) Summary: Removes the phrase "after complying with the notice provisions of this section" from a subdivision authorizing a locality to charge owners of property the cost the locality incurred in removing a structure from such property.</p>		
<p><u>SB 920</u> - Edwards (21) Lien priority.</p>	12/27/2016 Senate: Referred to Committee for Courts of Justice 1/16/2017 Senate: Rereferred to Local Government 1/24/2017 Senate: Reported from Local Government (12-Y 1-N) 1/30/2017 Senate: Read third time and passed Senate (39-Y 1-N) 2/2/2017 House: Referred to Committee for Courts of Justice 2/8/2017 House: Reported from Courts of Justice (21-Y 0-N) 2/13/2017 House: Passed House BLOCK VOTE (97-Y 0-N) 2/14/2017 Senate: Enrolled 2/14/2017 House: Signed by Speaker 2/15/2017 Senate: Signed by President	1/24/2017

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Bills	General Assembly Actions	Date of BOS Position
	2/15/2017 Senate: Enrolled Bill Communicated to Governor on 2/15/17 2/15/2017 Governor: Governors Action Deadline Midnight, February 22, 2017 2/21/2017 Governor: Approved by Governor-Chapter 118 (effective 7/1/17)	
<p>Support (17102716D) - See also HB 1992 (Habeeb). Summary: Inserts "real estate" in several places related to the priority of tax liens so that the operative language now reads "on a parity with liens for unpaid local real estate taxes." This bill is identical to HB 1992.</p>		
<p>SB 926 - Petersen (34) Noise violations; civil penalty.</p>	12/27/2016 Senate: Referred to Committee on Local Government 1/17/2017 Senate: Reported from Local Government (12-Y 0-N) 1/24/2017 Senate: Read third time and passed Senate (39-Y 0-N) 1/31/2017 House: Referred to Committee on Counties, Cities and Towns 2/17/2017 House: Reported from Counties, Cities and Towns (22-Y 0-N) 2/21/2017 House: Passed House BLOCK VOTE (98-Y 0-N) 2/24/2017 Senate: Enrolled	1/24/2017
<p>Support (17101888D) Summary: Allows localities to authorize the chief law-enforcement officer in the locality to enforce a uniform schedule of civil penalties for violation of that locality's noise ordinance.</p>		
<p>SB 932 - Favola (31) Conveyance of utility easements; transportation.</p>	12/28/2016 Senate: Referred to Committee on Local Government 1/31/2017 Senate: Incorporates SB1259 (Black) 1/31/2017 Senate: Reported from Local Government with substitute (13-Y 0-N) 2/3/2017 Senate: Passed Senate (40-Y 0-N) 2/8/2017 House: Referred to Committee on Counties, Cities and Towns 2/17/2017 House: Reported from Counties, Cities and Towns (22-Y 0-N) 2/21/2017 House: Passed House BLOCK VOTE (98-Y 0-N) 2/24/2017 Senate: Enrolled	2/14/2017
<p>Support (17101930D) - See also SB 1259 (Black). Summary: Exempts from the public hearing requirement prior to disposal of real property by a locality the conveyance of utility easements related to transportation projects. This bill incorporates SB 1259.</p>		
<p>SB 1003 - Ebbin (30) Wireless E-911 Fund; distribution percentages.</p>	1/3/2017 Senate: Referred to Committee on Commerce and Labor 1/16/2017 Senate: Reported from Commerce and Labor (14-Y 0-N) 1/20/2017 Senate: Read third time and passed Senate (38-Y 0-N) 1/30/2017 House: Referred to Committee on Commerce and Labor 2/7/2017 House: Reported from Commerce and Labor (21-Y 0-N) 2/10/2017 House: Passed House BLOCK VOTE (95-Y 0-N) 2/13/2017 Senate: Enrolled 2/13/2017 Senate: Signed by President	1/24/2017

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Bills	General Assembly Actions	Date of BOS Position
	2/13/2017 House: Signed by Speaker 2/14/2017 Senate: Enrolled Bill Communicated to Governor on 2/14/17 2/14/2017 Governor: Governors Action Deadline Midnight, February 21, 2017 2/17/2017 Governor: Approved by Governor-Chapter 22 (effective 7/1/17)	

Support (17102202D) - See also HB 1719 (Anderson).
Summary: Postpones from July 1, 2017, to July 1, 2018, the date by which the Department of Taxation is required to conduct its first recalculation of the percentage of funds in the Wireless E-911 Fund that is required to be distributed to each public safety answering point (PSAP). The recalculation is required to be based on the cost and call load data of each PSAP for the previous five fiscal years. The bill is identical to HB 1719.

<p><u>SB 1005</u> - Hanger, Jr. (24) Community services boards and behavioral health authorities; services to be provided, report.</p>	1/3/2017 Senate: Referred to Committee on Education and Health 1/19/2017 Senate: Reported from Education and Health (15-Y 0-N) 1/19/2017 Senate: Rereferred to Finance 2/1/2017 Senate: Reported from Finance with substitute (16-Y 0-N) 2/3/2017 Senate: Passed Senate (40-Y 0-N) 2/8/2017 House: Referred to Committee on Health, Welfare and Institutions 2/9/2017 House: Reported from Health, Welfare and Institutions with substitute (21-Y 0-N) 2/9/2017 House: Referred to Committee on Appropriations 2/13/2017 House: Reported from Appropriations (21-Y 0-N) 2/17/2017 House: Passed House with substitute BLOCK VOTE (99-Y 0-N) 2/21/2017 Senate: House substitute rejected by Senate (0-Y 40-N) 2/22/2017 House: House insisted on substitute and requested conference committee 2/23/2017 Senate: Senate acceded to request (40-Y 0-N) and appointed conferees: Senators: Cosgrove, Suetterlein, Barker 2/23/2017 House: Conferees appointed by House: Delegates: Farrell, Jones, Torian 2/25/2017 Conference: Amended by conference committee 2/25/2017 House: Conference report agreed to by House (97-Y 0-N) 2/25/2017 Senate: Conference report agreed to by Senate (40-Y 0-N)	<p>1/24/2017</p>
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Support (17101412D) - Support with sufficient funding for implementation. See also HB 1549 (Farrell).
Summary: Community services boards and behavioral health authorities; services to be provided. Provides that the core of services provided by community services boards and behavioral health authorities shall include, effective July 1, 2018, (i) same-day access to mental health screening services and (ii) subject to available funds, outpatient primary care screening and monitoring services for physical health indicators and health risks and follow-up services for individuals identified as being in need of assistance with overcoming barriers to accessing primary health services. The bill provides that the core of services provided by community services boards and behavioral health authorities shall additionally include, effective July 1, 2021 and subject to available funds: crisis services for individuals with mental health or substance use disorders; outpatient mental health and substance abuse services; psychiatric rehabilitation services; peer support and family support services; mental

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Bills	General Assembly Actions	Date of BOS Position
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health services for certain members of the armed forces and veterans; care coordination services; and case management services, including targeted mental health case management services. The bill also requires the Department of Behavioral Health and Developmental Services to report annually regarding progress in the implementation of this act.

<p>SB 1009 - Dunnavant (12) Telemedicine, practice of; prescribing controlled substances.</p>	<p>1/4/2017 Senate: Referred to Committee on Education and Health 1/12/2017 Senate: Reported from Education and Health with substitute (13-Y 0-N) 1/17/2017 Senate: Read third time and passed Senate (40-Y 0-N) 1/30/2017 House: Referred to Committee on Health, Welfare and Institutions 2/9/2017 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 2/13/2017 House: Passed House BLOCK VOTE (97-Y 0-N) 2/14/2017 Senate: Enrolled 2/14/2017 House: Signed by Speaker 2/15/2017 Senate: Signed by President 2/15/2017 Senate: Enrolled Bill Communicated to Governor on 2/15/17 2/15/2017 Governor: Governors Action Deadline Midnight, February 22, 2017 2/20/2017 Governor: Approved by Governor-Chapter 58 (effective 2/20/17)</p>	<p>1/24/2017</p>
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Support (17104059D-S1) - See also HB 1767 (Garrett).
Summary: Practice of telemedicine; prescribing. Provides that a health care practitioner who performs or has performed an appropriate examination of the patient, either physically or by the use of instrumentation and diagnostic equipment, for the purpose of establishing a bona fide practitioner-patient relationship may prescribe Schedule II through VI controlled substances to the patient, provided that the prescribing of such controlled substance is in compliance with federal requirements for the practice of telemedicine. The bill also authorizes the Board of Pharmacy to register an entity at which a patient is treated by the use of instrumentation and diagnostic equipment for the purpose of establishing a bona fide practitioner-patient relationship and is prescribed Schedule II through VI controlled substances to possess and administer Schedule II through VI controlled substances when such prescribing is in compliance with federal requirements for the practice of telemedicine and the patient is not in the physical presence of a practitioner registered with the U.S. Drug Enforcement Administration. The bill contains an emergency clause. This bill is identical to HB 1767.

<p>SB 1020 - Barker (39) Peer recovery specialists and qualified mental health professionals; registration.</p>	<p>1/4/2017 Senate: Referred to Committee on Education and Health 1/26/2017 Senate: Reported from Education and Health with substitute (15-Y 0-N) 1/31/2017 Senate: Read third time and passed Senate (40-Y 0-N) 2/3/2017 House: Referred to Committee on Health, Welfare and Institutions 2/14/2017 House: Reported from Health, Welfare and Institutions (18-Y 4-N) 2/14/2017 House: Referred to Committee on Appropriations 2/15/2017 House: Subcommittee recommends reporting (6-Y 2-N) 2/15/2017 House: Reported from Appropriations (22-Y 0-N) 2/20/2017 House: Passed House (80-Y 16-N) 2/22/2017 Senate: Enrolled</p>	<p>2/14/2017 1/24/2017</p>
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Bills	General Assembly Actions	Date of BOS Position
	2/22/2017 Senate: Signed by President 2/22/2017 House: Signed by Speaker 2/23/2017 Senate: Enrolled Bill Communicated to Governor on 2/23/17 2/23/2017 Governor: Governors Action Deadline Midnight, March 27, 2017	

Support (17104802D-S1) - Amended to resolve conflict between language defining "qualified mental health professionals" and other professional licensing rules, which could have been costly to CSB. See also HB 2095 (Price). ~~**Oppose Unless Amended** (17101955D) - Oppose unless amended to resolve conflict between language defining "qualified mental health professionals" and other professional licensing rules, which could be costly to CSB. See also HB 2095 (Price).~~

Summary: Registration of peer recovery specialists and qualified mental health professionals. Authorizes the registration of peer recovery specialists and qualified mental health professionals by the Board of Counseling. The bill defines "qualified mental health professional" as a person who by education and experience is professionally qualified and registered by the Board of Counseling to provide collaborative mental health services for adults or children. The bill requires that a qualified mental health professional provide such services as an employee or independent contractor of the Department of Behavioral Health and Developmental Services or a provider licensed by the Department of Behavioral Health and Developmental Services. The bill defines "registered peer recovery specialist" as a person who by education and experience is professionally qualified and registered by the Board of Counseling to provide collaborative services to assist individuals in achieving sustained recovery from the effects of addiction or mental illness, or both. The bill requires that a registered peer recovery specialist provide such services as an employee or independent contractor of the Department of Behavioral Health and Developmental Services, a provider licensed by the Department of Behavioral Health and Developmental Services, a practitioner licensed by or holding a permit issued from the Department of Health Professions, or a facility licensed by the Department of Health. The bill adds qualified mental health professionals and registered peer recovery specialists to the list of mental health providers that are required to take actions to protect third parties under certain circumstances and notify clients of their right to report to the Department of Health Professions any unethical, fraudulent, or unprofessional conduct. The bill directs the Board of Counseling and the Board of Behavioral Health and Developmental Services to promulgate regulations to implement the provisions of the bill within 280 days of its enactment.

<p>SB 1054 - Stuart (28) Fire alarms; maliciously activating, penalty.</p>	1/6/2017 Senate: Referred to Committee for Courts of Justice 1/25/2017 Senate: Reported from Courts of Justice (14-Y 0-N) 1/31/2017 Senate: Read third time and passed Senate (40-Y 0-N) 2/3/2017 House: Referred to Committee for Courts of Justice 2/13/2017 House: Subcommittee recommends reporting (10-Y 0-N) 2/20/2017 House: Reported from Courts of Justice (21-Y 0-N) 2/22/2017 House: Passed House BLOCK VOTE (100-Y 0-N)	<p>1/24/2017</p>
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Support (17103161D)

Summary: Activation of fire alarms; reimbursement of expenses; penalty. Removes the condition that a building must be for public use in order for the Class 1 misdemeanor for maliciously activating a building's fire alarm to apply. The bill authorizes any locality to provide by ordinance that a person convicted of maliciously activating a fire alarm shall be liable for the reasonable expense in responding to such a fire alarm. Current law allows such an ordinance to impose liability for the reasonable expense of an emergency response to an imitation version of a weapon of terrorism, fire bomb, other explosive device, bomb threat, or incitement of a bomb threat. The bill increases the maximum amount that a locality or volunteer emergency medical services agency may recover under such an ordinance from \$1,000 to \$2,500.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1179</u> - Chafin (38) Opioids; workgroup to establish guidelines for prescribing.</p>	<p>1/10/2017 Senate: Referred to Committee on Rules 2/2/2017 Senate: Reported from Rules with amendments (14-Y 0-N) 2/6/2017 Senate: Passed Senate (40-Y 0-N) 2/8/2017 House: Referred to Committee on Health, Welfare and Institutions 2/9/2017 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 2/13/2017 House: Passed House BLOCK VOTE (97-Y 0-N) 2/14/2017 Senate: Enrolled 2/14/2017 House: Signed by Speaker 2/15/2017 Senate: Signed by President 2/15/2017 Senate: Enrolled Bill Communicated to Governor on 2/15/17 2/15/2017 Governor: Governors Action Deadline Midnight, February 22, 2017 2/20/2017 Governor: Approved by Governor-Chapter 62 (effective 2/20/17)</p>	<p>1/24/2017</p>
<p>Support (17101155D) - Support as long-term comprehensive review to improve current practices on pain management. See also HB 2161 (Pillion). Summary: Secretary of Health and Human Resources; workgroup to establish educational guidelines for training health care providers in the safe prescribing and appropriate use of opioids. Requires the Secretary of Health and Human Resources to convene a workgroup that shall include representatives of the Departments of Behavioral Health and Developmental Services, Health, and Health Professions as well as representatives of the State Council of Higher Education for Virginia and each of the Commonwealth's medical schools, dental schools, schools of pharmacy, physician assistant education programs, and nursing education programs to develop educational standards and curricula for training health care providers, including physicians, dentists, optometrists, pharmacists, physician assistants, and nurses, in the safe and appropriate use of opioids to treat pain while minimizing the risk of addiction and substance abuse. The workgroup shall report its progress and the outcomes of its activities to the Governor and the General Assembly by December 1, 2017. The bill contains an emergency clause. This bill is identical to HB 2161.</p>		
<p><u>SB 1180</u> - Chafin (38) Opioids and buprenorphine; Boards of Dentistry and Medicine to adopt regulations for prescribing.</p>	<p>1/10/2017 Senate: Referred to Committee on Education and Health 1/19/2017 Senate: Reported from Education and Health with amendment (15-Y 0-N) 1/24/2017 Senate: Read third time and passed Senate (39-Y 0-N) 1/30/2017 House: Referred to Committee on Health, Welfare and Institutions 2/9/2017 House: Reported from Health, Welfare and Institutions with amendment (22-Y 0-N) 2/13/2017 House: Passed House with amendment BLOCK VOTE (97-Y 0-N) 2/15/2017 Senate: House amendment rejected by Senate (0-Y 40-N) 2/16/2017 House: House insisted on amendment and requested conference committee 2/20/2017 Senate: Senate acceded to request (39-Y 1-N) and appointed conferees: Senators: Chafin, Dunnavant, Barker 2/21/2017 House: Conferees appointed by House: Delegates: Pillion, Garrett, Hayes</p>	<p>1/24/2017</p>

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Bills	General Assembly Actions	Date of BOS Position
	2/22/2017 Conference: Amended by conference committee 2/22/2017 Senate: Conference report agreed to by Senate (40-Y 0-N) 2/23/2017 House: Conference report agreed to by House (99-Y 0-N)	
<p>Support (17101154D) - See also HB 2167 (Pillion). Summary: Boards of Dentistry and Medicine; regulations for the prescribing of opioids and buprenorphine. Directs the Boards of Dentistry and Medicine to adopt regulations for the prescribing of opioids and products containing buprenorphine. The bill requires the Prescription Monitoring Program at the Department of Health Professions to annually provide a report to the Joint Commission on Health Care on the prescribing of opioids and benzodiazepines in the Commonwealth that includes data on reporting of unusual patterns of prescribing or dispensing of a covered substance by an individual prescriber or dispenser or on potential misuse of a covered substance by a recipient. The bill contains an emergency clause.</p>		
<p>SB 1211 - Wexton (33) Vehicle license fees and taxes, local; collection by counties and adjoining towns.</p>	1/10/2017 Senate: Referred to Committee on Transportation 1/18/2017 Senate: Reported from Transportation (13-Y 0-N) 1/24/2017 Senate: Read third time and passed Senate (39-Y 0-N) 1/31/2017 House: Referred to Committee on Transportation 2/9/2017 House: Reported from Transportation (22-Y 0-N) 2/13/2017 House: Passed House BLOCK VOTE (97-Y 0-N) 2/14/2017 Senate: Enrolled 2/14/2017 House: Signed by Speaker 2/15/2017 Senate: Signed by President 2/15/2017 Senate: Enrolled Bill Communicated to Governor on 2/15/17 2/15/2017 Governor: Governors Action Deadline Midnight, February 22, 2017 2/21/2017 Governor: Approved by Governor-Chapter 119 (effective 7/1/17)	1/24/2017
<p>Support (17102381D) - See also HB 1595 (Boysko). Summary: Local vehicle license fees and taxes. Allows counties and adjoining towns to enter into reciprocal agreements to collect each other's vehicle license fees and taxes. Currently, such collection is limited to non-delinquent license fees and taxes.</p>		
<p>SB 1221 - Barker (39) Emergency custody or involuntary admission process; alternative transportation model.</p>	1/10/2017 Senate: Referred to Committee on Education and Health 1/19/2017 Senate: Reported from Education and Health with amendments (15-Y 0-N) 1/24/2017 Senate: Read third time and passed Senate (39-Y 0-N) 1/31/2017 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/9/2017 House: Reported from HHWI (22-Y 0-N) 2/13/2017 House: Passed House BLOCK VOTE (97-Y 0-N) 2/14/2017 Senate: Enrolled 2/14/2017 House: Signed by Speaker 2/15/2017 Senate: Signed by President 2/15/2017 Senate: Enrolled Bill Communicated to Governor on 2/15/17 2/15/2017 Governor: Governors Action Deadline Midnight, February 22, 2017	1/24/2017

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Bills	General Assembly Actions	Date of BOS Position
	2/20/2017 Governor: Approved by Governor-Chapter 97 (effective 7/1/17)	
<p>Support (17101684D-E) - See also HB 1426 (Garrett). Summary: Directs the Commissioner of Behavioral Health and Developmental Services and the Director of Criminal Justice Services, in conjunction with the relevant stakeholders, to develop a comprehensive model for the use of alternative transportation providers to provide safe and efficient transportation of individuals involved in the emergency custody or involuntary admission process as an alternative to transportation by law enforcement. The bill requires that the model be completed by October 1, 2017, and reported to the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century, the House Committee for Courts of Justice, and the Senate Committee for Courts of Justice. This bill is identical to HB 1426.</p>		
<p>SB 1225 - Barker (39) Arts and cultural districts.</p>	<p>1/10/2017 Senate: Referred to Committee on Local Government 1/17/2017 Senate: Reported from Local Government (12-Y 0-N) 1/24/2017 Senate: Read third time and passed Senate (39-Y 0-N) 1/31/2017 House: Referred to Committee on Counties, Cities and Towns 2/8/2017 House: Subcommittee recommends reporting (10-Y 0-N) 2/10/2017 House: Reported from Counties, Cities and Towns (21-Y 0-N) 2/14/2017 House: Passed House BLOCK VOTE (98-Y 0-N) 2/16/2017 Senate: Enrolled 2/16/2017 House: Signed by Speaker 2/17/2017 Senate: Signed by President 2/17/2017 Senate: Enrolled Bill Communicated to Governor on 2/17/17 2/17/2017 Governor: Governors Action Deadline Midnight, February 24, 2017 2/23/2017 Governor: Approved by Governor-Chapter 217 (effective 7/1/17)</p>	<p>2/14/2017</p>
<p>Support (17102989D) - See also HB 1486 (Albo). Summary: Provides that arts and cultural districts may be created jointly by two or more localities. This bill is identical to HB 1486.</p>		
<p>SB 1232 - Dunnavant (12) Opioids; limit on amount prescribed, extends sunset provision.</p>	<p>1/10/2017 Senate: Referred to Committee on Education and Health 1/26/2017 Senate: Reported from Education and Health with substitute (15-Y 0-N) 1/31/2017 Senate: Read third time and passed Senate (40-Y 0-N) 2/3/2017 House: Referred to Committee on Health, Welfare and Institutions 2/9/2017 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 2/13/2017 House: Passed House BLOCK VOTE (97-Y 0-N) 2/14/2017 Senate: Enrolled 2/14/2017 House: Signed by Speaker 2/15/2017 Senate: Signed by President 2/15/2017 Senate: Enrolled Bill Communicated to Governor on 2/15/17 2/15/2017 Governor: Governors Action Deadline Midnight, February 22, 2017</p>	<p>1/24/2017</p>

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Bills	General Assembly Actions	Date of BOS Position
	2/21/2017 Senate: Governor's recommendation received by Senate 2/23/2017 Senate: Senate concurred in Governor's recommendation (39-Y 0-N) 2/24/2017 House: House concurred in Governor's recommendation (93-Y 0-N) 2/24/2017 Governor: Approved by Governor-Chapter (effective 7/1/17)	

Support (17101977D) - Support concept of limiting supply of opioids with input from prescribing professionals in an expeditious manner. See also HB 1885 (Hugo).
Summary: Limits on prescription of controlled substances containing opioids. Requires a prescriber registered with the Prescription Monitoring Program (the Program) to request information about a patient from the Program upon initiating a new course of treatment that includes the prescribing of opioids anticipated, at the onset of treatment, to last more than seven consecutive days and exempts the prescriber from this requirement if the opioid is prescribed as part of treatment for a surgical or invasive procedure and such prescription is for no more than 14 consecutive days. Current law requires a registered prescriber to request information about a patient from the Program upon initiating a new course of treatment that includes the prescribing of opioids anticipated, at the onset of treatment, to last more than 14 consecutive days and exempts the prescriber from this requirement if the opioid is prescribed as part of a course of treatment for a surgical or invasive procedure and such prescription is not refillable. The bill extends the sunset for this requirement from July 1, 2019, to July 1, 2022.

<p><u>SB 1251</u> - Barker (39) Washington Metrorail Safety Commission Interstate Compact; Virginia authorized to become signatory.</p>	1/10/2017 Senate: Referred to Committee on Privileges and Elections 1/17/2017 Senate: Rereferred to Transportation 2/1/2017 Senate: Reported from Transportation with substitute (13-Y 0-N) 2/6/2017 Senate: Passed Senate (40-Y 0-N) 2/8/2017 House: Referred to Committee on Transportation 2/9/2017 House: Reported from Transportation with substitute (22-Y 0-N) 2/13/2017 House: Passed House with substitute BLOCK VOTE (97-Y 0-N) 2/17/2017 Senate: House substitute rejected by Senate (0-Y 40-N) 2/20/2017 House: House insisted on substitute and requested conference committee 2/21/2017 Senate: Senate acceded to request (40-Y 0-N) and appointed conferees: Senators: Barker, DeSteph, Cosgrove 2/23/2017 House: Conferees appointed by House: Delegates: LeMunyon, Hugo, Plum 2/24/2017 Conference: Amended by conference committee; Emergency clause added by conference committee 2/24/2017 Senate: Conference report agreed to by Senate (40-Y 0-N) 2/24/2017 House: Conference report agreed to by House (92-Y 0-N)	<p>1/24/2017</p>
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Support (17102737D) - See also HB 2136 (LeMunyon).
Summary: Washington Metrorail Safety Commission Interstate Compact. Authorizes Virginia to become a signatory to the Washington Metrorail Safety Commission Interstate Compact. The compact establishes a state safety oversight authority for the Washington Metropolitan Area Transit Authority (WMATA) Rail System, pursuant to the mandate of federal law, to review, approve, oversee, and enforce the safety of the WMATA Rail System.

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 1254 - Obenshain (26) Voting machines; Department of Elections shall coordinate post-election risk-limiting audit, report.</p>	<p>1/10/2017 Senate: Referred to Committee on Privileges and Elections 1/17/2017 Senate: Reported from Privileges and Elections with amendments (10-Y 0-N) 1/24/2017 Senate: Read third time and passed Senate (39-Y 0-N) 1/31/2017 House: Referred to Committee on Privileges and Elections 2/10/2017 House: Reported from Privileges and Elections with substitute (19-Y 1-N) 2/14/2017 House: Passed House with substitute with amendment (98-Y 0-N) 2/16/2017 Senate: House substitute with amendment agreed to by Senate (40-Y 0-N) 2/20/2017 Senate: Enrolled 2/20/2017 House: Signed by Speaker 2/21/2017 Senate: Signed by President 2/21/2017 House: Enrolled Bill communicated to Governor on 2/21/17 2/21/2017 Governor: Governors Action Deadline Midnight, March 27, 2017</p>	<p>2/14/2017 1/24/2017</p>
<p>Support (17105383D-H1) - This bill has been amended as requested. Amend (17103101D) Amend to clarify that localities will be responsible for performing the audits and reporting the findings to the Department of Elections. Summary: Department of Elections; annual audit of ballot scanner machines. Requires the Department of Elections to coordinate a post-election risk-limiting audit annually of ballot scanner machines in use in the Commonwealth. The localities selected for the audit are to be chosen at random with every locality participating in the Department's annual audit at least once during a five-year period. The audits are required to be conducted by the local electoral boards and general registrars in accordance with procedures prescribed by the Department. The local electoral boards report the results of the audit to the Department and the Department shall submit a report on the audits to the State Board of Elections. The bill has a delayed effective date of July 1, 2018.</p>		
<p>SB 1343 - Surovell (36) Guardian ad litem; reimbursement for cost.</p>	<p>1/10/2017 Senate: Referred to Committee for Courts of Justice (SCT) 2/1/2017 Senate: Reported from SCT with substitute (14-Y 0-N) 2/6/2017 Senate: Passed Senate (40-Y 0-N) 2/8/2017 House: Referred to Committee for Courts of Justice 2/13/2017 House: Subcommittee recommends reporting with amendments (9-Y 0-N) 2/20/2017 House: Reported from Courts of Justice with amendments (21-Y 0-N) 2/22/2017 House: Passed House with amendments BLOCK VOTE (100-Y 0-N) 2/23/2017 Senate: House amendments agreed to by Senate (39-Y 0-N)</p>	<p>2/14/2017</p>
<p>Support with Amendment (17105120D-S1) - Support with amendment to clarify that localities would not be responsible for reimbursing the Commonwealth for the costs of a guardian. <i>Note: This bill has been amended as requested.</i> Summary: Reimbursement for cost of guardian ad litem. Codifies the requirement that, for cases in which a guardian ad litem has been appointed to represent a child, a judge shall order a parent, or other party with a legitimate interest who has filed a petition in such case to reimburse the Commonwealth for the costs of the</p>		

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Bills	General Assembly Actions	Date of BOS Position
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guardian. The bill provides that if a party is unable to pay, the judge may reduce or eliminate the reimbursement. The bill further provides that the Executive Secretary of the Supreme Court shall administer the guardian ad litem program. This bill incorporates SB 1488.

<p>SB 1382 - Ebbin (30) Alcoholic beverage control; applications for retail license.</p>	<p>1/11/2017 Senate: Referred to Committee on Rehabilitation and Social Services 1/27/2017 Senate: Reported from Rehabilitation and Social Services with substitute (15-Y 0-N) 2/1/2017 Senate: Read third time and passed Senate (40-Y 0-N) 2/3/2017 House: Referred to Committee on General Laws 2/14/2017 House: Subcommittee recommends reporting (7-Y 0-N) 2/16/2017 House: Reported from General Laws (22-Y 0-N) 2/21/2017 House: Passed House BLOCK VOTE (98-Y 0-N) 2/24/2017 Senate: Enrolled</p>	<p>2/14/2017</p>
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Support (17102819D)
Summary: Alcoholic beverage control; applications for retail license; health permit or inspection. Requires applicants for retail licenses for establishments that serve food or are otherwise required to obtain a food establishment permit from the Department of Health or an inspection by the Department of Agriculture and Consumer Services to provide a copy of such permit, proof of inspection, or proof of a pending request for such permit or inspection. The bill provides that if the applicant provides such documentation, a license may be issued to the applicant, which shall authorize the licensee to purchase alcoholic beverages; however, if the license was granted on the basis of a pending request for a permit or inspection, the licensee shall not sell or serve alcoholic beverages until a permit is issued or an inspection is completed.

<p>SB 1416 - Newman (23) Investment of Public Funds Act; investment of funds in Virginia Investment Pool Trust Fund.</p>	<p>1/11/2017 Senate: Referred to Committee on Finance 2/1/2017 Senate: Reported from Finance with substitute (13-Y 3-N) 2/6/2017 Senate: Read third time and passed Senate (38-Y 2-N) 2/8/2017 House: Referred to Committee on Finance 2/13/2017 House: Reported from Finance (20-Y 2-N) 2/16/2017 House: Passed House with substitute (95-Y 2-N) 2/20/2017 Senate: House substitute agreed to by Senate (39-Y 1-N) 2/22/2017 Senate: Enrolled 2/22/2017 Senate: Signed by President 2/22/2017 House: Signed by Speaker 2/23/2017 Senate: Enrolled Bill Communicated to Governor on 2/23/17 2/23/2017 Governor: Governors Action Deadline Midnight, March 27, 2017</p>	<p>1/24/2017</p>
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Support (17103326D) - See also HB 2105 (Byron).
Summary: Investment of Public Funds Act; investment of funds in qualified investment pools. Authorizes a treasurer to act on behalf of his locality to become a participating political subdivision in qualified investment pools without an ordinance adopted by the locality. The bill defines a qualified investment pool as one that has maintained for a year at least 40 participants and \$400 million in invested assets. Investments in qualified investment pools pursuant to the bill are required to comply with the requirements of the Investment of Public Funds Act (§ 2.2-4500 et seq.) applicable to municipal corporations and other political subdivisions. The bill states that none of its provisions shall be construed to diminish existing legal authority of treasurers related to the investment of public funds. SB 1416 and HB 2105 are identical.

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 1461 - McPike (29) Foster care; local in the Commonwealth's program of medical assistance.</p>	<p>1/16/2017 Senate: Referred to Committee on Rehabilitation and Social Services 1/27/2017 Senate: Reported from Rehabilitation and Social Services with substitute (15-Y 0-N) 2/1/2017 Senate: Read third time and passed Senate (40-Y 0-N) 2/3/2017 House: Referred to Committee on Health, Welfare and Institutions 2/9/2017 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 2/13/2017 House: Passed House BLOCK VOTE (97-Y 0-N) 2/15/2017 Senate: Enrolled 2/15/2017 House: Signed by Speaker 2/17/2017 Senate: Signed by President 2/17/2017 Senate: Enrolled Bill Communicated to Governor on 2/17/17 2/17/2017 Governor: Governors Action Deadline Midnight, February 24, 2017</p>	<p>2/14/2017</p>
<p>Support (17103237D) Summary: Foster care; enrollment in the Commonwealth's program of medical assistance. Directs local departments of social services to ensure that any individual who was in foster care on his eighteenth birthday is enrolled, unless the individual objects, in the Commonwealth's program of medical assistance, provided that such individual is eligible to receive such health care services and was enrolled in such program on his eighteenth birthday. The bill requires local departments to provide basic information about such health care services and inform such individuals that, if eligible, they will be enrolled in the Commonwealth's program of medical assistance unless they object. The bill directs the State Board of Social Services to promulgate regulations to implement the provisions of the bill.</p>		
<p>SB 1467 - Marsden (37) Central absentee voter precincts; expedited counting of absentee ballots.</p>	<p>1/16/2017 Senate: Referred to Committee on Privileges and Elections 1/24/2017 Senate: Reported from Privileges and Elections with substitute (14-Y 0-N) 1/30/2017 Senate: Read third time and passed Senate (40-Y 0-N) 2/2/2017 House: Referred to Committee on Privileges and Elections 2/7/2017 House: Subcommittee recommends reporting with substitute (7-Y 0-N) 2/17/2017 House: Reported from Privileges and Elections with substitute (22-Y 0-N) 2/21/2017 House: Passed House with substitute BLOCK VOTE (98-Y 0-N) 2/22/2017 Senate: House substitute agreed to by Senate (40-Y 0-N)</p>	<p>2/14/2017</p>
<p>Support (17103917D) Summary: Allows the officers of election at a central absentee voter precinct to begin counting those absentee ballots that are counted by hand at any time after 3:00 p.m. on the day of the election. Currently, absentee ballots may be processed at the central absentee voter precinct prior to the closing of the polls, but shall not be counted until after the polls have closed. The bill prohibits ballot count totals to be announced or transmitted outside of the central absentee voter precinct until after the closing of the polls and requires each officer of election to sign a</p>		

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Bills	General Assembly Actions	Date of BOS Position
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statement under oath that he will not transmit any counts prior to the closing of the polls. An officer who transmits any counts prior to the closing of the polls is guilty of a Class 1 misdemeanor.

<p>SB 1578 - Norment, Jr. (3) Short-term rental of property; registration of persons offering property for rental.</p>	<p>1/20/2017 Senate: Referred to Committee on Rehabilitation and Social Services 1/27/2017 Senate: Rereferred to Local Government 2/2/2017 Senate: Incorporates SB1579 (Stanley) 2/2/2017 Senate: Reported from Local Government with substitute (11-Y 2-N) 2/7/2017 Senate: Read third time and passed Senate (36-Y 4-N) 2/9/2017 House: Referred to Committee on General Laws 2/14/2017 House: Subcommittee recommends reporting (7-Y 0-N) 2/14/2017 House: Subcommittee recommends referring to Committee on Appropriations 2/16/2017 House: Reported from General Laws (21-Y 0-N) 2/16/2017 House: Rereferred to Committee on Appropriations 2/20/2017 House: Reported from Appropriations (21-Y 0-N) 2/22/2017 House: Passed House (86-Y 14-N)</p>	<p>2/14/2017</p>
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Support (17100761D) - ~~Further analysis of County implementation impacts needed.~~
Summary: Short-term rental of property. Authorizes a locality to adopt an ordinance requiring the registration of persons offering property for short-term rental. The bill defines "short-term rental" as the provision of a room or space suitable for sleeping or lodging for less than 30 consecutive days. Persons and entities already licensed related to the rental or management of property by the Board of Health, the Real Estate Board, or a locality would not be required to register. The bill authorizes localities to impose fees and penalties on persons who violate the registry ordinance or who offer short-term rentals that have multiple violations of state or federal laws or ordinances, including those related to alcoholic beverage control. The bill amends the Alcoholic Beverage Control (ABC) Act to clarify that certain property rented on a short-term basis is considered a bed and breakfast establishment for purposes of ABC licensing and that the exception from ABC licensing for serving alcoholic beverages to guests in a residence does not apply if the guest is a short-term lessee of the residence.

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Fairfax County Positions
(Monitor)

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1468 - Marshall (13) Compliance with detainers; U.S. Immigration and Customs Enforcement.</p>	<p>12/8/2016 House: Referred to Committee on Militia, Police and Public Safety 1/20/2017 House: Reported from Militia, Police and Public Safety with amendment (12-Y 7-N) 1/25/2017 House: Read third time and passed House (68-Y 31-N) 1/26/2017 Senate: Referred to Committee for Courts of Justice 2/8/2017 Senate: Reported from Courts of Justice with amendments (8-Y 6-N) 2/13/2017 Senate: Passed Senate with amendments (21-Y 19-N) 2/15/2017 House: Senate amendments agreed to by House (65-Y 34-N) 2/17/2017 House: Enrolled 2/17/2017 House: Signed by Speaker 2/20/2017 Senate: Signed by President 2/21/2017 House: Enrolled Bill communicated to Governor on 2/21/17 2/21/2017 Governor: Governors Action Deadline Midnight, March 27, 2017</p>	<p>1/24/2017</p>
<p>Monitor (17100565D) Summary: Prohibits the Director of the Department of Corrections, sheriff, or other official in charge of a facility in which an alien is incarcerated from releasing an incarcerated alien for whom a lawful detainer order has been received from U.S. Immigration and Customs Enforcement, except to transfer custody of such alien to another facility or to an appropriate federal authority. The bill provides that no alien shall be held in custody in excess of his scheduled release date unless federal law requires that such alien be held.</p>		
<p>HB 1477 - Orrock, Sr. (54) Cats and dogs; local government may, by ordinance, provide for lifetime licenses.</p>	<p>12/13/2016 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 1/23/2017 Subcommittee recommends reporting with amendments (7-Y 0-N) 1/25/2017 House: Reported from HAG w/ amendments (22-Y 0-N) 1/30/2017 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 1/31/2017 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources (SACNR) 2/2/2017 Senate: Reported from SACNR w/ substitute (13-Y 0-N) 2/7/2017 Senate: Passed Senate with substitute (40-Y 0-N) 2/9/2017 House: Senate substitute rejected by House (0-Y 100-N) 2/13/2017 Senate: Senate insisted on substitute (39-Y 0-N) and requested conference committee 2/14/2017 House: House acceded to request and appointed conferees: Delegates: Orrock, Poindexter, Keam 2/15/2017 Senate: Senate appointed conferees: Senators: Hanger, Suetterlein, Mason 2/23/2017 Conference: Amended by conference committee 2/23/2017 House: Conference report agreed to by House (100-Y 0-N) 2/24/2017 Senate: Conference report agreed to by Senate (40-Y 0-N)</p>	<p>1/24/2017</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Monitor (17101360D) - See also SB 856 (Hanger) and SB 1263 (Black). Summary: Cats and dogs; lifetime licenses. Authorizes the governing body of a county or city to provide for a lifetime dog or cat license. The local ordinance also may require that the animal be fitted with an identifying microchip. The bill removes the minimum annual tax for a dog or cat, sets the maximum tax for a lifetime license at \$50, and limits the fee for a duplicate dog or cat tag to \$1.</p>		
<p>HB 1515 - Leftwich (78) Circuit court clerks; electronic transfer of certain documents.</p>	<p>12/22/2016 House: Referred to Committee for Courts of Justice 1/20/2017 House: Reported from Courts of Justice with amendments (21-Y 0-N) 1/26/2017 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 1/27/2017 Senate: Referred to Committee for Courts of Justice 2/6/2017 Senate: Reported from Courts of Justice (14-Y 0-N) 2/8/2017 Senate: Passed Senate (39-Y 0-N) 2/10/2017 House: Enrolled 2/10/2017 House: Signed by Speaker 2/13/2017 Senate: Signed by President 2/13/2017 House: Enrolled Bill communicated to Governor on 2/13/17 2/13/2017 Governor: Governors Action Deadline Midnight, February 20, 2017 2/17/2017 Governor: Approved by Governor-Chapter 42 (effective 7/1/17)</p>	<p>1/24/2017</p>
<p>Monitor (17101620D) Summary: Permits circuit court clerks to transfer electronically, or provide electronic access to, documents related to certain real property information to certain public officials.</p>		
<p>HB 1539 - LeMunyon (67) Virginia Freedom of Information Act; public access to records of public bodies.</p>	<p>12/27/2016 House: Referred to Committee on General Laws 1/26/2017 Subcommittee recommends reporting with amendments (7-Y 0-N) 2/2/2017 House: Reported from General Laws with substitute (20-Y 0-N) 2/7/2017 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 2/8/2017 Senate: Referred to Committee on General Laws and Technology 2/13/2017 Senate: Reported from General Laws and Technology (14-Y 0-N) 2/16/2017 Senate: Passed Senate (39-Y 0-N) 2/16/2017 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) 2/16/2017 Senate: Passed Senate (40-Y 0-N)</p>	<p>2/14/2017</p>
<p>Monitor (17100968D) Summary: Virginia Freedom of Information Act (FOIA); public access to records of public bodies. Clarifies the definition of public record. The bill also (i) defines "personal contact information" that is excluded from FOIA's mandatory disclosure provisions in certain cases; (ii) clarifies that a requester has the right to inspect records or receive copies at his option; (iii) clarifies language in certain record exclusions under FOIA that certain records may be disclosed at the discretion of the custodian; (iv) consolidates the personnel record exclusion with the</p>		

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Bills	General Assembly Actions	Date of BOS Position
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limitation on the application of that exclusion, and specifically clarifies that the name, in addition to position, job classification, and salary, of a public employee is public information as per opinions of the Attorney General and the FOIA Council; (v) eliminates, effective July 1, 2018, the exclusion for the Alcoholic Beverage Control Authority relating to operating and marketing strategies; (vi) eliminates the exclusion for correspondence of local officials as unnecessary; (vii) consolidates various public safety exclusions relating to building plans and drawings and critical infrastructure into a single exclusion; (viii) eliminates the exclusion for administrative investigations of the Department of Human Resource Management, as the exclusion is already covered under the personnel records exclusion; (ix) expands the exclusion for personal information provided to the Virginia College Savings Plan to cover qualified beneficiaries, designated survivors, and authorized individuals, which terms are defined in the bill; (x) consolidates the various record exclusions for the Department of Health Professions and the Department of Health into single exclusions for each Department; (xi) clarifies certain Department of Social Services exclusions; (xii) provides an exclusion for local finance boards that provide postemployment benefits other than pensions; and (xiii) eliminates the record exclusion for Virginia Wildlife Magazine. The bill also limits the application of the working papers exemption by stating that information publicly available or not otherwise subject to an exclusion under FOIA or other provision of law that has been aggregated, combined, or changed in format but does not contain a material revision to such information shall not be deemed working papers. . The bill contains numerous technical amendments. This bill is a recommendation of the Freedom of Information Advisory Council pursuant to the HJR 96 FOIA study (2014-2016).

<p>HB 1540 - LeMunyon (67) Virginia Freedom of Information Act (FOIA); public access to meetings of public bodies.</p>	<p>12/27/2016 House: Referred to Committee on General Laws 1/26/2017 House: Subcommittee recommends reporting (7-Y 0-N) 2/2/2017 House: Reported from General Laws (20-Y 0-N) 2/7/2017 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 2/8/2017 Senate: Referred to Committee on General Laws and Technology 2/13/2017 Senate: Reported from General Laws and Technology (12-Y 0-N) 2/16/2017 Senate: Passed Senate (39-Y 0-N) 2/16/2017 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) 2/16/2017 Senate: Passed Senate (40-Y 0-N) 2/20/2017 House: Enrolled 2/20/2017 House: Signed by Speaker 2/21/2017 Senate: Signed by President 2/21/2017 House: Enrolled Bill communicated to Governor on 2/21/17 2/21/2017 Governor: Governors Action Deadline Midnight, March 27, 2017</p>	<p>2/14/2017</p>
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Monitor (17101247D)
Summary: Revises FOIA's various open meeting exemptions relating to legal matters, litigation, certain museums, and the Virginia Commonwealth University Health System Authority. The bill also (i) clarifies where meeting notices and minutes are to be posted, (ii) requires copies of proposed agendas to be made available, (iii) eliminates reporting to the Joint Commission on Science and Technology when a state public body convenes an electronic communication meeting, and (iv) makes technical corrections to several open meeting exemptions to provide context for those meeting exemptions that currently only cross-reference corollary records exemptions. The bill also clarifies closed meeting procedures. The bill contains numerous

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Bills	General Assembly Actions	Date of BOS Position
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technical corrections. This bill is a recommendation of the Freedom of Information Advisory Council pursuant to the HJR 96 FOIA study (2014-2016).

<p>HB 1597 - Webert (18) Stormwater management utility, local; waiver of charges when stormwater retained on site.</p>	<p>1/2/2017 House: Referred to Committee on Counties, Cities and Towns 1/25/2017 House: Subcommittee recommends reporting with amendment (7-Y 0-N) 1/27/2017 House: Reported from Counties, Cities and Towns with amendments (20-Y 0-N) 2/1/2017 House: Read third time & passed House (93-Y 4-N 1-A) 2/2/2017 Senate: Referred to Committee on Local Government 2/14/2017 Senate: Reported from Local Government (13-Y 0-N) 2/17/2017 Senate: Passed Senate (40-Y 0-N) 2/21/2017 House: Enrolled 2/21/2017 House: Signed by Speaker 2/21/2017 Senate: Signed by President 2/21/2017 House: Enrolled Bill communicated to Governor on 2/21/17 2/21/2017 Governor: Governors Action Deadline Midnight, March 27, 2017</p>	<p>2/14/2017 1/24/2017</p>
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Monitor (17102615D-E) - Amended to address concerns. ~~**Oppose**~~ (17102615D)
Summary: Local stormwater management utility; waiver of charges; stormwater retained on site. Requires any locality establishing a stormwater management utility to provide a full or partial waiver of charges for a person whose approved stormwater management plan indicates that the stormwater produced by his property is retained and treated on site.

<p>HB 1619 - Bulova (37) Watershed discharge permits; review of allocations.</p>	<p>1/3/2017 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/25/2017 House: Reported from Agriculture, Chesapeake and Natural Resources (22-Y 0-N) 1/30/2017 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 1/31/2017 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/2/2017 Senate: Reported from Agriculture, Conservation and Natural Resources (15-Y 0-N) 2/7/2017 Senate: Passed Senate (40-Y 0-N) 2/8/2017 House: Enrolled 2/8/2017 House: Signed by Speaker 2/8/2017 Senate: Signed by President 2/9/2017 House: Enrolled Bill communicated to Governor on 2/9/17 2/9/2017 Governor: Governors Action Deadline Midnight, February 16, 2017 2/13/2017 Governor: Approved by Governor-Chapter 9 (effective 7/1/17)</p>	<p>2/14/2017</p>
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Monitor (17101509D)
Summary: Directs the State Water Control Board to incorporate into the general permit procedures by which it will, every 10 years beginning in 2020, (i) review load allocations to determine whether changes in

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Bills	General Assembly Actions	Date of BOS Position
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the use of a facility have halted or reduced nutrient discharges and (ii) determine, prior to reissuing the general permit, the need for reallocations based on a variety of factors, including changes in treatment technologies and land use.

<p>HB 1697 - Marshall, III (14) Extension of approvals to address housing crisis.</p>	<p>1/6/2017 House: Referred to Committee on Counties, Cities and Towns 2/1/2017 House: Subcommittee recommends reporting with amendments (8-Y 0-N) 2/3/2017 House: Reported from Counties, Cities and Towns with amendments (20-Y 0-N) 2/7/2017 House: Read third time and passed House (94-Y 2-N 1-A) 2/8/2017 Senate: Referred to Committee on Local Government 2/14/2017 Senate: Reported from Local Government with amendments (10-Y 3-N) 2/17/2017 Senate: Passed Senate with amendments (37-Y 3-N) 2/21/2017 Senate amendments rejected by House (1-Y 95-N 1-A) 2/22/2017 Senate: Senate insisted on amendments (40-Y 0-N) and requested conference committee 2/23/2017 House: House acceded to request for conference committee and appointed conferees: Delegates: Marshall, Daniel W., Wilt, Heretick 2/23/2017 Senate: Conferees appointed by Senate: Senators: Stanley, Carrico, Marsden 2/23/2017 Conference: Amended by conference committee 2/24/2017 Senate: Conference report agreed to by Senate (40-Y 0-N) 2/24/2017 House: Conference report agreed to by House (92-Y 2-N)</p>	<p>1/24/2017</p>
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Monitor (17101449D)
Summary: Extends the sunset date for several measures related to various land use approvals from July 1, 2017, to July 1, 2020. The bill also expands the scope of such measures that will be subject to the extension to include those measures approved by January 1, 2017.

<p>HB 1740 - Minchew (10) Sanitary districts; creation by board of supervisors.</p>	<p>1/8/2017 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/25/2017 House: Reported from Agriculture, Chesapeake and Natural Resources (21-Y 1-N) 1/30/2017 House: Read third time and passed House (95-Y 2-N) 1/31/2017 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/2/2017 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (15-Y 0-N) 2/7/2017 Senate: Passed Senate with substitute (40-Y 0-N) 2/9/2017 House: Senate substitute agreed to by House (98-Y 1-N) 2/13/2017 House: Enrolled 2/13/2017 House: Signed by Speaker 2/13/2017 Senate: Signed by President 2/14/2017 House: Enrolled Bill communicated to Governor on 2/14/17</p>	<p>2/14/2017</p>
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Bills	General Assembly Actions	Date of BOS Position
	2/14/2017 Governor: Governors Action Deadline Midnight, February 21, 2017 2/17/2017 Governor: Approved by Governor-Chapter 14 (effective 7/1/17)	
<p>Monitor (17102826D) Summary: Transfers authority to create or enlarge sanitary districts from the circuit court with jurisdiction over the locality in which the district is located to the governing body of the county in which the district is located. The bill requires the governing body, at a hearing for the creation or enlargement of a sanitary district, to make a finding of fact of whether the action is necessary, practical, fiscally responsible, and supported by at least 50 percent of persons who own real property in (i) the proposed district or (ii) in the case of enlargement, the area proposed to be included in the existing district. The bill also requires a minimum standard regarding timeliness for hearings.</p>		
<p><u>HB 1889</u> - Hugo (40) License taxes, local; exemption for certain defense production businesses.</p>	1/10/2017 House: Referred to Committee on Finance 1/23/2017 House: Reported from Finance with substitute (21-Y 1-N) 1/26/2017 House: Read third time and passed House (98-Y 1-N) 1/27/2017 Senate: Referred to Committee on Finance 2/7/2017 Senate: Reported from Finance with amendment (15-Y 0-N) 2/9/2017 Senate: Passed Senate with amendment (40-Y 0-N) 2/13/2017 House: Senate amendment agreed to by House (96-Y 0-N) 2/14/2017 House: Enrolled 2/14/2017 House: Signed by Speaker 2/15/2017 Senate: Signed by President 2/15/2017 House: Enrolled Bill communicated to Governor on 2/15/17 2/15/2017 Governor: Governors Action Deadline Midnight, February 22, 2017 2/21/2017 Governor: Approved by Governor-Chapter 111 (effective 7/1/17)	<p>2/14/2017 1/24/2017</p>
<p>Monitor (HB1889ER) - Bill still creates a fiscal impact but has been narrowed significantly. See also SB 1274 (McDougle). Amend (17101713D) - Amend to narrow scope; exemptions in bill as written are overly broad. See also SB 1274 (McDougle). Summary: Local license taxes; exemption for certain defense production businesses. Clarifies that the exemption for wholesale manufacturers from local license taxes includes a manufacturer that is also a defense production business selling manufacturing, rebuilding, repair, and maintenance services at the place of manufacture to the United States or for which consent of the United States is required. This bill is identical to SB 1274.</p>		
<p><u>HB 1961</u> - Hugo (40) License tax, local; methodology for deducting certain gross receipts.</p>	1/10/2017 House: Referred to Committee on Finance 1/25/2017 House: Subcommittee recommends reporting (10-Y 0-N) 1/30/2017 House: Reported from Finance (22-Y 0-N) 2/2/2017 House: Read third time and passed House BLOCK VOTE (95-Y 0-N) 2/3/2017 Senate: Referred to Committee on Finance	<p>1/24/2017</p>

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Bills	General Assembly Actions	Date of BOS Position
	2/8/2017 Senate: Reported from Finance (14-Y 0-N) 2/10/2017 Senate: Passed Senate (39-Y 0-N) 2/14/2017 House: Enrolled 2/14/2017 House: Signed by Speaker 2/15/2017 Senate: Signed by President 2/15/2017 House: Enrolled Bill communicated to Governor on 2/15/17 2/15/2017 Governor: Governors Action Deadline Midnight, February 22, 2017 2/20/2017 Governor: Approved by Governor-Chapter 50 (effective 7/1/17)	
<p>Monitor (17101883D) Summary: Local license tax; methodology for deducting certain gross receipts. Requires the Department of Taxation to promulgate regulations that clarify the appropriate methodology for determining deductible gross receipts attributable to business conducted in another state or a foreign country. The bill requires the regulations to be based on previous Rulings of the Tax Commissioner and the decision of the Supreme Court of Virginia in The Nielsen Company, LLC v. County Board of Arlington County, 289 Va. 79 (2015). In that decision, the Court endorsed the Tax Commissioner's ruling to require manual accounting but to allow payroll apportionment in the event that manual accounting is impossible to use in order to calculate the deduction.</p>		
<p>HB 2137 - LeMunyon (67) Northern Virginia Transportation Authority; regional transportation plan.</p>	1/11/2017 House: Referred to Committee on Transportation 2/2/2017 House: Reported from Transportation with amendments (21-Y 0-N) 2/7/2017 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 2/8/2017 Senate: Referred to Committee on Transportation 2/15/2017 Senate: Reported from Transportation (13-Y 0-N) 2/20/2017 Senate: Passed Senate (39-Y 0-N) 2/20/2017 Senate: Reconsideration of Senate passage agreed to by Senate (40-Y 0-N) 2/20/2017 Senate: Passed Senate (40-Y 0-N) 2/23/2017 House: Enrolled	<p>2/14/2017 1/24/2017</p>
<p>Monitor (17100338D-E) - Bill amended to address concerns. Oppose (17100338D) Summary: Requires the Northern Virginia Transportation Authority to annually publish on its website any land use or transportation elements of a locality's comprehensive plan that each locality embraced by the Authority is currently required to report when such locality's plan is inconsistent with the Authority's regional transportation plan. Additionally, the bill requires the Authority to consider for revision and revise as necessary its regional transportation plan at least once every five years. The Authority is required to specify any obstacles to achieving a reduction in congestion in Planning District 8 and any need for cooperation by other regional entities. The bill has a delayed effective date of July 1, 2018.</p>		
<p>HB 2138 - LeMunyon (67) Transportation planning, state and local; adoption of comprehensive plan in Northern Virginia.</p>	1/11/2017 House: Referred to Committee on Transportation 2/2/2017 House: Reported from Transportation with substitute (21-Y 0-N) 2/7/2017 House: Read third time and passed House BLOCK VOTE (97-Y 0-N)	<p>2/14/2017 1/24/2017</p>

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Bills	General Assembly Actions	Date of BOS Position
	2/8/2017 Senate: Referred to Committee on Transportation 2/15/2017 Senate: Reported from Transportation (13-Y 0-N) 2/20/2017 Senate: Passed Senate (39-Y 0-N) 2/20/2017 Senate: Reconsideration of Senate passage agreed to by Senate (40-Y 0-N) 2/20/2017 Senate: Passed Senate (40-Y 0-N) 2/23/2017 House: Enrolled	
<p>Monitor (17104804D-H1) - Bill amended to address concerns. Oppose (17101142D) Summary: State and local transportation planning. Provides that in its adoption of any comprehensive plan in Planning District 8 (Northern Virginia) or review of a proposed rezoning in Planning District 8 (Northern Virginia), the Department of Transportation shall consider the transportation impact of the proposed plan or rezoning on any transportation facility for which a reduction in the level of service is anticipated as a result of the proposed plan or rezoning.</p>		
<p>HB 2207 - Robinson (27) Food stamp program; requests for replacement of electronic benefit transfer card.</p>	1/11/2017 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 1/19/2017 House: Reported from HHWI (17-Y 5-N) 1/25/2017 House: Read third time and passed House (70-Y 29-N) 1/26/2017 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 2/10/2017 Senate: Reported from SRSS (8-Y 7-N) 2/10/2017 Senate: Rereferred to Finance (SFIN) 2/15/2017 Senate: Reported from SFIN w/ amendment (16-Y 0-N) 2/17/2017 Senate: Passed Senate with amendment (20-Y 19-N) 2/21/2017 House: Senate amendment rejected by House (1-Y 94-N) 2/22/2017 Senate: Senate insisted on amendment (37-Y 3-N) and requested conference committee 2/23/2017 House: House acceded to request and appointed conferees: Delegates: Robinson, Yost, Murphy 2/23/2017 Senate: Conferees appointed by Senate: Senators: Sturtevant, Black, Petersen 2/24/2017 Conference: Amended by conference committee 2/24/2017 Senate: Conference report agreed to by Senate (26-Y 14-N) 2/24/2017 Senate: Reconsideration of conference report agreed to by Senate (40-Y 0-N) 2/24/2017 Senate: Conference report agreed to by Senate (21-Y 19-N) 2/24/2017 House: Conference report agreed to by House (65-Y 30-N)	<p>2/14/2017</p>
<p>Monitor (17100919D) Summary: Food stamp program; excessive requests for replacement of electronic benefit transfer card. Requires the Department of Social Services (Department) to monitor all requests for replacement of electronic benefit transfer (EBT) cards issued to food stamp program recipients. The bill provides that a request for replacement of an EBT card shall be deemed excessive if a food stamp program recipient or a member of his household has made four such requests within 12 months prior to the request. The bill requires the Department, upon receipt of a fourth request for replacement of an EBT card within a 12-month period, to give written notice to the recipient household that it has</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>reached the threshold allowance for replacement requests, its account is being monitored for suspicious activity, and future replacement requests will require contact with the Department to provide an explanation before a replacement card will be issued. The bill requires the Department, upon receipt of a fifth replacement request within a 12-month period, to give written notice to the recipient household that it has exceeded the threshold allowance for replacement requests and that the replacement EBT card is being withheld until the household contacts the Department to provide an explanation for the high volume of replacement requests. The bill provides the terms under which a replacement card will be issued or withheld, delineates factors that require the Department to investigate excessive card replacement requests, and sets forth requirements for notices sent under the provisions of the bill.</p>		
<p>HB 2240 - Miller (50) Victims of crime; right to nondisclosure of certain information.</p>	<p>1/11/2017 House: Referred to Committee for Courts of Justice 1/27/2017 House: Reported from Courts of Justice with substitute (21-Y 0-N) 2/2/2017 House: Read third time and passed House BLOCK VOTE (95-Y 0-N) 2/3/2017 Senate: Referred to Committee for Courts of Justice 2/13/2017 Senate: Reported from Courts of Justice with amendment (11-Y 4-N) 2/15/2017 Senate: Passed Senate with amendment (30-Y 10-N) 2/17/2017 House: Senate amendment agreed to by House (98-Y 1-N) 2/21/2017 House: Enrolled 2/21/2017 House: Signed by Speaker 2/21/2017 Senate: Signed by President 2/21/2017 House: Enrolled Bill communicated to Governor on 2/21/17 2/21/2017 Governor: Governors Action Deadline Midnight, March 27, 2017</p>	<p>2/14/2017</p>
<p>Monitor (17102576D) Summary: Crime victim's right to nondisclosure of certain information; murder. Requires that written consent provided by the victim's next of kin to law enforcement is necessary, if the victim is a minor, before a law-enforcement agency may disclose any information that identifies the victim of a crime that resulted in the victim's death.</p>		
<p>HB 2244 - Jones (76) Public-Private Transportation Act of 1995; changes name of Advisory Committee.</p>	<p>1/11/2017 House: Referred to Committee on Appropriations 1/30/2017 House: Reported from Appropriations with substitute (22-Y 0-N) 2/3/2017 House: Read third time and passed House BLOCK VOTE (95-Y 0-N) 2/6/2017 Senate: Referred to Committee on Finance 2/14/2017 Senate: Reported from Finance with amendment (16-Y 0-N) 2/16/2017 Senate: Passed Senate with amendment (39-Y 0-N) 2/16/2017 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) 2/16/2017 Senate: Passed Senate with amendment (40-Y 0-N) 2/20/2017 House: Senate amendment agreed to by House (91-Y 2-N) 2/23/2017 House: Enrolled</p>	<p>2/14/2017</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Monitor (17101600D) - See also SB 1322 (Carrico). Summary: Public-Private Transportation Act of 1995. Changes the Transportation Public-Private Partnership Advisory Committee to the Transportation Public-Private Partnership Steering Committee and provides that the Deputy Secretary of Transportation on the Committee serves as the chairman of the Committee. The bill provides that the responsible public entity may grant approval for the development and/or operation of a transportation facility by a private entity if that entity can develop and/or operate the transportation facility for less cost than the Department of Transportation (VDOT) or the Department of Rail and Public Transportation (DRPT). The bill requires the chief executive officer of the responsible public entity to certify in writing to the Governor and the General Assembly that there has been no material change since the finding of public interest that the public contribution requested by the private entity does not exceed the maximum public contribution. The bill clarifies that the finding of public interest by the Steering Committee shall be made after receipt of responses to the request for qualifications and prior to the issuance of the first draft request for proposals. The bill requires the responsible public entity, when such entity is VDOT or DRPT, to ensure competition through the procurement process and develop a public sector analysis of the cost for the responsible entity to develop and/or operate the transportation facility. The bill requires VDOT or DRPT and the Steering Committee to review the public sector analysis prior to the initiation of any procurement. The bill adds to the information required to be included in the finding of public interest a description of the benefits expected to be realized by the responsible public entity and a public sector analysis demonstrating that the private sector can deliver the project for less cost than the responsible public entity. This bill is identical to SB 1322.</p>		
<p>HB 2338 - Bell (58) Restitution; priority of payments.</p>	<p>1/13/2017 House: Referred to Committee for Courts of Justice 1/27/2017 House: Reported from Courts of Justice with amendments (21-Y 0-N) 2/2/2017 House: Read third time and passed House BLOCK VOTE (95-Y 0-N) 2/3/2017 Senate: Referred to Committee for Courts of Justice 2/13/2017 Senate: Reported from Courts of Justice with amendments (15-Y 0-N) 2/15/2017 Senate: Passed Senate with amendments (40-Y 0-N) 2/17/2017 House: Senate amendments agreed to by House (99-Y 0-N) 2/21/2017 House: Enrolled 2/21/2017 House: Signed by Speaker 2/21/2017 Senate: Signed by President 2/21/2017 House: Enrolled Bill communicated to Governor on 2/21/17 2/21/2017 Governor: Governors Action Deadline Midnight, March 27, 2017</p>	<p>2/14/2017</p>
<p>Monitor (17103916D-E) Summary: Provides that whenever a defendant owes court-ordered restitution payments, any money collected shall be used first to satisfy such restitution order and any collection costs associated with restitution prior to being used to satisfy any other fines or costs owed by the defendant.</p>		
<p>SB 854 - Stanley, Jr. (20) Unpaid court fines, etc.; increases grace period for collection.</p>	<p>12/2/2016 Senate: Referred to Committee for Courts of Justice 1/25/2017 Senate: Reported from Courts of Justice (15-Y 0-N) 1/31/2017 Senate: Read third time and passed Senate (40-Y 0-N) 2/3/2017 House: Referred to Committee for Courts of Justice 2/15/2017 House: Subcommittee recommends reporting with substitute (11-Y 0-N) 2/20/2017 House: Reported from Courts of Justice with substitute (21-Y 0-N)</p>	<p>1/24/2017</p>

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Bills	General Assembly Actions	Date of BOS Position
	<p>2/22/2017 House: Passed House with substitute BLOCK VOTE (100-Y 0-N) 2/23/2017 Senate: House substitute rejected by Senate (0-Y 40-N) 2/23/2017 House: House insisted on substitute and requested conference committee 2/23/2017 Senate: Senate acceded to request (39-Y 0-N) and appointed conferees: Senators: Stanley, Obenshain, Howell 2/23/2017 House: Conferees appointed by House: Delegates: Loupassi, Bell, Robert B., Carr 2/24/2017 Conference: Amended by conference committee 2/24/2017 House: Conference report agreed to by House (95-Y 0-N) 2/25/2017 Senate: Conference report agreed to by Senate (40-Y 0-N)</p>	
<p>Monitor (17100685D) Summary: Collection of unpaid court fines; payment of court-ordered fines, etc.; deferred or installment payment agreements. Increases the grace period after which collection activity for unpaid court fines, costs, forfeitures, penalties, and restitution may be commenced from 30 days to 90 days after sentencing or judgment. Also establishes the requirements for deferred or installment payment agreements that a court must offer a defendant who is unable to pay court-ordered fines, costs, forfeitures, and penalties. The bill requires that a court take into account a defendant's financial circumstances, including whether the defendant owes fines and costs to other courts, in setting the terms of a payment agreement. The bill fixes the maximum down payments that a court may require as a condition of entering a payment plan and provides that payments made within 10 days of their due date are timely made. The bill precludes a court from denying a defendant the opportunity to enter into a payment agreement solely because of the crime committed, the total amount owed or that such amount has been referred to collections, any previous default by the defendant or failure to establish a payment history, or the defendant's eligibility for a restricted driver's license. The bill allows all costs and fines owed by a defendant to any one court to be incorporated into one payment agreement and allows a defendant to request a modification of the terms of the agreement, which shall be granted upon a good faith showing of need. The bill requires a court to consider a request by a defendant who has defaulted on a payment agreement to enter into a subsequent agreement and requires the court to fix a down payment for subsequent payment agreements. Finally, the bill provides that the payment agreement includes restitution unless the court has entered a separate order regarding the payment of restitution.</p>		
<p>SB 856 - Hanger, Jr. (24) Cats and dogs; authorizes local government to provide for lifetime licenses.</p>	<p>12/4/2016 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 1/12/2017 Senate: Reported from Agriculture, Conservation and Natural Resources (13-Y 0-N) 1/18/2017 Senate: Read third time and passed Senate (40-Y 0-N) 1/30/2017 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/8/2017 House: Reported from Agriculture, Chesapeake and Natural Resources with amendments (22-Y 0-N) 2/10/2017 House: Passed House with amendments BLOCK VOTE (95-Y 0-N) 2/14/2017 Senate: House amendments rejected by Senate (0-Y 40-N) 2/15/2017 House: House insisted on amendments and requested conference committee 2/17/2017 Senate: Senate acceded to request and appointed Conferees: Senators: Hanger, Suetterlein, Mason</p>	<p>1/24/2017</p>

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Bills	General Assembly Actions	Date of BOS Position
	2/20/2017 House: Conferees appointed by House: Delegates: Orrock, Poindexter, Keam 2/23/2017 Conference: Amended by conference committee 2/24/2017 Senate: Conference report agreed to by Senate (40-Y 0-N) 2/24/2017 House: Conference report agreed to by House (92-Y 0-N 1-A)	
<p>Monitor (17101869D) - See also HB 1477 (Orrock) and SB 1263 (Black). Summary: Cats and dogs; lifetime licenses. Authorizes the governing body of a county or city to provide for a lifetime dog or cat license. The bill also removes the minimum annual tax for a dog or cat, sets the maximum tax for a lifetime license at \$50, and limits the fee for a duplicate dog or cat tag to \$1.</p>		
<p>SB 1127 - Obenshain (26) State Water Control Board; stormwater management programs, regulations, professional license.</p>	1/9/2017 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 1/19/2017 Senate: Reported from Agriculture, Conservation and Natural Resources (14-Y 0-N) 1/25/2017 Senate: Read third time and passed Senate (40-Y 0-N) 1/31/2017 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/8/2017 House: Reported from Agriculture, Chesapeake and Natural Resources with amendments (22-Y 0-N) 2/10/2017 House: Passed House with amendments BLOCK VOTE (95-Y 0-N) 2/14/2017 Senate: House amendments agreed to by Senate (40-Y 0-N) 2/16/2017 Senate: Enrolled 2/16/2017 House: Signed by Speaker 2/17/2017 Senate: Signed by President 2/17/2017 Senate: Enrolled Bill Communicated to Governor on 2/17/17 2/17/2017 Governor: Governors Action Deadline Midnight, February 24, 2017 2/23/2017 Governor: Approved by Governor-Chapter 163 (effective 7/1/17)	<p>1/24/2017</p>
<p>Monitor (17103564D) Summary: State Water Control Board; stormwater management programs; regulations; professional license. Directs the State Water Control Board to adopt regulations requiring that all final plan elements, specifications, or calculations whose preparation requires a license in engineering, architecture, soil science, or a related profession be signed and sealed by a licensed professional. The bill requires the regulations to be effective no later than July 1, 2018, and exempts them from certain provisions of the Administrative Process Act (§ 2.2-4000 et seq.). This bill is identical to HB 2076.</p>		
<p>SB 1173 - Obenshain (26) Vested property rights; nonconforming uses.</p>	1/10/2017 Senate: Referred to Committee on Local Government 1/24/2017 Senate: Reported from Local Government (13-Y 0-N) 2/1/2017 Senate: Read third time and passed Senate (40-Y 0-N)	<p>2/14/2017 1/24/2017</p>

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Bills	General Assembly Actions	Date of BOS Position
	<p>2/3/2017 House: Referred to Committee on Counties, Cities and Towns 2/8/2017 House: Subcommittee recommends reporting with amendments (10-Y 0-N) 2/10/2017 House: Reported from Counties, Cities and Towns with amendment (21-Y 0-N) 2/14/2017 House: Passed House with amendment BLOCK VOTE (98-Y 0-N) 2/16/2017 Senate: House amendment agreed to by Senate (40-Y 0-N) 2/20/2017 Senate: Enrolled 2/20/2017 House: Signed by Speaker 2/21/2017 Senate: Signed by President 2/21/2017 House: Enrolled Bill communicated to Governor on 2/21/17 2/21/2017 Governor: Governors Action Deadline Midnight, March 27, 2017</p>	
<p>Monitor (SB1173ER) - Amended to minimize concerns. Oppose (17103645D) – Current law provides for the same situation and remedy for the property owner. Summary: Vested property rights. Provides that if a structure is one that requires no permit, and an authorized local government official informs the property owner that the structure will comply with the zoning ordinance, and the improvement was thereafter constructed, a zoning ordinance may provide that the structure is nonconforming but shall not provide that such structure is illegal and subject to removal solely due to such nonconformity. The provisions of the bill are declared to not be deemed retroactive.</p>		
<p>SB 1189 - Edwards (21) Water and sewer services; liens, owners, lessees, or tenants.</p>	<p>1/10/2017 Senate: Referred to Committee for Courts of Justice 1/16/2017 Senate: Rereferred to Local Government 1/24/2017 Senate: Reported from Local Government with amendment (12-Y 1-N) 1/30/2017 Senate: Read third time and passed Senate (40-Y 0-N) 2/2/2017 House: Referred to Committee for Courts of Justice 2/13/2017 House: Subcommittee recommends reporting (9-Y 0-N) 2/20/2017 House: Reported from Courts of Justice (21-Y 0-N) 2/22/2017 House: Passed House BLOCK VOTE (100-Y 0-N)</p>	<p>2/14/2017</p>
<p>Monitor (17103817D) Summary: Water and sewer services; liens; owners, lessees, or tenants. Separates Code provisions regarding water and sewer services provided to lessees or tenants of real property from Code provisions regarding water and sewer services provided to owners of real property. The bill removes a locality's authority to waive a required written authorization by an owner for water or sewer services provided by a locality to a lessee or tenant. A copy of the lease between the lessee or tenant and the owner is acceptable authorization. The bill provides that no lien can be placed on the property of an owner when a lessee or tenant has delinquent fees for water or sewer charges until the locality has made reasonable collection efforts and practices including (i) applying the security deposit to the payment of the outstanding balance and (ii) either filing for the Setoff Debt Collection Program (§ 58.1-520 et seq.) or placing the account with a debt collection service. A lien against the lessee or tenant shall rank on a parity with a lien for unpaid taxes. When a locality does not require a security deposit from a lessee or tenant to obtain water and sewer</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>services, the locality shall waive its lien rights against the property owner. The bill also authorizes the locality or authority to provide a partial credit where excessive water and sewer charges result from an intentional cause. A locality or authority cannot deny service to a new lessee or tenant when there are unpaid fees for services to a previous lessee or tenant unless a lien against the property owner is placed on the property.</p>		
<p>SB 1274 - McDougle (4) License taxes, local; exemption for certain defense production businesses.</p>	<p>1/10/2017 Senate: Referred to Committee on Finance 1/24/2017 Senate: Reported from Finance with substitute (16-Y 0-N) 1/27/2017 Senate: Read third time and passed Senate (39-Y 0-N) 1/31/2017 House: Referred to Committee on Finance 2/13/2017 House: Reported from Finance (22-Y 0-N) 2/15/2017 House: Passed House BLOCK VOTE (99-Y 0-N) 2/17/2017 Senate: Enrolled 2/17/2017 House: Signed by Speaker 2/20/2017 Senate: Signed by President 2/21/2017 Senate: Enrolled Bill Communicated to Governor on 2/21/17 2/21/2017 Governor: Governors Action Deadline Midnight, March 27, 2017</p>	<p>2/14/2017 1/24/2017</p>
<p>Monitor (17104553D-S1) - Bill still creates a fiscal impact but has been narrowed significantly. See also HB 1889 (Hugo). Amend (17101436D) — Amend to narrow scope; exemptions in bill as written are overly broad. See also HB 1889 (Hugo). Summary: Local license taxes; exemption for certain defense production businesses. Clarifies that the exemption for wholesale manufacturers from local license taxes includes a manufacturer that is also a defense production business selling manufacturing, rebuilding, repair, and maintenance services at the place of manufacture to the United States or for which consent of the United States is required. This bill is identical to HB 1889.</p>		
<p>SB 1282 - McDougle (4) Wireless communications infrastructure; procedure for approved by localities.</p>	<p>1/10/2017 Senate: Referred to Committee on Commerce and Labor 1/30/2017 Senate: Reported from Commerce and Labor with substitute (12-Y 0-N 2-A) 2/3/2017 Senate: Read third time and passed Senate (21-Y 17-N 1-A) 2/3/2017 Senate: Reconsideration of passage agreed to by Senate (38-Y 0-N 1-A) 2/3/2017 Senate: Passed Senate (21-Y 18-N 1-A) 2/8/2017 House: Referred to Committee on Commerce and Labor 2/9/2017 House: Reported from Commerce and Labor with substitute (21-Y 0-N) 2/14/2017 House: Passed House with substitute (97-Y 0-N) 2/15/2017 Senate: House substitute agreed to by Senate (32-Y 4-N 2-A) 2/20/2017 Senate: Enrolled</p>	<p>2/14/2017 1/24/2017</p>

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Bills	General Assembly Actions	Date of BOS Position
	2/20/2017 House: Signed by Speaker 2/21/2017 Senate: Signed by President 2/21/2017 House: Enrolled Bill communicated to Governor on 2/21/17 2/21/2017 Governor: Governors Action Deadline Midnight, March 27, 2017	

Monitor (17105221D-H1) - Bill has been substantially amended to address many local government concerns.
Oppose (17103885D) - See also ~~HB 2196 (Kilgore)~~.
Summary: Wireless communications infrastructure. Provides a uniform procedure for the way in which small cell facilities on existing structures are approved by localities and approved and installed in public rights-of-way. The measure includes provisions that establish requirements applicable to the location of micro-wireless facilities. The measure also addresses restrictions by localities and the Department of Transportation regarding the use of public rights-of-way or easements.

<p>SB 1322 - Carrico, Sr. (40) Public-Private Transportation Act of 1995; changes name of Advisory Committee.</p>	1/10/2017 Senate: Referred to Committee on Finance 1/31/2017 Senate: Reported from Finance with substitute (16-Y 0-N) 2/2/2017 Senate: Passed Senate (40-Y 0-N) 2/6/2017 House: Referred to Committee on Appropriations 2/13/2017 House: Reported from Appropriations with amendment (21-Y 0-N) 2/15/2017 House: Passed House with amendment BLOCK VOTE (99-Y 0-N) 2/17/2017 Senate: House amendment agreed to by Senate (40-Y 0-N) 2/22/2017 Senate: Enrolled 2/22/2017 Senate: Signed by President 2/22/2017 House: Signed by Speaker 2/23/2017 Senate: Enrolled Bill Communicated to Governor on 2/23/17 2/23/2017 Governor: Governors Action Deadline Midnight, March 27, 2017	<p>2/14/2017</p>
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Monitor (17102151D) - See also HB 2244 (Jones).
Summary: Public-Private Transportation Act of 1995. Renames the Transportation Public-Private Partnership Advisory Committee the Transportation Public-Private Partnership Steering Committee (the Steering Committee) and provides that the Deputy Secretary of Transportation shall serve as the chairman of the Steering Committee. The bill provides that, under the Public-Private Transportation Act of 1995, a responsible public entity may grant approval for the development and/or operation of a transportation facility by a private entity if that private entity can develop and/or operate the transportation facility for less cost than the Department of Transportation (VDOT) or the Department of Rail and Public Transportation (DRPT). The bill requires the chief executive officer of the responsible public entity to certify in writing to the Governor and the General Assembly that there has been no material change to the finding that a public-private partnership is in the best interest of the public since the finding was issued and that the public contribution requested by the private entity does not exceed the maximum public contribution. The bill clarifies that the finding of public interest by the Steering Committee shall be made after receipt of responses to the request for qualifications and prior to the issuance of the first draft request for proposals. The bill requires the responsible public entity, when such entity is VDOT or DRPT, to ensure competition through the procurement process and develop a public sector analysis of the cost

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Bills	General Assembly Actions	Date of BOS Position
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for the responsible entity to develop and/or operate the transportation facility. The bill requires VDOT or DRPT and the Steering Committee to review the public sector analysis prior to the initiation of any procurement. The bill adds to the information required to be included in the finding of public interest a description of the benefits expected to be realized by the responsible public entity and a public sector analysis demonstrating that the private sector can deliver the project for less cost than the responsible public entity.

<p>SB 1421 - Mason (1) Condemnation proceeding; interest on the amount of award.</p>	<p>1/11/2017 Senate: Referred to Committee on Transportation 1/30/2017 Senate: Rereferred to Courts of Justice 2/1/2017 Senate: Reported from Courts of Justice with substitute (15-Y 0-N) 2/6/2017 Senate: Passed Senate (40-Y 0-N) 2/8/2017 House: Referred to Committee for Courts of Justice 2/13/2017 House: Subcommittee recommends reporting with amendment (8-Y 0-N) 2/20/2017 House: Reported from Courts of Justice with amendment (21-Y 0-N) 2/22/2017 House: Passed House with amendment BLOCK VOTE (100-Y 0-N) 2/23/2017 Senate: House amendment agreed to by Senate (40-Y 0-N)</p>	<p>1/24/2017</p>
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Monitor (17103351D)
Summary: Interest on the amount of award; condemnation proceeding. Provides that the interest on an award in a condemnation proceeding that is greater than the amount that the condemnor deposited with the court shall accrue at the judgment rate of interest.

<p>SB 1559 - Petersen (34) Zoning appeals, board of; recipient to receive notice of zoning violation.</p>	<p>1/20/2017 Senate: Referred to Committee on Local Government 1/31/2017 Senate: Reported from Local Government with amendments (13-Y 0-N) 2/3/2017 Senate: Passed Senate (40-Y 0-N) 2/8/2017 House: Referred to Committee on Counties, Cities and Towns 2/17/2017 House: Reported from Counties, Cities and Towns (21-Y 1-N) 2/21/2017 House: Passed House (93-Y 1-N 1-A) 2/24/2017 Senate: Enrolled</p>	<p>2/14/2017 [1/27/2017]</p>
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Monitor (17104090D-E) - Amendments narrow the bill's scope sufficiently. ~~[Oppose] (17104090D)~~
Summary: Board of zoning appeals. Requires that the recipient of certain notices from the board of zoning appeals receive notice via certified mail, last known address, or usual abode prior to the commencement of the 30-day appeal period.

Fairfax County Positions

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Legislation No Longer Under Consideration

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

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1435</u> - Head (17) VIEW; pilot program for substance abuse screening and assessment.</p>	<p>11/22/2016 House: Referred to Committee on Health, Welfare and Institutions 1/26/2017 House: Reported from Health, Welfare and Institutions (12-Y 10-N) 1/26/2017 House: Referred to Committee on Appropriations 2/8/2017 Left in Appropriations</p>	<p>1/24/2017</p>
<p>Oppose (17100158D) - Board has historically opposed. Summary: Department of Social Services; pilot program for substance abuse screening and assessment for VIEW; report. Requires the Department of Social Services to develop a pilot program for screening and assessing participants in the Virginia Initiative for Employment not Welfare (VIEW) program for use of illegal substances. The bill requires the Department to provide an interim report on implementation of the pilot program to the Governor and the General Assembly no later than December 1, 2017, and a final report on the results of the pilot program to the Governor and the General Assembly no later than December 1, 2018.</p>		
<p><u>HB 1441</u> - Kory (38) Incapacitated persons; expands class of victims of crime of financial exploitation.</p>	<p>11/27/2016 House: Referred to Committee for Courts of Justice 2/7/2017 Left in Courts of Justice</p>	<p>1/24/2017</p>
<p>Support (17100262D) Summary: Financial exploitation of incapacitated persons; penalty. Expands the class of victims of the crime of financial exploitation of incapacitated persons to include persons incapacitated due to physical illness or disability, advanced age, or other causes. The current law applies only to victims who suffer from mental incapacity. The bill also allows for forfeiture of personal property used in connection with the crime.</p>		
<p><u>HB 1449</u> - Boysko (86) Naloxone; dispensing for use in opioid overdose reversal, etc.</p>	<p>12/1/2016 House: Referred to Committee on Health, Welfare and Institutions 1/24/2017 House: Subcommittee recommends laying on the table by voice vote 2/7/2017 Left in Health, Welfare and Institutions</p>	<p>1/24/2017</p>
<p>Support (17101968D) - See also HB 1453 (LaRock) and SB 848 (Wexton). Summary: Dispensing of naloxone. Allows a person who is authorized by the Department of Behavioral Health and Developmental Services to train individuals on the administration of naloxone for use in opioid overdose reversal and who is acting on behalf of an organization that provides substance abuse treatment services to individuals at risk of experiencing opioid overdose or training in the administration of naloxone for overdose reversal and that has obtained a controlled substances registration from the Board of Pharmacy pursuant to § 54.1-3423 to dispense naloxone to a person who has completed a training program on the administration of naloxone for opioid overdose reversal, provided that such dispensing is (i) pursuant to a standing order issued by a prescriber, (ii) in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, and (iii) without charge or compensation. The bill also provides that a person who dispenses naloxone shall not be liable for civil damages of ordinary negligence for acts or omissions resulting from the rendering of such treatment if he acts in good faith and that a person to whom naloxone has been dispensed pursuant to the provisions of the bill may possess naloxone and may administer naloxone to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1458 - Lingamfelter (31) Law enforcement, local; fees for concealed handgun permits, courthouse and courtroom security.</p>	<p>12/5/2016 House: Referred to Committee on Militia, Police and Public Safety 1/13/2017 House: Reported from Militia, Police and Public Safety with substitute (22-Y 0-N) 1/13/2017 House: Referred to Committee on Appropriations 2/8/2017 Left in Appropriations</p>	<p>2/14/2017</p>
<p>Support the fee increase for Sheriff, courthouse and court room security. (17104112D-H1) - Support the fee increase for Sheriff, courthouse and court room security; Board has historically supported. Summary: Local law enforcement; fees for concealed handgun permits; courthouse and courtroom security; assessment. Eliminates (i) the fee, under current law up to \$35, that a local law-enforcement agency is permitted to charge for conducting the background investigation for a concealed handgun permit and (ii) the requirement that the local law-enforcement agency forward to the State Police any amount assessed by the FBI for providing criminal history record information in the background investigation. The bill makes discretionary the current mandatory fee of up to \$10 charged by the clerk for processing a concealed handgun permit application or issuing a permit. The bill increases from \$10 to \$20 the maximum amount, designated solely to fund courthouse and courtroom security, that 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.</p>		
<p>HB 1480 - Helsel, Jr. (91) Mental health awareness training; law-enforcement officers, firefighters, and emergency personnel.</p>	<p>12/13/2016 House: Referred to Committee for Courts of Justice 1/27/2017 House: Subcommittee recommends laying on the table by voice vote 2/7/2017 Left in Courts of Justice</p>	<p>1/24/2017</p>
<p>Support (17100561D) - Support concept of mental health training for first responders; seek flexibility to mitigate fiscal impacts. See also SB 1064 (Deeds). Summary: Mental health awareness training; law-enforcement officers, firefighters, and emergency medical services personnel. Requires the Department of Behavioral Health and Developmental Services (DBHDS) to establish and administer a mental health awareness program for training persons in emergency services professions in recognizing potential mental health issues and assisting themselves and each other with mental health issues. The bill requires DBHDS to create and administer a process by which a program not created by DBHDS can be certified as a qualified mental health awareness program. The bill requires law-enforcement officers, emergency medical services personnel, and firefighters other than volunteer firefighters to participate in a mental health awareness program created or certified by DBHDS once every two years.</p>		
<p>HB 1487 - Albo (42) Maximum number of circuit court judges; 19th Judicial Circuit.</p>	<p>12/13/2016 House: Referred to Committee for Courts of Justice 2/3/2017 House: Reported from Courts of Justice (19-Y 0-N) 2/7/2017 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 2/8/2017 Senate: Referred to Committee for Courts of Justice 2/13/2017 Senate: Reported from Courts of Justice (14-Y 1-N) 2/13/2017 Senate: Rereferred to Finance 2/15/2017 Senate: Passed by indefinitely in Finance (14-Y 1-N 1-A)</p>	<p>2/14/2017 1/24/2017</p>
<p>Monitor (17101507D) Oppose (17101507D) Summary: Reduces from 15 to 14 the maximum number of circuit court judges in the 19th Judicial Circuit (Fairfax, Fairfax County), effective July 1, 2018, or upon the death, resignation, or retirement of any judge of that court, whichever occurs later.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1488 - Albo (42) Collection of delinquent local taxes; period of delinquency.</p>	<p>12/13/2016 House: Referred to Committee on Finance 1/25/2017 House: Subcommittee recommends striking from docket by voice vote 1/30/2017 House: Stricken from docket by Finance by voice vote</p>	<p>1/24/2017</p>
<p>Support (17102385D) Summary: Reduces from six months to three months the minimum period of time that a tax has been delinquent before a locality may refer the delinquency to an attorney, collection agency, or the sheriff for collection.</p>		
<p>HB 1595 - Boysko (86) Vehicle license fees and taxes, local; collection by counties and adjoining towns.</p>	<p>1/2/2017 House: Referred to Committee on Transportation 2/2/2017 House: Reported from Transportation (21-Y 0-N) 2/7/2017 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 2/8/2017 Senate: Referred to Committee on Transportation 2/15/2017 Senate: Rereferred to Rules 2/21/2017 Senate: Left in Rules</p>	<p>1/24/2017</p>
<p>Support (17102239D) - See also SB 1211 (Wexton). Summary: Local vehicle license fees and taxes. Allows counties and adjoining towns to enter into reciprocal agreements to collect each other's vehicle license fees and taxes. Currently, such collection is limited to non-delinquent license fees and taxes.</p>		
<p>HB 1606 - Villanueva (21) Handheld personal communications devices; use of devices in highway work zones.</p>	<p>1/3/2017 House: Referred to Committee on Transportation 1/26/2017 House: Reported from Transportation with amendments (19-Y 3-N) 2/1/2017 House: Read third time and passed House (80-Y 18-N) 2/2/2017 Senate: Referred to Committee on Transportation 2/15/2017 Senate: Reported from Transportation with amendment (9-Y 4-N) 2/20/2017 Senate: Rereferred to Courts of Justice 2/21/2017 Senate: Left in Courts of Justice</p>	<p>1/24/2017</p>
<p>Monitor (17100696D) Summary: Use of handheld personal communications devices in highway work zones. Prohibits any person from texting or otherwise using a handheld personal communications device while operating a motor vehicle in a highway work zone, defined in the bill, when workers are present. The bill adds an exemption to the prohibition against using a handheld personal communications device in a moving motor vehicle for an operator of a vehicle who activates, deactivates, or initiates a factory-installed feature or function on the vehicle.</p>		
<p>HB 1657 - Marshall (13) Government Data Collection and Dissemination Practices Act; license plate readers.</p>	<p>1/5/2017 House: Referred to Committee on Militia, Police and Public Safety 2/3/2017 House: Reported from Militia, Police and Public Safety with amendments (11-Y 9-N) 2/7/2017 House: Read third time and defeated by House (30-Y 67-N)</p>	<p>1/24/2017</p>

Bills	General Assembly Actions	Date of BOS Position
<p>Monitor (17103275D) - Retention period in bill may be insufficient. Summary: Codifies an opinion of the Attorney General regarding the Government Data Collection and Dissemination Practices Act by limiting the ability of law-enforcement and regulatory agencies to use license plate readers to collect and maintain personal information on individuals where a warrant has not been issued and there is no reasonable suspicion of criminal activity by the individuals. The bill provides that information collected by a license plate reader without a warrant shall be used only for the investigation of a crime or a report of a missing person and shall be retained only for seven days, after which such information shall be purged unless relevant to an ongoing investigation of a crime or missing person report. The bill also prohibits an agency from acquiring personal information collected from license plate readers from any other agency or a third-party private vendor if the agency would not have been permitted to collect or retain the information on its own.</p>		
<p>HB 1698 - Marshall, III (14) Polling places; memorandum of understanding.</p>	<p>1/6/2017 House: Referred to Committee on Privileges and Elections 1/19/2017 Subcommittee recommends reporting with amendments (4-Y 2-N 1/20/2017 Failed to report (defeated) in Privileges and Elections (10-Y 11-N)</p>	<p>1/24/2017</p>
<p>Support with Amendment (17101752D) - Support with amendments to make the bill permissive, and address technical issues with the legislation. Summary: Directs the Attorney General to develop and make available a template memorandum of understanding to be used by the general registrars when establishing polling places. The bill requires the general registrar to enter into a memorandum of understanding with the entity or person authorized to grant the use of the facility as a polling place. Using the template prescribed by the Attorney General, the parties will specify the terms for use of the facility, including the hours and dates the facility is to be used, the availability of parking at the facility, and the defined space where the elections are to be conducted. Such memorandum of understanding shall be entered into for a period of five years, with the option to renew at the end of the fourth year. Upon the mutual agreement of the two parties, such memorandum of understanding shall be voided.</p>		
<p>HB 1723 - Anderson (51) Resettlement of refugees; notice to localities, the Sec. of the Commonwealth, and General Assembly.</p>	<p>1/7/2017 House: Referred to Committee on Counties, Cities and Towns 2/3/2017 House: Tabled in Counties, Cities and Towns by voice vote</p>	<p>1/24/2017</p>
<p>Monitor (17103572D) Summary: Resettlement of refugees; notice to localities, the Secretary of the Commonwealth, and the General Assembly. Provides that any public or private entity in the Commonwealth that proposes to enter into a contractual agreement with the federal government that would result in the acceptance and resettlement of refugees or persons not lawfully present in the United States shall first notify in writing the chief elected official of all local governments where such persons may be resettled, the Secretary of the Commonwealth, and the Chairmen of the House and Senate Committees on Rules. Such written notice shall be given at least 30 days prior to the signing of any such agreement. The purpose of this bill is for notification purposes only and grants no authority to localities or the Commonwealth to either approve or disapprove any such proposed resettlement.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1739</u> - Minchew (10) Civil immunity; emergency services and communications.</p>	<p>1/8/2017 House: Referred to Committee for Courts of Justice 1/25/2017 House: Subcommittee recommends striking from docket by voice vote 2/7/2017 Left in Courts of Justice</p>	<p>2/14/2017</p>
<p>Support (17102472D) - See also SB 888 (Chafin). Summary: Extends immunity from civil liability to persons involved in providing, operating, or maintaining services or equipment used for emergency assistance, unless the act or omission that gave rise to the injury is a result of such person's gross negligence or willful misconduct. Under current law, such immunity is limited to persons who are communications services providers, a term defined in Title 58.1.</p>		
<p><u>HB 1757</u> - Dudenhefer (2) School personnel; staffing ratios; school nurses.</p>	<p>1/9/2017 House: Referred to Committee on Education 1/25/2017 House: Reported from Education with amendments (19-Y 2-N) 1/25/2017 House: Referred to Committee on Appropriations 1/31/2017 House: Subcommittee recommends laying on the table by voice vote 2/8/2017 Left in Appropriations</p>	<p>1/24/2017</p>
<p>Oppose (17100964D) - Potential fiscal impact to Fairfax County is \$14 million. Summary: Requires each local school board to employ at least one full-time equivalent school nurse position in each elementary school, middle school, and high school in the local school division and at least one full-time equivalent school nurse position per 1,000 students in grades kindergarten through 12.</p>		
<p><u>HB 1782</u> - Bell (58) State Board of Corrections; membership; powers and duties; review of deaths of inmates.</p>	<p>1/9/2017 House: Referred to Committee on Militia, Police and Public Safety 1/20/2017 House: Rereferred to Committee for Courts of Justice 1/30/2017 House: Reported from Courts of Justice with amendments (19-Y 0-N) 1/30/2017 House: Referred to Committee on Appropriations 2/2/2017 House: Subcommittee recommends laying on the table by voice vote 2/8/2017 House: Left in Appropriations</p>	<p>1/24/2017</p>
<p>Monitor (17103517D) Summary: State Board of Corrections; membership; powers and duties; review of deaths of inmates in local correctional facilities. Authorizes the State Board of Corrections (Board) to conduct a review of the death of any inmate in a local or regional correctional facility in order to determine the circumstances surrounding the inmate's death and whether the facility was in compliance with the Board's regulations. The bill requires the Board to develop and implement policies and procedures for the review of the death of any inmate that occurs in any local or regional correctional facility. The bill also requires that the State Department of Health and the Office of the Chief Medical Examiner assist the Board in developing and implementing these policies and procedures and with any death review undertaken by the Board. The bill provides that any death review shall be performed by Department of Corrections (Department) staff designated by the Board and requires the Board to submit a report of the findings of a completed investigation to the Governor, the General Assembly, and the Department. The bill also specifies requisite qualifications for individuals appointed to the Board.</p>		

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Bills	General Assembly Actions	Date of BOS Position
HB 1788 - Yancey (94) Incapacitated persons; abuse and neglect, financial exploitation, penalty.	1/9/2017 House: Referred to Committee for Courts of Justice 2/7/2017 House: Left in Courts of Justice	1/24/2017
<p>Support (17102285D) - See also SB 1420 (Mason). Summary: Incapacitated persons; abuse and neglect; financial exploitation of incapacitated persons; penalty. Provides that any responsible person who abuses or neglects an incapacitated adult and such abuse or neglect results in any bodily injury, other than serious bodily injury, to the incapacitated adult is guilty of a Class 6 felony, which is in addition to the current Class 4 felony if such abuse or neglect results in serious bodily injury. The bill also expands the class of victims of the crime of financial exploitation of incapacitated persons to include persons incapacitated due to physical illness or disability, advanced age, or other causes. The current law applies only to victims who suffer from mental incapacity.</p>		
HB 1800 - Toscano (57) Electric utility regulation; third party power purchase agreements.	1/9/2017 House: Referred to Committee on Commerce and Labor 1/31/2017 House: Subcommittee recommends laying on the table by voice vote 2/8/2017 Left in Commerce and Labor	1/24/2017
<p>Support (17101835D) Summary: Authorizes individual retail customers of electric energy to own and operate, or contract with other persons to own, operate, or both, a renewable electrical generating facility under a third party power purchase agreement, on the customer's premises that meets the "eligible customer-generator" requirements for nonresidential customers and agricultural customers under the Commonwealth's net energy metering program.</p>		
HB 1802 - Bell (87) Companion animals; prohibits tethering of animals outdoors unless owner is outdoors.	1/9/2017 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/23/2017 House: Subcommittee recommends laying on the table by voice vote 2/8/2017 Left in Agriculture, Chesapeake and Natural Resources	1/24/2017
<p>Amend (17101042D) - Amend to allow the County's approved ordinance provisions, including its penalties, to continue. Summary: Care of companion animals; tethering; penalty. Prohibits tethering of companion animals outdoors unless the owner is outdoors within sight of the animal. A violation of this prohibition is a Class 4 misdemeanor and a second or subsequent violation is a Class 3 misdemeanor.</p>		
HB 1808 - Bell (87) Virginia Public Procurement Act; use of best value contracting.	1/9/2017 House: Referred to Committee on General Laws 1/31/2017 House: Subcommittee recommends laying on the table by voice vote 2/8/2017 Left in General Laws	1/24/2017
<p>Support (17102088D) Summary: Virginia Public Procurement Act; use of best value contracting; construction and professional services. Authorizes any public body to procure construction on a best value procurement basis using a numerical scoring system consisting of the following: (i) technical solution, 30 percent; (ii) past</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>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 above.</p>		
<p><u>HB 1834</u> - Anderson (51) Distracted driving; penalty.</p>	<p>1/10/2017 House: Referred to Committee for Courts of Justice 2/1/2017 Subcommittee recommends reporting with substitute (11-Y 0-N) 2/3/2017 Failed to report (defeated) in Courts of Justice (9-Y 10-N)</p>	<p>1/24/2017</p>
<p>Support (17103620D) - Board has historically supported. Summary: Expands the prohibition on manually entering multiple letters or text in a handheld communications device while operating a motor vehicle to also prohibit the manual selection of multiple icons and removes the condition that such manual entry is prohibited only if performed as a means of communicating with another person. The bill prohibits the operator of a motor vehicle from reading any information displayed on the device; current law prohibits reading an email or text message. The bill provides that this prohibition does not apply to reading any information displayed through the use of a global position system for the purposes of navigation. The bill eliminates the current exemption from the prohibition on using a handheld personal communications device while operating a motor vehicle when the vehicle is stopped or not moving; the current exemption from the prohibition when the vehicle is parked is not affected.</p>		
<p><u>HB 1877</u> - Pogge (96) Tethering of dogs; local ordinances.</p>	<p>1/10/2017 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/23/2017 House: Subcommittee recommends striking from docket by voice vote 2/7/2017 Left in Agriculture, Chesapeake and Natural Resources</p>	<p>1/24/2017</p>
<p>Monitor (17102166D) Summary: Authorizes the governing body of any locality to adopt ordinances limiting the amount of time during which a dog may be tethered.</p>		
<p><u>HB 1894</u> - Herring (46) DCJS training standards; community engaged policing.</p>	<p>1/10/2017 House: Referred to Committee on Militia, Police and Public Safety 1/20/2017 House: Reported from Militia, Police and Public Safety (17-Y 0-N) 1/20/2017 House: Referred to Committee on Appropriations 1/26/2017 House: Subcommittee recommends laying on the table by voice vote 2/8/2017 Left in Appropriations</p>	<p>1/24/2017</p>
<p>Monitor (17101805D) - See also SB 1047 (Lucas). Summary: Expands the responsibilities of the Department of Criminal Justice Services regarding community policing by requiring the compulsory training standards for basic training and recertification of law-enforcement officers to include fair and impartial policing, verbal de-escalation, and needs of special populations. The bill changes the term "community policing" to "community engaged policing."</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 2043</u> - Miller (50) Law-enforcement officer; public release of identifying information, etc.</p>	<p>1/10/2017 House: Referred to Committee on General Laws 1/26/2017 Subcommittee recommends reporting with substitute (5-Y 1-N) 2/2/2017 House: Reported from General Laws with substitute (11-Y 9-N) 2/6/2017 House: Referred to Committee for Courts of Justice 2/7/2017 Left in Courts of Justice</p>	<p>1/24/2017</p>
<p>Monitor (17103786D) Summary: Public release of identifying information of a law-enforcement officer during and following an official investigation; penalty. Prohibits any public official, public employee, or person acting on behalf of a public official or public employee from releasing to the public any identifying information of a law-enforcement officer who is the subject of an official investigation that involves the discharge of a firearm or use of force by such law-enforcement officer during the performance of his official duties prior to the conclusion of such official investigation or the conclusion of the first six months of such investigation. The bill requires that such law-enforcement officer's name be released to the public if he is charged with a criminal offense as a result of the official investigation. The bill authorizes the law-enforcement officer's name to be withheld if the law-enforcement officer is not charged with a criminal offense as a result of the official investigation and the release of his name would create a risk of harm to such law-enforcement officer or his family. A violation is a Class 1 misdemeanor. The bill makes corresponding changes in the Virginia Freedom of Information Act.</p>		
<p><u>HB 2057</u> - Kory (38) Discrimination; prohibited in private or public employment.</p>	<p>1/10/2017 House: Referred to Committee on General Laws 1/26/2017 Subcommittee failed to recommend reporting (2-Y 5-N) 2/8/2017 Left in General Laws</p>	<p>1/24/2017</p>
<p>Support (17100266D) - Board has historically supported. Summary: Prohibited discrimination in employment. Prohibits discrimination in private or public employment based on sexual orientation or status as a veteran. The bill provides that under the Virginia Human Rights Act, such discrimination is actionable if the violating employer has more than five but less than 15 employees. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" does not include any person's attraction toward persons with whom sexual conduct would be illegal due to the age of the parties. The bill also conforms various provisions prohibiting discrimination in public employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or veteran status. The bill contains technical amendments.</p>		
<p><u>HB 2070</u> - Watts (39) Additional powers of certain counties.</p>	<p>1/10/2017 House: Referred to Committee on Finance 1/18/2017 House: Subcommittee recommends laying on the table by voice vote 2/7/2017 Left in General Laws</p>	<p>1/24/2017</p>
<p>Support (17102290D) - Support concept of equalizing taxing authority between counties and cities, although the County has historically opposed any legislation that would require the transfer of secondary road construction and maintenance responsibilities to counties. Summary: Grants counties with a population density greater than 2,000 persons per square mile certain powers related to taxation, borrowing, and payments for highway maintenance. Such powers currently are generally granted to cities and towns.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 2073</u> - Watts (39) Virginia Consumer Protection Act; adds certain fraud crimes.</p>	<p>1/10/2017 House: Referred to Committee for Courts of Justice 1/23/2017 Subcommittee recommends reporting with substitute (9-Y 0-N) 1/27/2017 House: Reported from Courts of Justice with substitute (21-Y 0-N) 2/2/2017 House: Read third time and passed House BLOCK VOTE (95-Y 0-N) 2/3/2017 Senate: Referred to Committee for Courts of Justice 2/13/2017 Senate: Passed by indefinitely in Courts of Justice (9-Y 6-N)</p>	<p>1/24/2017</p>
<p>Support (17103551D) Summary: Certain fraud crimes; multi-jurisdiction grand jury; Virginia Consumer Protection Act. Adds the offenses of obtaining money by false pretense, financial exploitation of mentally incapacitated persons, and construction fraud to the criminal violations that a multi-jurisdiction grand jury may investigate and to prohibited practices under the Virginia Consumer Protection Act (§ 59.1-196 et seq.).</p>		
<p><u>HB 2094</u> - Price (95) Localities; regulation of firearms in government buildings.</p>	<p>1/10/2017 House: Referred to Committee on Militia, Police and Public Safety 1/19/2017 House: Subcommittee recommends striking from docket by voice vote 2/7/2017 Left in Militia, Police and Public Safety</p>	<p>1/24/2017</p>
<p>Support (17100848D) - Board has historically supported. Summary: Allows localities to regulate the possession of firearms, ammunition, or components or combination thereof in, or the carrying of firearms, ammunition, or components or combination thereof into, any building owned or used by such locality for governmental purposes. Current law prohibits localities from adopting or enforcing any ordinance, resolution, or motion regarding firearms, ammunition, or components or combination thereof unless expressly authorized by statute.</p>		
<p><u>HB 2097</u> - Price (95) HIV or hepatitis B or C virus; testing for infection, order of magistrate.</p>	<p>1/10/2017 House: Referred to Committee on Health, Welfare and Institutions 1/26/2017 House: Subcommittee recommends laying on the table by voice vote 2/7/2017 Left in Health, Welfare and Institutions</p>	<p>1/24/2017</p>
<p>Support (17102168D) Summary: Testing for infection with human immunodeficiency virus or hepatitis B or C virus; order of magistrate. Allows a magistrate to issue an order requiring a person to provide a blood specimen for testing for human immunodeficiency virus or the hepatitis B or C virus when exposure to bodily fluids occurs between a person and a health care provider, person employed by or under the direction and control of a health care provider, law-enforcement officer or other person employed by a law enforcement agency, firefighter, emergency medical services personnel, or school board employee and the person whose blood specimen is sought refuses to consent to providing such specimen. Currently, only the general district court may issue such order.</p>		
<p><u>HB 2104</u> - Byron (22) Machinery and tools tax; valuation, appeal of certain local taxes.</p>	<p>1/10/2017 House: Referred to Committee on Finance 1/25/2017 Subcommittee recommends reporting (5-Y 2-N) 1/30/2017 House: Reported from Finance with amendment (17-Y 5-N)</p>	<p>2/14/2017</p>

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Bills	General Assembly Actions	Date of BOS Position
	2/1/2017 House: Referred to Committee on Appropriations 2/8/2017 Left in Appropriations	
<p>Oppose (17101942D) Summary: Machinery and tools tax; valuation; appeal of certain local taxes. Permits the commissioner of the revenue to utilize any method that may reasonably be expected to determine actual fair market value of machinery and tools, in addition to specific methods required under current law. The bill also requires the commissioner of the revenue, upon request, to take into account the condition of the machinery and tools, all forms of depreciation, including obsolescence, and any other factor that is not adequately taken into account by the valuation method otherwise used. The bill requires the commissioner of the revenue to provide to taxpayers upon request a description of his valuation methods, any adjustments that have been made to reflect the taxpayer's appraisal or written concerns, and the factual and legal bases on which the commissioner relies for disagreeing with the taxpayer's qualified appraisal. The bill also gives the Tax Commissioner authority to issue advisory written opinions in specific cases to interpret the law related to valuations involving independent appraisals of manufacturers' machinery and tools that are presented by the taxpayer to the commissioner of the revenue. In appeals to the Tax Commissioner of the valuation of machinery and tools, the bill permits the taxpayer to value the property by allocating the total value of all machinery and tools at a facility among individual items of property according to the percentage of the original cost that each such item of property bears to the total original cost of all of the property. The bill also requires the Tax Commissioner to make certain determinations and findings related to the appeal.</p>		
<p>HB 2120 - Keam (35) Northern Virginia Transportation Authority (NVTa); membership composition.</p>	<p>1/10/2017 House: Referred to Committee on Transportation 1/26/2017 Subcommittee recommends reporting with amendment (5-Y 1-N) 2/7/2017 Left in Transportation</p>	<p>1/24/2017</p>
<p>Oppose (17102324D) - Board has historically opposed. See also SB 929 (Petersen). Summary: Increases from 17 to 18 the membership of the NVTa and provides that the additional nonlegislative citizen member represent towns that receive funds for urban highway systems.</p>		
<p>HB 2124 - Minchew (10) Eminent domain; just compensation for entry onto property.</p>	<p>1/11/2017 House: Referred to Committee on Commerce and Labor 1/31/2017 House: Referred to Committee for Courts of Justice 2/7/2017 Left in Courts of Justice</p>	<p>1/24/2017</p>
<p>Oppose (17103364D) Summary: Provides that a condemnor or a natural gas company with the right of entry without the permission of the landowner must provide just compensation to the landowner for such entry. The bill provides that the presumptive amount of such just compensation is \$100, which shall be paid to the landowner in advance of the entry onto the property.</p>		
<p>HB 2129 - Levine (45) Virginia Human Rights Act; prohibits discrimination in employment.</p>	<p>1/11/2017 House: Referred to Committee on General Laws 1/19/2017 Subcommittee failed to recommend reporting (2-Y 5-N) 2/8/2017 Left in General Laws</p>	<p>1/24/2017</p>
<p>Support (17103723D) - Board has historically supported. Summary: Virginia Human Rights Act; public employment, public accommodation, and housing; prohibited</p>		

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<p>discrimination; sexual orientation. Prohibits discrimination in employment and public accommodation on the basis of sexual orientation. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" does not include any person's attraction toward persons with whom sexual conduct would be illegal due to the age of the parties. The bill also codifies existing prohibited discrimination in public employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran. The bill also adds discrimination based on sexual orientation or gender identity as an unlawful discriminatory housing practice. The bill contains technical amendments.</p>		
<p><u>HB 2130</u> - Levine (45) Motor vehicles; motor fuel sales tax in certain transportation districts.</p>	<p>1/11/2017 House: Referred to Committee on Finance 1/25/2017 House: Subcommittee recommends laying on the table by voice vote 2/7/2017 Left in Finance</p>	<p>1/24/2017</p>
<p>Support (17103725D) - Board has historically supported. Summary: Motor vehicle fuels sales tax in certain transportation districts. Provides that the tax that is imposed on the sales price of motor fuel in Northern Virginia shall be imposed on the regional price of gas, defined and computed as a six-month average price of fuel. The regional price has an initial floor of January 11, 2017. If a newly averaged regional price is higher than the preceding regional price, the tax is imposed on the new regional price, but if a newly averaged regional price is less than the preceding regional price, the higher of the two remains the regional price. If the regional price is at any time equal to or greater than the statewide average wholesale price of unleaded regular gasoline on February 20, 2013, then the tax is imposed on the regional price, which moving forward shall not be less than the statewide average wholesale price of unleaded regular gasoline on February 20, 2013, and shall not be more than a price of \$4 per gallon of unleaded regular gasoline. The bill also raises the rate of taxation of motor fuel in Northern Virginia from 2.1% to 3%.</p>		
<p><u>HB 2132</u> - Levine (45) Towing advisory board, local; membership.</p>	<p>1/11/2017 House: Referred to Committee on Transportation 1/30/2017 Subcommittee failed to recommend reporting (2-Y 4-N) 2/7/2017 Left in Transportation</p>	<p>1/24/2017</p>
<p>Monitor (17102409D) Summary: Local towing advisory board; membership. Requires local towing advisory boards to consist of an equal number of representatives of (i) local law-enforcement agencies, (ii) licensed towing and recovery operators, (iii) commercial property or business owners, including business tenants residing in commercial buildings, and (iv) the general public. Current law requires the membership of such advisory boards to consist of (a) an equal number of representatives of local law-enforcement agencies and licensed towing and recovery operators and (b) one member of the general public.</p>		
<p><u>HB 2145</u> - LeMunyon (67) Dept.of Professional and Occupational Regulation; regulation of land surveyor photogrammetrists.</p>	<p>1/11/2017 House: Referred to Committee on General Laws 1/31/2017 House: Subcommittee recommends reporting with substitute (6-Y 0-N) 2/2/2017 House: Reported from General Laws with substitute (20-Y 0-N) 2/7/2017 House: Read third time and passed House (78-Y 19-N) 2/8/2017 Senate: Referred to Committee on General Laws and Technology</p>	<p>2/14/2017 [1/27/2017]</p>

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Bills	General Assembly Actions	Date of BOS Position
	2/20/2017 Senate: Passed by indefinitely in General Laws and Technology (14-Y 1-N)	
<p>Monitor (17104227D-H1) - Bill has been amended to include a reenactment clause. [Oppose Unless Amended] (17103720D) – Oppose unless amended to reinstate language affecting GIS and mapping activities by local government employees. See also SB 1572 (Stanley).</p> <p>Summary: Department of Professional and Occupational Regulation; regulation of land surveyor photogrammetrists. Provides for the licensure of land surveyor photogrammetrists by the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects. The bill defines "land surveyor photogrammetrists" and sets the criteria for their licensure. The bill provides that it will not become effective unless reenacted by the 2018 Session of the General Assembly.</p>		
<p>HB 2196 - Kilgore (1) Wireless communications infrastructure; procedure for approved by localities.</p>	<p>1/11/2017 House: Referred to Committee on Commerce and Labor 1/31/2017 House: Reported from Commerce and Labor with substitute (18-Y 2-N) 2/6/2017 House: VOTE: ENGROSSMENT REFUSED (37-Y 57-N)</p>	<p>1/24/2017</p>
<p>Oppose (17103884D) - See also SB 1282 (McDougle). Summary: Wireless communications infrastructure. Provides a uniform procedure for the way in which wireless communications infrastructure is approved by localities and approved and installed in public rights-of-way.</p>		
<p>HB 2208 - Pogge (96) Food stamp program; electronic benefit transfer (EBT) card.</p>	<p>1/11/2017 House: Referred to Committee on Health, Welfare and Institutions 1/31/2017 House: Subcommittee recommends laying on the table by voice vote 2/7/2017 Left in Health, Welfare and Institutions</p>	<p>2/14/2017</p>
<p>Monitor (17100920D) Summary: Requires that each EBT card issued to a food stamp program recipient display a photograph of the recipient. The bill directs the Department of Social Services to (i) establish procedures to ensure that all eligible household members or authorized representatives of the recipient are able to access benefits from the account as necessary; and (ii) enter into memoranda of understanding or other similar agreements with other departments, agencies, and institutions of the Commonwealth, including the Department of Motor Vehicles, to share photographs, when available.</p>		
<p>HB 2213 - O'Bannon, III (73) TANF; time limit on the receipt of financial assistance.</p>	<p>1/11/2017 House: Referred to Committee on Health, Welfare and Institutions 1/26/2017 Subcommittee recommends reporting (6-Y 2-N) 1/31/2017 House: Reported from Health, Welfare and Institutions (12-Y 10-N) 1/31/2017 House: Referred to Committee on Appropriations 2/3/2017 House: Subcommittee recommends laying on the table by voice vote 2/8/2017 Left in Appropriations</p>	<p>2/14/2017</p>
<p>Oppose (17100918D) Summary: Time limit on the receipt of TANF financial assistance. Reduces the total lifetime limit on</p>		

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Bills	General Assembly Actions	Date of BOS Position
TANF financial assistance to 24 months; reduces the number of consecutive months a person may receive TANF before a period of ineligibility from 24 to 12 consecutive months; and reduces the time period of ineligibility from 24 months to 12 consecutive months.		
HB 2223 - Kory (38) Virginia Freedom of Information Act; right to speak at open meetings.	1/11/2017 House: Referred to Committee on General Laws 1/26/2017 Subcommittee recommends reporting with amendment (5-Y 2-N) 2/2/2017 House: Tabled in General Laws by voice vote	2/14/2017
<p>Oppose (17103756D) Summary: Requires that every public body afford an opportunity for public comment during any open meeting and requires that the public comment periods be noticed on the public body's agenda. The bill permits the public body to have discretion in where it places the public comment period on its agenda and permits the public body to adopt reasonable rules governing the public comment portion of the meeting, including imposing reasonable restrictions on time, place, and manner. The bill requires that for meetings of all public bodies, not just those state public bodies on which there is at least one member appointed by the Governor as in current law, the notice provided for any such meeting include a statement as to approximately at what point during the meeting public comment will be received.</p>		
HB 2235 - Cline (24) Motorcyclists or autocyclists; removes requirement to wear protective helmets.	1/11/2017 House: Referred to Committee on Transportation 1/30/2017 Subcommittee failed to recommend reporting (3-Y 4-N) 2/8/2017 Left in Transportation	2/14/2017
<p>Oppose (17103066D) - Board has historically opposed. Summary: Motorcyclists; equipment. Removes the requirement that individuals operating motorcycles or autocycles and their passengers wear protective helmets.</p>		
HB 2236 - Cline (24) Sanctuary policies; enforcement of federal immigration laws	1/11/2017 House: Referred to Committee for Courts of Justice 2/1/2017 House: Subcommittee recommends incorporating (HB2000-Poindexter) by voice vote 2/3/2017 Incorporated by HB 2000 (Poindexter) 2/7/2017 Left in Courts of Justice	1/24/2017
<p>Oppose (17102981D) - Board has historically opposed. Scope of bill is significant and not well-defined. Requires local enforcement of federal laws that are currently permissive, and constitutes an unfunded mandate. Summary: Sanctuary policies prohibited. Provides that no locality shall adopt any ordinance, procedure, or policy that restricts the enforcement of federal immigration laws to less than the full extent permitted by federal law. The General Assembly shall reduce state funding to the extent permitted by state and federal law to any locality found to have violated the provisions of the bill.</p>		
HB 2272 - Krizek (44) Compact fluorescent light (CFL) bulb recycling; local ordinances, civil penalties.	1/11/2017 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/25/2017 Subcommittee recommends reporting with substitute (6-Y 3-N) 2/1/2017 Failed to report (defeated) in Agriculture, Chesapeake and Natural Resources (10-Y 10-N)	1/24/2017

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Bills	General Assembly Actions	Date of BOS Position
<p>Monitor (17103491D) Summary: Compact fluorescent light (CFL) bulb recycling; local ordinances; civil penalties. Allows any locality to require (i) a retailer of CFL bulbs to accept used bulbs from customers and to post written notice of that requirement at the point of retail sale and (ii) a wholesaler of CFL bulbs to accept used bulbs and to pick them up from the point of collection within 90 days of collection. The bill requires any such local ordinance to require CFL bulb retailers and wholesalers to take the returned bulbs to a collection or recycling facility and authorizes the locality to subject violations of the law to a civil penalty of up to \$50 per violation.</p>		
<p>HB 2333 - Watts (39) Multi-jurisdiction grand jury; certain fraud crimes.</p>	<p>1/13/2017 House: Referred to Committee for Courts of Justice 1/23/2017 House: Subcommittee recommends striking from docket by voice vote 2/7/2017 Left in Courts of Justice</p>	<p>1/24/2017</p>
<p>Support (17103545D) Summary: Adds the offenses of obtaining money by false pretense, financial exploitation of mentally incapacitated persons, and construction fraud to the criminal violations that a multi-jurisdiction grand jury may investigate.</p>		
<p>HB 2334 - Watts (39) Fraud crimes, certain; forfeiture of motor vehicle.</p>	<p>1/13/2017 House: Referred to Committee for Courts of Justice 1/23/2017 House: Subcommittee recommends striking from docket by voice vote 2/7/2017 Left in Courts of Justice</p>	<p>1/24/2017</p>
<p>Support (17103547D) Summary: Certain fraud crimes; forfeiture of motor vehicle. Provides that motor vehicles used in connection with an offense of obtaining money by false pretense, financial exploitation of mentally incapacitated persons, or construction fraud are subject to forfeiture to the Commonwealth upon conviction.</p>		
<p>HB 2335 - Watts (39) Contractors, Board for; unlicensed activity, penalty.</p>	<p>1/13/2017 House: Referred to Committee for Courts of Justice 2/1/2017 Subcommittee recommends reporting with amendment (9-Y 1-N) 2/3/2017 House: Reported from Courts of Justice with substitute (11-Y 8-N) 2/6/2017 House: VOTE: ENGROSSMENT REFUSED (41-Y 50-N)</p>	<p>1/24/2017</p>
<p>Support (17103548D) Summary: Board for Contractors; unlicensed activity; penalty. Provides that, in addition to existing penalties for unlicensed activity, any second or subsequent violation by any person who undertakes work without a valid Virginia contractor's license or certificate when a license or certificate is required shall constitute a Class 6 felony.</p>		
<p>HB 2385 - Lingamfelter (31) Assessed court costs; electronic summons system.</p>	<p>1/17/2017 House: Referred to Committee for Courts of Justice 1/27/2017 House: Reported from Courts of Justice (14-Y 7-N)</p>	<p>2/14/2017</p>

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Bills	General Assembly Actions	Date of BOS Position
	1/27/2017 House: Referred to Committee on Appropriations 2/8/2017 Left in Appropriations	
<p>Monitor (17103243D) Summary: Requires, in any criminal or traffic case in which the Virginia State Police issued the summons, ticket, or citation, executed the warrant, or made the arrest for a violation of any statute, an additional assessment of \$5 as part of the costs, which shall be remitted to the state treasury to be placed in a fund for the Virginia State Police solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system. Current law allows localities to assess such a sum.</p>		
<p><u>HB 2401</u> - Morris (64) Virginia Freedom of Information Act; minutes of closed meetings required, audio recordings.</p>	<p>1/18/2017 House: Referred to Committee on General Laws 1/31/2017 House: Subcommittee recommends laying on the table by voice vote 2/8/2017 Left in General Laws</p>	<p>2/14/2017</p>
<p>Monitor (17103944D) - Board has historically monitored. Summary: Virginia Freedom of Information Act; minutes of closed meetings required; audio recordings. Provides that a public body shall (i) take closed meeting minutes, (ii) also make an audio recording of the entirety of every meeting that is closed to the public, and (iii) use a means of recording that fully captures and can clearly reproduce all statements made during a closed meeting. The bill provides that the minutes or recordings made shall not be subject to the disclosure provisions of FOIA.</p>		
<p><u>HB 2403</u> - Greason (32) Vehicles bearing clean special fuel license plates; use of high-occupancy toll (HOT) lanes.</p>	<p>1/18/2017 House: Referred to Committee on Transportation 2/7/2017 Left in Transportation</p>	<p>2/14/2017</p>
<p>Oppose (17103694D) Summary: Vehicles bearing clean special fuel license plates; use of high occupancy toll lanes. Exempts vehicles bearing clean special fuel license plates that were obtained from the Department of Motor Vehicles (DMV) before July 1, 2011, from any high occupancy toll lane designation of Interstate 66, and exempts vehicles bearing clean special fuel license plates that were obtained from the DMV before July 1, 2006, from any high occupancy toll lane designation of Interstates 95 and 395 inside the Capital Beltway until January 1, 2020.</p>		
<p><u>HB 2421</u> - Sickles (43) Central absentee voter precincts; expedited counting of absentee ballots.</p>	<p>1/19/2017 House: Referred to Committee on Privileges and Elections 2/2/2017 Subcommittee failed to recommend reporting (3-Y 3-N) 2/8/2017 Left in Privileges and Elections</p>	<p>2/14/2017</p>
<p>Support (17103956D) Summary: Allows the officers of election at a central absentee voter precinct to begin counting those absentee ballots that are counted by hand at any time after 6:00 a.m. on the day of the election. The bill prohibits ballot count totals to be announced or transmitted outside of the central absentee voter precinct until after the closing of the polls. Currently, absentee ballots may be processed at the central absentee voter precinct prior to the closing of the polls, but shall not be counted until after the polls have closed.</p>		

Bills	General Assembly Actions	Date of BOS Position
HB 2447 - Marshall (13) Motor vehicles, local licensure; eliminates ability of a locality to assess local license fees.	1/20/2017 House: Referred to Committee on Transportation 2/7/2017 Left in Transportation	2/14/2017
<p>Oppose (17103259D) Summary: Local licensure of motor vehicles. Eliminates the ability of a locality to assess local license fees for motor vehicles, trailers, and semitrailers. The bill has a delayed effective date of July 1, 2018.</p>		
HB 2448 - Marshall (13) Traffic congestion; measures to relieve in certain areas of the Commonwealth.	1/20/2017 House: Referred to Committee on Appropriations 1/30/2017 House: Subcommittee recommends laying on the table by voice vote 2/8/2017 Left in Appropriations	2/14/2017
<p>Monitor (17104122D) Summary: Measures to relieve traffic congestion in certain areas of the Commonwealth. Requires that 50 percent of payments from the Commissioner of Highways to a locality for the maintenance, construction, and reconstruction of highways be based on the ratio of vehicle miles traveled on highways within the locality to the total vehicle miles traveled on highways in the Commonwealth. Under current law, such payments are based on the number of moving-lane-miles in the locality, and under the bill, the remaining 50 percent of such payments will continue on that basis.</p>		
HJ 570 - Lingamfelter (31) Study; JLARC; effectiveness of requiring seat belts on school buses in the Commonwealth; report.	12/31/2016 House: Referred to Committee on Rules 1/26/2017 House: Tabled in Rules by voice vote	1/24/2017
<p>Monitor (17102369D) Summary: Directs the Joint Legislative Audit and Review Commission to study the effectiveness of requiring seat belts on every school bus in the Commonwealth.</p>		
HJ 618 - Davis (84) Study; the costs and benefits of assisting localities in alleviating pay compression.	1/8/2017 House: Referred to Committee on Rules 1/19/2017 House: Stricken from docket by Rules by voice vote	1/24/2017
<p>Monitor (17102941D) Summary: Study; the costs and benefits of assisting localities in alleviating pay compression in police and deputy sheriffs' salaries; report. Requests the Department of Criminal Justice Services to study the costs and benefits of assisting localities in alleviating pay compression in police and deputy sheriffs' salaries and to propose strategies, campaigns, or state actions to alleviate pay compression issues.</p>		
HJ 627 - Wright, Jr. (61) Study; JLARC to study feasibility of allocating a larger portion of Virginia Lottery prize money.	1/9/2017 House: Referred to Committee on Rules 1/26/2017 House: Tabled in Rules by voice vote	1/24/2017

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (17100990D) - See also SJ 248 (Ruff). Summary: Study; JLARC to study feasibility of allocating a larger portion of Virginia Lottery prize money to localities; report. Directs the Joint Legislative Audit and Review Commission (JLARC) to study the feasibility of allocating a larger portion of Virginia Lottery prize money to localities. In its study, JLARC is directed to (i) review how the Virginia Lottery would be affected if prizes were reduced by up to five percent to provide a greater return to localities, (ii) determine if operation costs could be reduced to provide an alternative way to return more money to localities, and (iii) review other related issues and make recommendations as appropriate.</p>		
<p><u>HJ 634</u> - Cole (88) Constitutional amendment (first resolution); authority of elected school boards to impose taxes.</p>	<p>1/10/2017 House: Referred to Committee on Privileges and Elections 1/30/2017 Subcommittee recommends laying on the table (4-Y 3-N) 2/8/2017 Left in Privileges and Elections</p>	<p>1/24/2017</p>
<p>Monitor (17101131D) Summary: Provides that the General Assembly may authorize any elected school board to impose real property taxes.</p>		
<p><u>HJ 676</u> - Webert (18) Study; Department of Education; effect of local use value assessment of certain real estate.</p>	<p>1/10/2017 House: Referred to Committee on Rules 1/26/2017 House: Tabled in Rules by voice vote</p>	<p>1/24/2017</p>
<p>Oppose (17101285D) - Board has historically opposed. Rather than modifying individual components of the LCI formula, a comprehensive approach should be taken, including addressing factors relating to cost of living. Summary: Study; Department of Education; effect of local use value assessment of certain real estate on the composite index of local ability to pay; report. Requests the Department of Education to (i) determine, for each of the 95 localities that have adopted ordinances to provide for the use value assessment and taxation of certain real estate, the use value of all applicable real estate devoted to (a) agricultural use, (b) horticultural use, (c) forest use, and (d) open-space use, as those terms are defined in the Code of Virginia, and (ii) recalculate the composite index of local ability to pay for each such locality after taking into consideration such use values.</p>		
<p><u>HJ 697</u> - Byron (22) Const. amend.(first resolution); real property tax; exemption surviving spouse of disabled veteran.</p>	<p>1/10/2017 House: Referred to Committee on Privileges and Elections 1/30/2017 Subcommittee recommends laying on the table (4-Y 3-N) 2/8/2017 Left in Privileges and Elections</p>	<p>2/14/2017</p>
<p>Amend (17103348D) - Amend to support as a state tax credit; Board has historically recommended amendment. See also HJ 562 (Miyares). Summary: Constitutional amendment (first resolution); real property tax; exemption for surviving spouse of a disabled veteran. Provides that the real property tax exemption for the principal residence of the surviving spouse of a disabled military veteran applies without any restriction on the spouse's moving to a different principal place of residence.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>HJ 702 - Sickles (43) Study; Joint Legislative Audit and Review Commission to study the funding needs of elections.</p>	<p>1/11/2017 House: Referred to Committee on Rules 1/26/2017 House: Tabled in Rules by voice vote</p>	<p>1/24/2017</p>
<p>Support (17101227D) Summary: Study; Joint Legislative Audit and Review Commission to study the current and future funding needs of modern elections administration in the Commonwealth; report. Directs the Joint Legislative Audit and Review Commission (JLARC) to study the current and future funding needs of modern elections administration in the Commonwealth. The resolution directs JLARC to (i) evaluate and compare the potential fiscal impact at the state and local level of procuring a new voter registration system to replace the current voter registration system with the potential fiscal impact of modifying the current voter registration system so that it is capable of meeting the current and projected needs of the Department of Elections, elections administrators, voters, and other relevant parties; (ii) review the statutory requirements related to the coordination of voter record management between the Department of Elections and other state agencies, including the Department of Motor Vehicles, the Department of Social Services, and the Virginia State Police; and (iii) assess the current and projected costs of the security requirements for election and voter data.</p>		
<p>HJ 703 - Sickles (43) Study; joint committee to study the streamlining of special elections in the Commonwealth; report.</p>	<p>1/11/2017 House: Referred to Committee on Rules 1/26/2017 House: Tabled in Rules by voice vote</p>	<p>1/24/2017</p>
<p>Support (17101228D) Summary: Establishes a joint committee of the House and Senate Committees on Privileges and Elections to study the streamlining of special elections in the Commonwealth. In conducting its study, the joint committee is to (i) review the current laws governing special elections, (ii) evaluate the costs borne in recent years by the localities to conduct special elections as compared to voter turnout at such elections, and (iii) consider options for a cohesive set of laws to govern special elections and for scheduling special elections, including the merits of establishing a uniform schedule. General registrars, members of local electoral boards, and other elections administrators will be invited to participate in the study.</p>		
<p>SB 791 - Chase (11) Concealed handgun permits; fee for processing.</p>	<p>9/7/2016 Senate: Referred to Committee for Courts of Justice 1/18/2017 Senate: Reported from Courts of Justice (12-Y 3-N) 1/18/2017 Senate: Rereferred to Finance 2/1/2017 Senate: Passed by indefinitely in Finance (14-Y 1-N)</p>	<p>1/24/2017</p>
<p>Monitor (17100369D) Summary: Fees for concealed handgun permits. Makes the \$10 fee that the clerk of court is now required to charge for processing a concealed handgun permit application or issuing a concealed handgun permit discretionary with the clerk.</p>		
<p>SB 792 - Ebbin (30) Absentee voting; entitles persons age 65 or older on date of an election to vote absentee.</p>	<p>9/15/2016 Senate: Referred to Committee on Privileges and Elections 1/24/2017 Incorporates SB827 (Wexton), SB1016 (Barker), and SB1132 (Mason). 1/24/2017 Failed to report (defeated) in Privileges and Elections (7-Y 7-N)</p>	<p>1/24/2017</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (17100334D) - Board has historically supported. See also SB 1016 (Barker) and SB 1132 (Mason). Summary: Absentee voting; eligibility of persons age 65 or older. Entitles a person who will be age 65 or older on the date of the election for which an absentee ballot is requested to vote absentee.</p>		
<p>SB 795 - Sturtevant, Jr. (10) Register of funds expended; required posting by localities & school divisions on public gov website.</p>	<p>9/22/2016 Senate: Referred to Committee on Local Government 1/31/2017 Senate: Reported from Local Government with amendment (9-Y 4-N) 2/7/2017 Senate: Read third time and passed Senate (24-Y 16-N) 2/9/2017 House: Referred to Committee on Counties, Cities and Towns 2/15/2017 House: Subcommittee recommends laying on the table (10-Y 0-N) 2/21/2017 House: Left in Counties, Cities and Towns</p>	<p>1/24/2017</p>
<p>Amend (17100644D) - Amend to allow flexibility to exclude personally sensitive information of constituents and employees. Summary: Register of funds expended; required posting by localities and school divisions. Requires every locality and each school division located within the locality to post on the public government website of the locality a register of all funds expended, showing vendor name, date of payment, amount, and a description of the type of expense, including credit card purchases with the same information. A locality and school division may exclude from such posting any information that is exempt from mandatory disclosure under the Virginia Freedom of Information Act, any personal identifying information related to a court ordered payment, or any information related to undercover law enforcement officers. This bill has a delayed effective date of July 1, 2018.</p>		
<p>SB 801 - Stanley, Jr. (20) Dogs; public animal shelters required to notify intent to euthanize.</p>	<p>10/7/2016 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 1/19/2017 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (13-Y 0-N) 1/19/2017 Senate: Rereferred to Finance 1/25/2017 Senate: Reported from Finance with amendment (16-Y 0-N) 1/30/2017 Senate: Read third time and passed Senate (40-Y 0-N) 2/2/2017 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/21/2017 House: Left in Agriculture, Chesapeake and Natural Resources</p>	<p>2/14/2017</p>
<p>Monitor (17104187D-S1) Summary: Public animal shelters; dogs; euthanasia. Requires a public animal shelter to wait three days before euthanizing a dog or cat when a person has notified the shelter of his intent to adopt or take custody of the particular 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>		
<p>SB 802 - Stanley, Jr. (20) Camping in tent or recreational vehicle; special use permit.</p>	<p>10/7/2016 Senate: Referred to Committee on Local Government 1/24/2017 Stricken at request of Patron in Local Government (10-Y 0-N)</p>	<p>1/24/2017</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Oppose (17100687D) Summary: Special use permit; camping in tent or recreational vehicle. Prohibits any locality from barring or requiring a special use permit for camping by a landowner and his family or nonpaying guests in a tent or recreational vehicle on the landowner's property for a total of no more than two months per year.</p>		
<p>SB 810 - Favola (31) Food stamp program; categorical eligibility.</p>	<p>10/31/2016 Senate: Referred to Committee on Rehabilitation and Social Services 1/27/2017 Senate: Reported from Rehabilitation and Social Services (14-Y 1-N) 1/27/2017 Senate: Rereferred to Finance 2/1/2017 Senate: Passed by indefinitely in Finance (16-Y 0-N)</p>	<p>1/24/2017</p>
<p>Support (17100627D) Summary: Requires the State Board of Social Services to establish broad-based categorical eligibility for the food stamp program, exempting families that already qualify for certain public assistance programs from an additional financial eligibility determination for food stamp benefits.</p>		
<p>SB 827 - Wexton (33) Elections; absentee voting by persons age 70 or older.</p>	<p>11/10/2016 Senate: Referred to Committee on Privileges and Elections 1/24/2017 Incorporated by Privileges and Elections (SB792-Ebbin) (14-Y 0-N)</p>	<p>1/24/2017</p>
<p>Support (17100198D) - Board has historically supported. Summary: Absentee voting; eligibility of persons age 70 or older. Entitles a person who will be age 70 or older on the date of the election for which an absentee ballot is requested to vote absentee.</p>		
<p>SB 836 - Chase (11) License taxes; if locality imposes tax upon business, tax shall be based upon Va. taxable income.</p>	<p>11/15/2016 Senate: Referred to Committee on Finance 1/24/2017 Senate: Passed by indefinitely in Finance (15-Y 1-N)</p>	<p>1/24/2017</p>
<p>Oppose (17101006D) - Board has historically opposed. Fiscal impact to Fairfax County is approximately \$146 million per year. Summary: License taxes; Virginia taxable income. Provides that if a locality imposes a license tax upon a business, the tax shall be based upon the Virginia taxable income of the business. Current law allows a locality to impose the tax upon gross receipts or Virginia taxable income.</p>		
<p>SB 844 - Howell (32) Absentee voting; no-excuse in-person available 21 days prior to election.</p>	<p>11/23/2016 Senate: Referred to Committee on Privileges and Elections 1/31/2017 Incorporates SB 979 (Dance), SB 1002 (Ebbin), and SB 1295 (Vogel) 1/31/2017 Failed to report (defeated) in Privileges and Elections (7-Y 7-N)</p>	<p>2/14/2017</p>
<p>Support (17101106D) - Board has historically supported. See also SB 1002 (Ebbin). Summary: Allows for any registered voter to vote by absentee ballot in person in any election in which he is qualified to vote without providing a reason or making prior application for an absentee ballot. The bill makes absentee voting in person available beginning the twenty-first day prior to the election and ending at</p>		

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Bills	General Assembly Actions	Date of BOS Position
5:00 p.m. on the Saturday immediately preceding the election. The bill retains the current provisions for voting an absentee ballot by mail, including the application requirement and the list of statutory reasons.		
<p><u>SB 845</u> - Howell (32) Absentee voting; eligibility of certain caregivers.</p>	<p>11/23/2016 Senate: Referred to Committee on Privileges and Elections 1/31/2017 Senate: Reported from Privileges and Elections (14-Y 0-N) 2/3/2017 Senate: Passed Senate (40-Y 0-N) 2/8/2017 House: Referred to Committee on Privileges and Elections 2/14/2017 House: Subcommittee recommends passing by indefinitely by voice vote 2/21/2017 House: Left in Privileges and Elections</p>	<p>2/14/2017</p>
<p>Support (17101251D) Summary: Entitles a person to vote absentee if the person is unable to go in person to the polls on the day of the election because he is primarily and personally responsible for the care of an ill or disabled individual who is confined at home. Currently, such caregivers are entitled to vote absentee only if the ill or disabled individual who is confined at home is a family member of the caregiver.</p>		
<p><u>SB 857</u> - Locke (2) Conditional rezoning; certain conditional rezoning proffers, floor area ratio.</p>	<p>12/5/2016 Senate: Referred to Committee on Local Government 1/31/2017 Senate: Passed by indefinitely in Local Government (10-Y 3-N)</p>	<p>1/24/2017</p>
<p>Support (17101432D) Summary: Conditional rezoning; certain conditional rezoning proffers; floor area ratio. Reduces from 3.0 to 2.0 the minimum floor area ratio necessary for a new residential development to be exempted from provisions applicable to certain proffers as a condition for rezoning.</p>		
<p><u>SB 876</u> - Favola (31) Kinship Guardianship Assistance program.</p>	<p>12/15/2016 Senate: Referred to Committee on Rehabilitation and Social Services 1/13/2017 Senate: Reported from Rehabilitation and Social Services (15-Y 0-N) 1/13/2017 Senate: Rereferred to Finance 1/25/2017 Senate: Reported from Finance with amendment (14-Y 0-N) 1/30/2017 Senate: Read third time and passed Senate (40-Y 0-N) 2/2/2017 House: Referred to Committee on Health, Welfare and Institutions 2/9/2017 House: Reported from Health, Welfare and Institutions with amendment (22-Y 0-N) 2/9/2017 House: Referred to Committee on Appropriations 2/15/2017 House: Subcommittee recommends laying on the table by voice vote 2/21/2017 House: Left in Appropriations</p>	<p>1/24/2017</p>
<p>Support (17102201D) Summary: Creates the Kinship Guardianship Assistance program (the program) to facilitate child placements with relatives and ensure permanency for children for whom adoption or being returned home</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>are not appropriate permanency options. The bill sets forth eligibility criteria for the program, payment allowances to kinship guardians, and requirements for kinship guardianship assistance agreements. The bill also requires the Board of Social Services to promulgate regulations for the program. The provisions of the bill are contingent on funding in a general appropriation act.</p>		
<p>SB 882 - Spruill, Sr. (5) Absentee voting; eligibility of any registered voter.</p>	<p>12/20/2016 Senate: Referred to Committee on Privileges and Elections 1/24/2017 Senate: Passed by indefinitely in Privileges and Elections (8-Y 6-N)</p>	<p>1/24/2017</p>
<p>Support (17100875D) - Board has historically supported. Summary: Allows any registered voter to vote by absentee ballot in any election in which he is qualified to vote. The bill removes the current list of statutory reasons for which a person may be entitled to vote by absentee ballot but retains the requirement to apply to vote absentee. The bill contains numerous technical amendments that consolidate existing provisions relating to absentee voting by uniformed and overseas voters and absentee voting by persons with a disability.</p>		
<p>SB 884 - Locke (2) Waste and recycling charges; liens.</p>	<p>12/20/2016 Senate: Referred to Committee on Local Government 1/31/2017 Senate: Passed by indefinitely in Local Government (7-Y 6-N)</p>	<p>2/14/2017</p>
<p>Monitor (17101428D) Summary: Provides that certain waste and recycling charges, and any penalty and interest thereon, constitute a lien against the real property ranking on a parity with liens for unpaid taxes. The bill provides that a lien may be placed on the property in the amount of (i) up to three months of delinquent waste and recycling charges when the service is supplied to a lessee or tenant or (ii) up to the number of months of delinquent charges when the service is provided to the property owner.</p>		
<p>SB 887 - Chafin (38) Prioritization of statewide transportation projects; exceptions.</p>	<p>12/20/2016 Senate: Referred to Committee on Transportation 1/25/2017 Senate: Passed by indefinitely in Transportation with letter (13-Y 0-N)</p>	<p>1/24/2017</p>
<p>Oppose (17101159D) - Board has historically opposed. Summary: Exempts projects on U.S. Route 121, commonly known as the Coalfield Expressway, and U.S. Route 460 from the prioritization process that the Commonwealth Transportation Board applies to projects for state funding.</p>		
<p>SB 888 - Chafin (38) Civil immunity; emergency services and communications.</p>	<p>12/20/2016 Senate: Referred to Committee for Courts of Justice 1/30/2017 Stricken at the request of Patron in Courts of Justice (14-Y 0-N)</p>	<p>2/14/2017</p>
<p>Support (17101052D) - See also HB 1739 (Minchew). Summary: Extends immunity from civil liability to persons involved in providing, operating, or maintaining services or equipment used for emergency assistance, unless the act or omission that gave rise to the injury is a result of such person's gross negligence or willful misconduct. Under current law, such immunity is limited to persons who are communications services providers, a term defined in Title 58.1.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 901</u> - Marsden (37) Park authority liability; immunity.</p>	<p>12/22/2016 Senate: Referred to Committee on Local Government 1/17/2017 Senate: Reported from Local Government (10-Y 2-N) 1/24/2017 Senate: Read third time and passed Senate (31-Y 8-N) 1/31/2017 House: Referred to Committee for Courts of Justice 2/13/2017 House: Subcommittee failed to recommend reporting (3-Y 6-N) 2/21/2017 House: Left in Courts of Justice</p>	<p>1/24/2017</p>
<p>Support (17102232D) Summary: Grants immunity from liability in any civil action to park authorities created pursuant to the Park Authorities Act (§ 15.2-5700 et seq.) for damages caused by ordinary negligence on the part of any officer or agent of such park authority in the maintenance or operation of any such park, recreational facility, or playground.</p>		
<p><u>SB 918</u> - Edwards (21) Renewable energy; third-party power purchase agreements.</p>	<p>12/27/2016 Senate: Referred to Committee on Commerce and Labor 1/30/2017 Senate: Passed by indefinitely in Commerce and Labor (15-Y 0-N)</p>	<p>1/24/2017</p>
<p>Support (17101717D) Summary: Replaces the pilot program enacted in 2013 that authorized certain third-party power purchase agreements providing financing of certain renewable generation facilities. The measure requires the State Corporation Commission to establish third-party power purchase agreement programs for each electric utility. The existing pilot program applies only to Dominion Virginia Power and sets the maximum size of a renewable generation facility at one megawatt; the programs authorized by this measure apply to all electric utilities and do not set limits on the size of facilities. The measure also 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 renewable generation facility.</p>		
<p><u>SB 924</u> - Petersen (34) Gov Data Collection and Dissemination Practices Act; use of personal inform. by law enforcement.</p>	<p>12/27/2016 Senate: Referred to Committee on General Laws and Technology 2/8/2017 Left in General Laws and Technology</p>	<p>1/24/2017</p>
<p>Monitor (17101878D) - Board has historically monitored. Retention period in bill may be insufficient. Summary: Government Data Collection and Dissemination Practices Act; collection and use of personal information by law-enforcement agencies. Provides that, unless a criminal or administrative warrant has been issued, law-enforcement and regulatory agencies shall not use surveillance technology to collect or maintain personal information where such data is of unknown relevance and is not intended for prompt evaluation and potential use regarding suspected criminal activity or terrorism by any individual or organization. The bill authorizes law-enforcement agencies to collect information from license plate readers, provided that such information is held for no more than seven days and is not subject to any outside inquiries or internal usage, except in the investigation of a crime or a missing persons report. After seven days, such collected information must be purged from the system unless it is being utilized in an ongoing investigation. The bill also adds to the definition of "personal information," for the purposes of government data collection and dissemination practices, vehicle license plate numbers and information that affords a basis for inferring an individual's presence at any place.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 929</u> - Petersen (34) Northern Virginia Transportation Authority (NVTa); membership composition.</p>	<p>12/27/2016 Senate: Referred to Committee on Rules 2/2/2017 Senate: Passed by indefinitely in Rules (11-Y 4-N)</p>	<p>1/24/2017</p>
<p>Oppose (17102740D) - Board has historically opposed. See also HB 2120 (Keam). Summary: Increases from 17 to 18 the membership of the NVTa and provides that the additional nonlegislative citizen member represent towns that receive funds for urban highway systems.</p>		
<p><u>SB 942</u> - Cosgrove, Jr. (14) Deaths of inmates in local correctional facilities; review by State Board of Corrections.</p>	<p>12/29/2016 Senate: Referred to Committee on Rehabilitation and Social Services 1/13/2017 Senate: Incorporated by Rehabilitation and Social Services (SB1063-Deeds) (15-Y 0-N)</p>	<p>1/24/2017</p>
<p>Monitor (17101442D) Summary: Authorizes the State Board of Corrections (Board) to conduct a review of the death of any inmate in a local or regional correctional facility in order to determine the circumstances surrounding the inmate's death and whether the facility was in compliance with the Board's regulations. The bill provides that any review shall be performed by Department of Corrections (Department) staff designated by the Board and requires the Board to submit a report of the findings of a completed investigation to the Governor, the General Assembly, and the Department.</p>		
<p><u>SB 954</u> - DeSteph, Jr. (8) Toll violations.</p>	<p>1/2/2017 Senate: Referred to Committee on Transportation 2/1/2017 Senate: Passed by indefinitely in Transportation with letter (13-Y 0-N)</p>	<p>2/14/2017</p>
<p>Monitor (17100661D) Summary: Relocates Title 46.2 (Motor Vehicles) provisions relating to driving a motor vehicle from an establishment where motor fuel is dispensed into the vehicle's tank without payment, and smoking in proximity to gas pumps, from their current location in Article 1.1 (Toll Violations and Enforcement) of Chapter 8 to a more logical placement in Chapter 1 (General Provisions). The bill combines Code sections relating to electronic toll facilities. The bill requires a court to consider extenuating circumstances in assessing civil penalties for toll violations, which have been updated to reflect the technological advancements in collecting tolls. The bill makes the procedure for contesting toll violations via affidavit on toll facilities uniform.</p>		
<p><u>SB 956</u> - Locke (2) County food and beverage tax.</p>	<p>1/2/2017 Senate: Referred to Committee on Finance 1/24/2017 Senate: Passed by indefinitely in Finance (13-Y 3-N)</p>	<p>1/24/2017</p>
<p>Monitor (17101430D) Summary: Increases from four percent to eight percent the maximum tax that any county is authorized to impose on food and beverages sold by a restaurant, commonly referred to as the meals tax. The bill also removes the requirement that a county hold a referendum before imposing a meals tax.</p>		
<p><u>SB 979</u> - Dance (16) Elections; absentee voting; no-excuse, in-person.</p>	<p>1/3/2017 Senate: Referred to Committee on Privileges and Elections 1/31/2017 Incorporated by Privileges and Elections (SB844-Howell) (13-Y 0-N)</p>	<p>1/24/2017</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (17102132D) - Board has historically supported. Summary: Allows qualified voters to vote absentee in person without providing an excuse for not being able to vote in person on election day. The bill retains the statutory list of specific reasons allowing a voter to cast an absentee ballot by mail.</p>		
<p>SB 980 - Stanley, Jr. (20) Statewide Fire Prevention Code; State Fire Marshal; consumer fireworks; penalties.</p>	<p>1/3/2017 Senate: Referred to Committee on General Laws and Technology 1/23/2017 Senate: Passed by indefinitely in General Laws and Technology (10-Y 5-N)</p>	<p>1/24/2017</p>
<p>Oppose (17100688D) Summary: Authorizes the use of consumer fireworks in the Commonwealth and distinguishes by definition consumer fireworks from display fireworks and permissible fireworks. The bill defines "consumer fireworks" as small fireworks devices (i) containing restricted amounts of pyrotechnic composition designed primarily to produce visible or audible effects by combustion and (ii) complying with certain federal regulations regarding composition and labeling. The bill also provides that the storage and transportation of consumer fireworks are to be considered the same hazard class as the storage and transportation of 1.4G explosives under the Statewide Fire Prevention Code (SFPC) and Uniform Statewide Building Code. The bill excludes from the provisions of the SFPC, unless prohibited by a local ordinance, (a) the sale of permissible or consumer fireworks; (b) any person using, igniting, or exploding permissible or consumer fireworks on residential or agricultural property with the consent of the owner of such property; or (c) such permissible or consumer fireworks when they are being transported from a locality where they were legally obtained to a locality where they are legally permitted. Current law only excludes sale of permissible fireworks or the use of such fireworks on private property. The bill also creates a 12 percent tax on the purchase of all consumer fireworks to be paid to the locality in which the tax was collected for the support of fire and rescue services. The bill has a delayed effective date of January 1, 2018. The bill contains technical amendments.</p>		
<p>SB 1002 - Ebbin (30) Absentee voting; no-excuse, in-person available 21 days prior to election.</p>	<p>1/3/2017 Senate: Referred to Committee on Privileges and Elections 1/31/2017 Incorporated by Privileges and Elections (SB844-Howell) (13-Y 0-N)</p>	<p>2/14/2017</p>
<p>Support (17102185D) - Board has historically supported. See also SB 844 (Howell). Summary: Allows any registered voter to vote by absentee ballot in person in any election in which he is qualified to vote without providing a reason or making a prior application for an absentee ballot. Absentee voting in person will be available in the office of the general registrar or the secretary of the electoral board and may be available at additional locations if approved by the local electoral board. The period for absentee voting in person will begin on the twenty-first day prior to any election and will end at 5:00 p.m. on the Saturday immediately preceding the election. The bill retains the current provisions for voting absentee by mail, including the application process and list of eligibility reasons.</p>		
<p>SB 1016 - Barker (39) Absentee voting; entitles persons age 65 or older on date of an election to vote absentee.</p>	<p>1/4/2017 Senate: Referred to Committee on Privileges and Elections 1/24/2017 Incorporated by Privileges and Elections (SB792-Ebbin) (14-Y 0-N)</p>	<p>1/24/2017</p>
<p>Support (17102887D) - Board has historically supported. See also SB 792 (Ebbin) and SB 1132 (Mason). Summary: Absentee voting; eligibility of persons age 65 or older. Entitles a person who will be age 65 or older on the date of the election for which an absentee ballot is requested to vote absentee.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1047</u> - Lucas (18) DCJS training standards; community engaged policing.</p>	<p>1/5/2017 Senate: Referred to Committee for Courts of Justice 1/23/2017 Senate: Reported from Courts of Justice (9-Y 6-N) 1/26/2017 Senate: Read third time and passed Senate (22-Y 18-N) 1/31/2017 House: Referred to Committee on Militia, Police and Public Safety 2/10/2017 House: Reported from Militia, Police and Public Safety (21-Y 0-N) 2/10/2017 House: Referred to Committee on Appropriations 2/16/2017 House: Subcommittee recommends laying on the table by voice vote 2/21/2017 House: Left in Appropriations</p>	<p>1/24/2017</p>
<p>Monitor (17101806D) - See also HB 1894 (Herring). Summary: Expands the responsibilities of the Department of Criminal Justice Services regarding community policing by requiring the compulsory training standards for basic training and recertification of law-enforcement officers to include fair and impartial policing, verbal de-escalation, and needs of special populations. The bill changes the term "community policing" to "community engaged policing."</p>		
<p><u>SB 1064</u> - Deeds (25) Mental health awareness training; law enforcement officers, firefighters, etc.</p>	<p>1/6/2017 Senate: Referred to Committee on Education and Health 1/19/2017 Senate: Reported from Education and Health with amendment (15-Y 0-N) 1/19/2017 Senate: Rereferred to Finance 1/25/2017 Senate: Reported from Finance with substitute (14-Y 0-N) 1/31/2017 Senate: Read third time and passed Senate (40-Y 0-N) 2/3/2017 House: Referred to Committee for Courts of Justice 2/8/2017 House: Subcommittee recommends laying on the table by voice vote 2/21/2017 House: Left in Courts of Justice</p>	<p>1/24/2017</p>
<p>Support (17101027D) - Support concept of mental health training for first responders; seek flexibility to mitigate fiscal impacts. See also HB 1480 (Helsel). Summary: Mental health awareness training; law-enforcement officers, firefighters, and emergency medical services personnel. Requires the Department of Criminal Justice Services to develop compulsory training standards for law-enforcement officers regarding mental health awareness. The bill also requires emergency medical services personnel, and firefighters other than volunteer firefighters to participate in a mental health awareness program created or certified by the Mental Health Work Group, established in the Department of Fire Programs.</p>		
<p><u>SB 1092</u> - Petersen (34) Motor vehicle fuels; establishes a floor on sales tax imposed in Northern Virginia.</p>	<p>1/6/2017 Senate: Referred to Committee on Finance 1/31/2017 Incorporated by Finance (SB1456-Wagner) (16-Y 0-N)</p>	<p>1/24/2017</p>
<p>Support (17101882D) Summary: Motor vehicle fuels sales tax in certain transportation districts; price floor. Establishes a floor on the 2.1 percent tax imposed on motor vehicle fuels sold in Northern Virginia by requiring that the average sales price upon which the tax is based be no less than the statewide average sales price on July 1, 2013. This bill was incorporated into SB 1456.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>SB 1096 - Petersen (34) Virginia Property Owners' Association Act; home-based businesses, licensed child care provider.</p>	<p>1/6/2017 Senate: Referred to Committee on General Laws and Technology 2/8/2017 Left in General Laws and Technology</p>	<p>2/14/2017</p>
<p>Monitor (17102204D) Summary: Virginia Property Owners' Association Act; home-based businesses; licensed child care provider. Provides that a lot owner who is a licensed child care provider operating within his personal residence pursuant to state law and in compliance with local ordinances shall be considered an accessory residential use and may not be prohibited by a property owners' association unless specifically prohibited by the declaration.</p>		
<p>SB 1110 - Stanley, Jr. (20) Utility Facilities Act; associated facilities of an electrical transmission line.</p>	<p>1/9/2017 Senate: Referred to Committee on Commerce and Labor 1/30/2017 Senate: Reported from Commerce and Labor (12-Y 2-N 1-A) 2/3/2017 Senate: Read third time and passed Senate (30-Y 9-N) 2/8/2017 House: Referred to Committee on Commerce and Labor 2/14/2017 House: Reported from Commerce and Labor (18-Y 3-N) 2/22/2017 House: Rereferred to Commerce and Labor</p>	<p>1/24/2017</p>
<p>Oppose (17102098D) - See also HB 1766 (Habeeb). Summary: Provides that the issuance by the State Corporation Commission of a certificate of public convenience and necessity for construction of an electrical transmission line of 138 kilovolts and any associated facilities shall be deemed to satisfy local comprehensive plan requirements and all local zoning ordinances with respect to the transmission line and associated facilities. The measure defines "associated facilities" as including any station, substation, transition station, and switchyard facilities to be constructed in association with the 138 kilovolt transmission line.</p>		
<p>SB 1132 - Mason (1) Absentee voting; entitles persons age 65 or older on date of an election to vote absentee.</p>	<p>1/9/2017 Senate: Referred to Committee on Privileges and Elections 1/24/2017 Incorporated by Privileges and Elections (SB792-Ebbin) (14-Y 0-N)</p>	<p>1/24/2017</p>
<p>Support (17102815D) - Board has historically supported. See also SB 792 (Ebbin) and SB 1016 (Barker). Summary: Absentee voting; eligibility of persons age 65 or older. Entitles a person who will be age 65 or older on the date of the election for which an absentee ballot is requested to vote absentee.</p>		
<p>SB 1138 - Mason (1) Computer trespass; government computers and computers used for public utilities; penalty.</p>	<p>1/9/2017 Senate: Referred to Committee for Courts of Justice 1/16/2017 Senate: Reported from Courts of Justice with amendment (12-Y 0-N) 1/16/2017 Senate: Rereferred to Finance 1/31/2017 Senate: Passed by indefinitely in Finance (16-Y 0-N)</p>	<p>1/24/2017</p>

Bills	General Assembly Actions	Date of BOS Position
<p>Support (17102278D) - See also HB 1815 (Yancey). Summary: Increases the Class 1 misdemeanor computer trespass crimes to a Class 6 felony if the computer targeted is one that is exclusively for the use of, or used by or for, the Commonwealth, a local government within the Commonwealth, or certain public utilities.</p>		
<p>SB 1157 - Reeves (17) Lobbyist disclosure; reporting by certain political subdivisions.</p>	<p>1/9/2017 Senate: Referred to Committee on Rules 2/2/2017 Failed to report (defeated) in Rules (6-Y 7-N)</p>	<p>1/24/2017</p>
<p>Oppose (17100695D) - Board has historically opposed. Summary: Requires the governing body of any association or other nonstock corporation that is established by a political subdivision or combination of political subdivisions of the Commonwealth to file a separate registration statement on behalf of their officers and employees who will be engaged in lobbying. The bill also prohibits such political subdivisions from using public funds to support lobbying efforts and requires funds used for lobbying to be segregated from public funds and held in a separate bank account.</p>		
<p>SB 1188 - Edwards (21) Driver's license; suspension of license for nonpayment of fines and court costs.</p>	<p>1/10/2017 Senate: Referred to Committee for Courts of Justice 1/30/2017 Senate: Reported from Courts of Justice (8-Y 7-N) 2/2/2017 Senate: Read third time and passed Senate (26-Y 14-N) 2/6/2017 House: Referred to Committee for Courts of Justice 2/15/2017 House: Subcommittee recommends passing by indefinitely by voice vote 2/21/2017 House: Left in Courts of Justice</p>	<p>2/14/2017</p>
<p>Support (17102797D) - Support concept of alternatives to driver's license suspension to address non-payment of court fines and costs. Summary: Driver's license suspensions for certain non-driving related offenses. Removes the existing provision that a person's driver's license is suspended (i) when he is convicted of or placed on deferred disposition for a drug offense and (ii) for violations not pertaining to the operator or operation of a motor vehicle. The provisions of this bill that affect the Code of Virginia have a delayed effective date of September 1, 2017.</p>		
<p>SB 1204 - Lewis, Jr. (6) Sale of dog or cat not obtained from releasing agency or animal rescue.</p>	<p>1/10/2017 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 1/19/2017 Senate: Reported from Agriculture, Conservation and Natural Resources (12-Y 0-N 1-A) 1/25/2017 Senate: Read third time and passed Senate (40-Y 0-N) 1/31/2017 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/13/2017 House: Subcommittee failed to recommend reporting (2-Y 3-N) 2/21/2017 House: Left in Agriculture, Chesapeake and Natural Resources</p>	<p>1/24/2017</p>
<p>Support (17102768D) Summary: Authorizes localities to adopt ordinances prohibiting the sale in a business of any dog or cat that was not obtained from a Virginia releasing agency or a nonprofit animal rescue organization.</p>		

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Bills	General Assembly Actions	Date of BOS Position
SB 1252 - Obenshain (26) Absentee voting; signature verification.	1/10/2017 Senate: Referred to Committee on Privileges and Elections 1/24/2017 Stricken at request of Patron in Privileges and Elections (14-Y 0-N)	1/24/2017
<p>Oppose (17103095D) - Board has historically opposed.</p> <p>Summary: Requires the officers of election to compare the signature on an absentee ballot envelope with the signature on that voter's voter registration application. Three officers, including one representative of each political party, are required to agree that the signatures match in order for the absentee ballot to be accepted. If less than three agree, the ballot and application are later reviewed by the electoral board at its meeting held on the day after election day. If the electoral board determines that the signature on the ballot envelope and the voter's voter registration application match, the ballot is counted. However, if the electoral board determines that the signatures do not match, the ballot is not counted. The bill requires that, when the electoral board determines the signatures do not match, copies of the ballot envelope and the voter registration application are to be provided to the appropriate attorney for the Commonwealth. The voter is required to be notified in writing of the decision of and actions taken by the electoral board.</p>		
SB 1259 - Black (13) Conveyance of utility easements; transportation.	1/10/2017 Senate: Referred to Committee on Local Government 1/31/2017 Incorporated by Local Government (SB932-Favola) (13-Y 0-N)	2/14/2017
<p>Support (17102908D) - See also SB 932 (Favola).</p> <p>Summary: Exempts from the public hearing requirement prior to disposal of real property by a locality the conveyance of utility easements related to transportation projects.</p>		
SB 1262 - Black (13) Sanctuary cities; liability for certain injuries and damages caused by an illegal alien.	1/10/2017 Senate: Referred to Committee on Local Government 1/31/2017 Senate: Reported from Local Government with amendments (7-Y 6-N) 2/6/2017 Senate: Read third time and passed Senate (21-Y 19-N) 2/8/2017 House: Referred to Committee for Courts of Justice 2/21/2017 House: Left in Courts of Justice	1/24/2017
<p>Oppose (17101859D) - Board has historically opposed. Scope of bill is significant and not well-defined. Requires local enforcement of federal laws that are currently permissive, and constitutes an unfunded mandate.</p> <p>Summary: Liability of sanctuary cities for certain injuries and damages. Provides that a sanctuary city, defined in the bill as any locality that adopts any ordinance, procedure, or policy that intentionally restricts the enforcement of federal immigration laws to less than the full extent permitted by federal law, shall be jointly and severally liable for the tortious injury to persons or property caused by an illegal alien within such locality.</p>		
SB 1263 - Black (13) Cats and dogs; lifetime licenses.	1/10/2017 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 1/19/2017 Stricken at request of Patron in Agriculture, Conservation and Natural Resources (15-Y 0-N)	1/24/2017

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Bills	General Assembly Actions	Date of BOS Position
<p>Monitor (17101857D) - See also HB 1477 (Orrock) and SB 856 (Hanger). Summary: Authorizes the governing body of a county or city to provide for a lifetime dog or cat license. The bill also removes the minimum annual tax for a dog or cat, sets the maximum tax for a lifetime license at \$50, and limits the fee for a duplicate dog or cat tag to \$1.</p>		
<p>SB 1275 - Ebbin (30) Va. Public Procurement Act; use of best value contracting, construction and professional services.</p>	<p>1/10/2017 Senate: Referred to Committee on General Laws and Technology 2/3/2017 Failed to report (defeated) in General Laws and Technology (6-Y 7-N)</p>	<p>1/24/2017</p>
<p>Support (17103635D) Summary: Virginia Public Procurement Act; use of best value contracting; construction and professional services. Authorizes any public body to procure construction on a best value procurement basis using a numerical scoring system consisting of (i) technical solution, 30 percent; (ii) past performance, 30 percent; and (iii) price, 40 percent. Under the bill, if proceeding on a best value procurement basis, the Request for Proposal must contain a notice to potential offerors that the procurement decision will be made on a best value procurement basis and describe the criteria that will be considered and the numerical scoring system that will be used in evaluating the proposals.</p>		
<p>SB 1280 - Ebbin (30) Driver's license; suspension for nonpayment of fines or costs.</p>	<p>1/10/2017 Senate: Referred to Committee for Courts of Justice 1/25/2017 Senate: Reported from Courts of Justice with substitute (13-Y 2-N) 1/31/2017 Senate: Read third time and passed Senate (40-Y 0-N) 2/3/2017 House: Referred to Committee for Courts of Justice 2/15/2017 House: Subcommittee recommends laying on the table by voice vote 2/21/2017 House: Left in Courts of Justice</p>	<p>2/14/2017</p>
<p>Support (17104799D-S1) - Support 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. Extends the timeframe for which a person who is convicted of any violation of the law of the Commonwealth or of the United States or of any valid local ordinance may pay any fine, costs, forfeitures, restitution, or penalty lawfully assessed against him to 90 days before a Court shall suspend the person's privilege to drive a motor vehicle on the highways in the Commonwealth. Under current law, a person only has 30 days before a Court shall suspend such privilege.</p>		
<p>SB 1340 - Surovell (36) Towing; regulations.</p>	<p>1/10/2017 Senate: Referred to Committee on Transportation 1/25/2017 Failed to report (defeated) in Transportation (6-Y 7-N)</p>	<p>1/24/2017</p>
<p>Support (17100606D) Summary: Regulation of towing. Includes as violations of the Virginia Consumer Protection Act prohibited acts by tow truck drivers and towing and recovery operators, violations of police towing, and violations of local ordinances regulating police towing, price, and trespass towing.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>SB 1373 - Norment, Jr. (3) Group homes; written notice prior to issuance of license.</p>	<p>1/11/2017 Senate: Referred to Committee on Local Government 1/31/2017 Senate: Reported from Local Government with amendments (7-Y 6-N) 2/3/2017 Recommitted to Local Government 2/8/2017 Left in Local Government</p>	<p>2/14/2017</p>
<p>Oppose (17102731D) Summary: Group homes. Provides that any entity intending to locate a public or private detention home, group home, or other residential care facility in a locality shall give the chief administrative officer of that locality and the president of any home owner's association for the neighborhood in which such public or private detention home, group home, or other residential care facility is to be located at least 90 days written notice prior to the issuance of the license. The bill also states that no initial license to operate a public or private detention home, group home, or other residential care facility shall be granted if (i) the facility is to be located within one-half mile of a public or private licensed day care center or a public or private K-12 school and (ii) the residents of such facility may include persons who, on the basis of a prior record of criminal charges involving harm to persons or property or a finding of not guilty by reason of insanity for crimes involving harm to persons or property, may constitute a clear and present threat to the health or safety of other individuals, except when such service is provided by a hospital licensed by the Board of Health or the Commissioner or is owned or operated by an agency of the Commonwealth. Other provisions of the bill relate to the validity of restrictive covenants that prohibit owners from using, or renting a dwelling for another entity to use, their premises to house a person or persons who, on the basis of a prior record of criminal convictions involving harm to persons or property or a finding of not guilty by reason of insanity involving harm to persons or property, may constitute a clear and present threat to the health or safety of other individuals in the neighborhood.</p>		
<p>SB 1409 - Suetterlein (19) Reckless driving; raises threshold for speeding.</p>	<p>1/11/2017 Senate: Referred to Committee on Transportation 1/25/2017 Senate: Reported from Transportation (11-Y 2-N) 1/31/2017 Senate: Read third time and passed Senate (34-Y 6-N) 2/3/2017 House: Referred to Committee on Transportation 2/13/2017 House: Subcommittee failed to recommend reporting (2-Y 5-N) 2/21/2017 House: Left in Transportation</p>	<p>1/24/2017</p>
<p>Oppose (17100426D) - Board has historically opposed. Summary: Reckless driving; exceeding speed limit. Raises from 80 to 85 miles per hour the speed above which a person who drives a motor vehicle on the highways in the Commonwealth is guilty of reckless driving regardless of the applicable maximum speed limit.</p>		
<p>SB 1411 - Suetterlein (19) Statewide Fire Prevention Code; authorizes use of consumer fireworks, penalties.</p>	<p>1/11/2017 Senate: Referred to Committee on General Laws and Technology 1/23/2017 Senate: Passed by indefinitely in General Laws and Technology (9-Y 6-N)</p>	<p>1/24/2017</p>
<p>Oppose (17102877D) Summary: Statewide Fire Prevention Code; State Fire Marshal; consumer fireworks; penalties. Authorizes the use of consumer fireworks in the Commonwealth and distinguishes by definition consumer fireworks from display fireworks and permissible fireworks. The bill defines "consumer fireworks" as small fireworks devices (i) containing restricted amounts of pyrotechnic composition designed primarily to produce visible or audible effects by combustion and (ii) complying with certain federal regulations regarding composition and labeling. The bill also provides that the storage and transportation of consumer fireworks are to be considered the same hazard class as the storage and transportation</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>of 1.4G explosives under the Statewide Fire Prevention Code (SFPC) and Uniform Statewide Building Code. The bill excludes from the provisions of the SFPC, unless prohibited by a local ordinance, (a) the sale of permissible or consumer fireworks; (b) any person using, igniting, or exploding permissible or consumer fireworks on residential or agricultural property with the consent of the owner of such property; or (c) such permissible or consumer fireworks when they are being transported from a locality where they were legally obtained to a locality where they are legally permitted. Current law only excludes sale of permissible fireworks or the use of such fireworks on private property. The bill has a delayed effective date of January 1, 2018. The bill contains technical amendments.</p>		
<p>SB 1420 - Mason (1) Incapacitated persons; abuse and neglect, financial exploitation, penalty.</p>	<p>1/11/2017 Senate: Referred to Committee for Courts of Justice 2/8/2017 Left in Courts of Justice</p>	<p>1/24/2017</p>
<p>Support (17103864D) - See also HB 1788 (Yancey). Summary: Incapacitated persons; abuse and neglect; financial exploitation of incapacitated persons; penalty. Provides that any responsible person who abuses or neglects an incapacitated adult and such abuse or neglect results in any bodily injury, other than serious bodily injury, to the incapacitated adult is guilty of a Class 6 felony, which is in addition to the current Class 4 felony if such abuse or neglect results in serious bodily injury. The bill also expands the class of victims of the crime of financial exploitation of incapacitated persons to include persons incapacitated due to physical illness or disability, advanced age, or other causes. The current law applies only to victims who suffer from mental incapacity.</p>		
<p>SB 1433 - Reeves (17) Consumer fireworks; regulation of sale, permit issued by Board of Housing and Community Development.</p>	<p>1/12/2017 Senate: Referred to Committee on Commerce and Labor 1/16/2017 Senate: Reported from Commerce and Labor (14-Y 0-N) 1/16/2017 Senate: Rereferred to General Laws and Technology 1/23/2017 Failed to report (defeated) in General Laws and Technology (4-Y 11-N)</p>	<p>1/24/2017</p>
<p>Oppose (17103804D) Summary: Regulation of the sale of consumer fireworks; Board of Housing and Community Development; criminal and civil penalties. Authorizes a person to sell consumer fireworks if he possesses a federal permit to sell fireworks, a permit issued by the Board of Housing and Community Development, and a local permit, if and as required by the locality where the sales facility is located. The measure directs the Board to establish requirements and establish a process for the issuance and renewal of permits for the sale of consumer fireworks. A permittee is required to carry, with respect to each permitted facility, public liability and product liability insurance with minimum limits of \$5 million to cover the losses, damages, or injuries that might ensue to persons or property as a result of the sales of consumer fireworks. The measure specifies certain requirements for facilities at which consumer fireworks are permitted to be sold, including prohibitions on an individual under 18 years of age (i) being admitted into any consumer fireworks retail sales facility unless accompanied by a parent, guardian, or responsible adult or (ii) working in any consumer fireworks retail sales facility. The measure prohibits a person from, among other acts, (a) selling consumer fireworks within the Commonwealth unless he is a permittee or an employee or agent of a permittee; (b) selling consumer fireworks from a place other than a permanent consumer fireworks retail sales facility; (c) selling consumer fireworks to an individual who appears to be under the influence of alcohol or drugs; (d) knowingly selling or otherwise furnishing consumer fireworks to an individual under 18 years of age; (e) purchasing, using, or possessing consumer fireworks if the individual is under 18 years of age; or (f) selling or storing fireworks that are not consumer fireworks as defined in a standard established by the American Pyrotechnics Association. Certain violations are punishable as a Class 1 misdemeanor. A person violating restrictions on the hours during which, or places where, consumer fireworks may be used is subject to a civil penalty not to exceed \$150 per violation.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1456</u> - Wagner (7) Motor vehicle fuels; definitions, sales tax in certain transportation districts, price floor.</p>	<p>1/16/2017 Senate: Referred to Committee on Finance 1/31/2017 Senate: Incorporates SB1092 (Petersen) 1/31/2017 Senate: Reported from Finance with substitute (11-Y 5-N) 2/3/2017 Senate: Read third time and passed Senate (26-Y 12-N) 2/8/2017 House: Referred to Committee on Finance 2/13/2017 House: Tabled in Finance by voice vote</p>	<p>1/24/2017</p>
<p>Support (17103949D) - Board has historically supported. Summary: Motor vehicle fuels sales tax in certain transportation districts; price floor. Places a floor on the 2.1 percent tax imposed on motor vehicle fuels sold in Northern Virginia and Hampton Roads by ensuring that the tax is not imposed on a price that is less than the statewide average wholesale price of gasoline or diesel fuel on February 20, 2013, which is the date used as a floor on the statewide motor vehicle fuels sales tax. This bill incorporates SB 1092.</p>		
<p><u>SB 1468</u> - Marsden (37) Tow truck drivers and towing and recovery operators; civil penalty for improper towing.</p>	<p>1/16/2017 Senate: Referred to Committee on Transportation 1/25/2017 Senate: Reported from Transportation with substitute (9-Y 4-N) 1/31/2017 Senate: Read third time and passed Senate (23-Y 17-N) 1/31/2017 Reconsideration of passage agreed to by Senate (40-Y 0-N) 1/31/2017 Defeated by Senate (20-Y 20-N) 1/31/2017 Reconsideration of defeated action rejected by Senate (32-Y 7-N) (Requires 40 affirmative votes for reconsideration of defeated action)</p>	<p>1/24/2017</p>
<p>Support (17101890D) - Support increasing consumer protections, including creation of civil penalty for improper towing, while retaining existing local authority. See also HB 1960 (Hugo). Summary: Tow truck drivers and towing and recovery operators; requirements; penalties. Creates a civil penalty of \$100 to be paid into the Literary Fund for any tow truck driver or towing and recovery operator convicted of improperly towing. The bill exempts Planning District 8 (Northern Virginia) from any requirement by a towing advisory board for written authorization in addition to a written contract in the event that a vehicle is being removed from private property. The bill requires that a tow truck driver immediately notify the animal control office in the locality from which the vehicle is being towed if the vehicle is occupied by a companion animal. The bill raises the hookup and initial towing fee in Planning District 8 (Northern Virginia) from \$135 to \$150. The bill requires the chairman of any towing advisory board within Planning District 8 (Northern Virginia) to be a representative of a licensed towing and recovery operator and limits the membership of such boards to only representatives of local law-enforcement agencies, representatives of licensed towing and recovery operators, and one member of the general public. The bill adds improper towing as a prohibited act under the Virginia Consumer Protection Act (§ 59.1-196 et seq.).</p>		
<p><u>SB 1490</u> - DeSteph, Jr. (8) Uniform Military and Overseas Voters Act; applying for and casting military-overseas ballots.</p>	<p>1/18/2017 Senate: Referred to Committee on Privileges and Elections 1/31/2017 Senate: Reported from Privileges and Elections with substitute (9-Y 5-N) 1/31/2017 Senate: Rereferred to Finance 2/2/2017 Senate: Reported from Finance with amendments</p>	<p>2/14/2017</p>

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Bills	General Assembly Actions	Date of BOS Position
	(16-Y 0-N) 2/7/2017 Senate: Read third time and passed Senate (36-Y 4-N) 2/9/2017 House: Referred to Committee on Privileges and Elections 2/21/2017 House: Left in Privileges and Elections	
<p>Support (17103867D) - Support concept; Board has historically supported concept. Implementation issues need to be resolved.</p> <p>Summary: Requires the Commissioner of Elections to establish and supervise a pilot program to permit an active duty member of a uniformed service who has been called to duty for deployment without access to the United States mail and who is applying for or casting a military-overseas ballot to sign the military-overseas ballot application, the statement of voter accompanying the military-overseas ballot, and any other related documents using his digital signature associated with his Common Access Card issued by the U.S. Department of Defense or any replacement to the Common Access Card issued by the U.S. Department of Defense. The bill also requires the system through which a covered voter may apply for and receive voter registration materials, military-overseas ballots, and other information to be capable of accepting the submission of voted military-overseas ballots cast by any active duty member of a uniformed service who has been called to duty for deployment without access to the United States mail. The bill does not become effective unless an appropriation effectuating the purposes of the bill is included in an appropriation act passed in 2017 by the General Assembly that becomes law. The bill has an expiration date of July 1, 2019.</p>		
<p><u>SB 1491</u> - Stuart (28) Agritourism activity; definition to include rental of a single-family residence.</p>	1/18/2017 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 1/26/2017 Senate: Reported from Agriculture, Conservation and Natural Resources (11-Y 3-N 1-A) 2/1/2017 Senate: Read third time and passed Senate (31-Y 9-N) 2/3/2017 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/13/2017 House: Subcommittee recommends laying on the table by voice vote 2/21/2017 House: Left in Agriculture, Chesapeake and Natural Resources	<p>2/14/2017</p>
<p>Monitor (17103893D) Summary: Agritourism activity; residence rental. Defines "agritourism activity" to include the rental of a single-family residence for a period of at least one week.</p>		
<p><u>SB 1567</u> - Peake (22) Absentee ballots; eligibility of persons age 65 or older.</p>	1/20/2017 Senate: Referred to Committee on Privileges and Elections 1/31/2017 Failed to report (defeated) in Privileges and Elections (7-Y 7-N)	<p>2/14/2017</p>
<p>Amend (17103156D) - Amend to remove photo identification requirement.</p> <p>Summary: Absentee voting; eligibility of persons age 65 or older; photo identification requirement for certain absentee voters. Entitles a person who will be age 65 or older on the date of the election for which an absentee ballot is requested to vote absentee. Such person is required to submit with his application for an absentee ballot a copy of one of the forms of photo identification required for in-person voting. Students attending a school or institution of learning who are entitled to vote absentee are also required to submit with their application a copy of one of the forms of photo identification required for in-person voting.</p>		

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Bills	General Assembly Actions	Date of BOS Position
SB 1572 - Stanley, Jr. (20) DPOR; regulation of land surveyor photogrammetric.	1/20/2017 Senate: Referred to Committee on General Laws and Technology 2/3/2017 Senate: Passed by indefinitely in General Laws and Technology (9-Y 4-N)	2/14/2017
<p>Oppose Unless Amended (17104229D) - Oppose unless amended to reinstate language affecting GIS and mapping activities by local government employees. See also HB 2145 (LeMunyon). Summary: Department of Professional and Occupational Regulation; regulation of land surveyor photogrammetrists. Provides for the licensure of land surveyor photogrammetrists by the Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects. The bill defines "land surveyor photogrammetrists" and sets the criteria for their licensure.</p>		
SB 1579 - Stanley, Jr. (20) Short-term rental; affirms rights of localities to regulate rental of property.	1/20/2017 Senate: Referred to Committee on Local Government 2/2/2017 Incorporated by Local Government (SB1578-Norment) (13-Y 0-N)	2/14/2017
<p>Support (17100686D) - Further analysis of County implementation impacts needed. Summary: Short-term rental of property. Affirms the rights of localities to regulate the short-term rental of property, defined as the provision of space suitable for sleeping or lodging for fewer than 30 days. If a locality allows short-term rentals, the locality shall require that the person offering property for rental notify adjacent landowners in writing, obtain local permission to offer the property for rental, and carry a minimum of \$500,000 of commercial premises liability insurance. If a locality prohibits short-term rentals, any person or entity, including an online hosting platform, that advertises the availability of a short-term rental in the locality shall be subject to a \$10,000 fine per violation.</p>		
SJ 221 - Surovell (36) United States Constitution; Ratifies Equal Rights Amendment.	8/7/2016 Senate: Referred to Committee on Privileges and Elections 1/31/2017 Senate: Reported from Privileges and Elections (8-Y 6-N) 1/31/2017 Senate: Rereferred to Rules 2/2/2017 Senate: Passed by indefinitely in Rules by voice vote	1/24/2017
<p>Support (17100183D) - Board has historically supported. Summary: United States Constitution; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the United States Constitution that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.</p>		
SJ 233 - Favola (31) Noise abatement remedies; VDOT to develop procedures to measure and assess in certain neighborhoods.	11/30/2016 Senate: Referred to Committee on Rules 2/2/2017 Senate: Passed by indefinitely in Rules by voice vote	2/14/2017
<p>Monitor (17101065D) Summary: Study; Virginia Department of Transportation; noise abatement remedies. Requests the Virginia Department of Transportation to develop, in cooperation with the Federal Highway Administration, procedures to measure and assess the noise impact on neighborhoods that were previously studied for noise impact but ineligible for noise abatement mitigation remedies at the time of the study.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SJ 248</u> - Ruff, Jr. (61) Study; JLARC to study feasibility of allocating a larger portion of VA Lottery prize money.</p>	<p>1/1/2017 Senate: Referred to Committee on Rules 2/2/2017 Senate: Passed by indefinitely in Rules by voice vote</p>	<p>1/24/2017</p>
<p>Support (17103146D) - See also HJ 627 (Wright). Summary: Study; JLARC to study feasibility of allocating a larger portion of Virginia Lottery prize money to localities; report. Directs the Joint Legislative Audit and Review Commission (JLARC) to study the feasibility of allocating a larger portion of Virginia Lottery prize money to localities. In its study, JLARC is directed to (i) review how the Virginia Lottery would be affected if prizes were reduced by up to five percent to provide a greater return to localities, (ii) determine if operation costs could be reduced to provide an alternative way to return more money to localities, and (iii) review other related issues and make recommendations as appropriate.</p>		
<p><u>SJ 278</u> - Hanger, Jr. (24) Study; local government fiscal stress; report.</p>	<p>1/10/2017 Senate: Referred to Committee on Rules 2/2/2017 Senate: Reported from Rules by voice vote 2/7/2017 Senate: Agreed to by Senate by voice vote 2/9/2017 House: Referred to Committee on Rules 2/21/2017 House: Left in Rules</p>	<p>2/14/2017</p>
<p>Monitor (17103879D) Summary: Establishes a 15-member joint subcommittee to study local government fiscal stress. The two-year joint subcommittee shall review (i) the taxing authorities of local governments, including the disparity between city and county tax authority; (ii) local responsibilities for service delivery of state-mandated or high priority programs, (iii) causes of fiscal stress among local governments, (iv) the current state tax system, including the future of the car tax; and (v) potential financial incentives and other governmental reforms to encourage increased regional cooperation and consolidation of services.</p>		
<p><u>SJ 284</u> - Stuart (28) Constitutional amendment (first resolution); real property tax; exemption for surviving spouse.</p>	<p>1/10/2017 Senate: Referred to Committee on Privileges and Elections 1/31/2017 Senate: Reported from Privileges and Elections (14-Y 0-N) 1/31/2017 Senate: Rereferred to Finance 2/2/2017 Senate: Reported from Finance (15-Y 0-N) 2/7/2017 Senate: Read third time and agreed to by Senate (39-Y 1-N) 2/9/2017 House: Referred to Committee on Privileges and Elections 2/10/2017 House: Reported from Privileges and Elections with substitute (20-Y 0-N) 2/14/2017 House: Agreed to by House with substitute (96-Y 2-N) 2/16/2017 Senate: House substitute rejected by Senate (0-Y 40-N) 2/17/2017 House: House insisted on substitute and requested conference committee 2/21/2017 Senate: Senate acceded to request (40-Y 0-N) and appointed Conferees: Senators: Stuart, Cosgrove, Deeds</p>	<p>2/14/2017</p>

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	2/23/2017 House: House appointed Conferees: Delegates: Miyares, Cole, Lindsey 2/25/2017 Senate: No further action taken; Failed to pass in Senate	
<p>Amend (17103525D) - Amend to support as a state tax credit; Board has historically recommended amendment.</p> <p>Summary: Constitutional amendment (first resolution); real property tax; exemption for surviving spouse of a soldier who died in a combat zone. Provides that the real property tax exemption for the principal residence of the surviving spouse of a member of the armed forces killed in action also applies if the member died in a combat zone but was not killed in action.</p>		
<p><u>SJ 289</u> - Ebbin (30) Study; Virginia Conflict of Interest and Ethics Advisory Council; local government officers.</p>	<p>1/11/2017 Senate: Referred to Committee on Rules 2/2/2017 Senate: Passed by indefinitely in Rules with letter by voice vote</p>	<p>1/24/2017</p>
<p>Monitor (17102167D)</p> <p>Summary: Study; Virginia Conflict of Interest and Ethics Advisory Council; local government officers and employees; report. Directs the Virginia Conflict of Interest and Ethics Advisory Council to study the procedures for the filing and review of disclosure forms by local government officers and employees.</p>		