



# Legislative Report



## Preface

The Virginia Municipal League is pleased to present its 2008 Legislative Report on legislation affecting local governments.

The report is presented as follows:

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Bill summaries are taken from the summary prepared by the Virginia Division of Legislative Services and distributed over the Internet and in their publication, *2008 Session Summary* (available at <http://dls.state.va.us/pubs/summary/2008/WELCOME.HTM>). Bill status and summaries also can be checked through the Legislative Information System at this web address: <http://leg1.state.va.us/lis.htm>. League staff members have reviewed the summaries and made revisions where appropriate to reflect local government interests.

Legislation is effective July 1, 2008 with two exceptions. First, emergency legislation is effective upon signature by the governor. Second, some legislation has a delayed effective date. The summaries show effective dates in these cases.

The General Assembly rejected gubernatorial amendments to five bills. They have been returned to the Governor, who may sign them as enacted, not sign (in which case they become law), or veto them. Here is the list of those five bills:

- HB 538 Commercial dog breeders; definition, requirements, penalty.
- SB 464 Energy and Climate Change, Commission on.
- SB 772 Conditions of bond; court may bar person in elected office from returning to constitutional office.
- HB 538 Commercial dog breeders; definition, requirements, penalty.
- SB 772 Conditions of bond; court may bar person in elected office from returning to constitutional office.

We hope that this report will be useful to you. If you have any suggestions for improvements, please let us know. If you would like to receive an electronic version of this report, please send your request to [email@vml.org](mailto:email@vml.org).

Thank you for your help in promoting the interests of local government during the 2008 Session of the General Assembly.

Sincerely,

R. Michael Amyx  
Executive Director



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enacted in 2008 session**

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## **Animal Control**

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### **HB 5 Gas chambers; prohibits use for euthanizing companion animals.**

Amends § 3.1-796.77 to prohibit the use of gas chambers for euthanizing companion animals.  
**Emergency.**

### **HB 207 Animal pounds, local; clarifies definition.**

Amends § 3.1-796.66 to clarify that a facility serving as a pound or shelter may operate in either a building or a portion of a building, as designated by the State Veterinarian. This change would allow inspectors to tailor the separate inspection and regulatory standards for shelters and pounds to the respective portion of the facility designated for each purpose.

### **HB 537 Rabies vaccination certificates; exempts certain records sent to local treasurer from public access.**

Amends §§ 2.2-3705.7 and 3.1-796.87:1 to exempt records sent by veterinarians to local treasurers from public access under the Freedom of Information Act when such information is not contained in the animal license or license application. This will allow local treasurers to dispose of records sent from veterinarians.

### **HB 538 Commercial dog breeders; definition, requirements, penalty.**

Amends §§ 3.1-796.66, 3.1-796.104, and 58.1-3109 of the Code of Virginia and adds §§ in Title 3.1 to define a commercial breeder as any person who, during any 12-month period, maintains 30 or more adult female dogs for the primary purpose of the sale of their offspring as companion animals. Commercial breeders will be required to: (i) apply for a business license from their respective locality; (ii) cooperate with inspections by animal control officers to ensure compliance with state and federal animal care laws; (iii) maintain records of animal sales, purchases, breeding history, and veterinary care; (iv) dispose of dead dogs and confined waste in accordance with law; and (v) maintain no more than 50 dogs over the age of one year at one time for breeding purposes. The General Assembly rejected a gubernatorial amendment,

so the bill will be returned to the Governor, who may sign it as enacted, not sign it (in which case it becomes law), or veto it.

### **HB 656 Animal protection and fighting; broadens penalty.**

Amends and repeals §§ in Title 3.1 and amends § 18.2-403.2 to provide that engaging in the fighting of any animals is a Class 1 misdemeanor, while dog fighting remains a Class 6 felony. Possession of any materials intended to enhance the ability of animals to fight, permitting a minor to become involved in animal fighting, or wagering on animal fighting raises any such offense to a Class 6 felony. Animals that are the subject of such criminal charges may be forfeited to the locality, but the owner may post bond to retain his ownership interest and repossess the animals if the court issues a finding of not guilty. Law-enforcement officers would be permitted to conduct searches at any time upon the issuance of warrants. Currently, such officers may only conduct searches during the day. Identical to SB 592.

### **HB 673 Animals; clarifies several standards of welfare.**

Amends § 3.1-796.66 to require that "adequate water" for animals is replenished in a manner that is appropriate for the weather and temperature. Currently, "adequate water" must be replenished at least once every 12 hours.

### **HB 999 Animals; posting of bond by owners of those abandoned or cruelly treated.**

Amends § 3.1-796.115 to allow the court to order the owner of any animal held by a humane investigator or animal control officer for more than 30 days to post a bond with the locality for the amount of the cost of boarding the animal if the locality has not adopted an ordinance requiring the posting of such bond.

### **HB 1331 Recodification of Title 3.1.**

Creates proposed Title 3.2 (Agriculture, Animal Care, and Food) as a revision of existing Title 3.1 (Agriculture, Horticulture and Food) and consists of 65 chapters divided into five subtitles: Subtitle I (General Provisions; Protection and Promotion of Agriculture);

Subtitle II (Boards, Councils, Foundations, and Commissions); Subtitle III (Production and Sale of Agricultural Products); Subtitle IV (Food and Drink; Weights and Measures); and Subtitle V (Domestic Animals).

**SB 592 Animal protection and fighting; broadens penalty.**

Identical to HB 656.

**SB 663 Companion animals; authorizes localities to charge for repeated impoundment.**

Amends §§ 3.1-796.96 and 18.2-510 to remove the cap that localities may charge for the burial or cremation of animals and authorizes localities to charge increased fees for the repeated impoundment of the same animal.

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## Education

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**HB 769 Literary Fund; memorandum of lien.**

Amends §§ 22.1-151 and 22.1-161 to provide that upon request of a locality, any memoranda of lien deposited with the State Treasurer on behalf of the Literary Fund prior to July 1, 2007, shall be released.

**HB 770 Public schools; establishes technology as major classification of school funds.**

Amends § 22.1-115 to establish technology as a major classification of school funds.

**HB 1312 Workforce development; Governor's responsibilities.**

Amends §§ 2.2-435.7 and 2.2-2669 to provide that the strategic plan for workforce development shall be developed in coordination with the development of the comprehensive economic development policy required from the Governor during the first year of his administration. The bill changes the staff support for the Virginia Workforce Council from the Office of the Governor to the Virginia Community College System. Identical to SB 252.

**HB 1425 No Child Left Behind Act; Board of Education to make recommendation in regard to participation.**

An Act to require the Board of Education to make a recommendation to the General Assembly on whether Virginia should withdraw from the federal No Child Left Behind (NCLB) Act, unless reauthorization of the Elementary and Secondary Education Act provides the necessary revisions in the NCLB Act that allow Virginia's existing educational accountability system to substantially meet the accountability requirements of the federal law. If the Board recommends withdrawing from participation in NCLB, the Board must develop a plan for withdrawal and must submit such plan to the Governor and the General Assembly for their consideration by June 30, 2009. Identical to SB 490.

**SB 44 At-risk students; local school boards may establish after school programs.**

Adds § 22.1-199.5 to allow local school boards to establish after school programs designed to prevent at-risk youth from engaging in illegal or gang-related activities for school aged children. Local funds appropriated for educational purposes may be used to support such programs.

**SB 252 Workforce development; Governor's responsibilities.**

Identical to HB 1312.

**SB 376 School divisions, local; required to publish budget on website.**

Amends § 22.1-93 to require local school divisions to publish their annual budget on the local school division website. If there is no local school division website, the budget must be available in hard copy. This bill has a delayed effective date of January 1, 2009.

**SB 490 No Child Left Behind Act; Board of Education to make recommendation regard to participation therein.**

Identical to HB 1425.

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## **Elections & Campaign Finance**

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### **HB 637 Campaign Finance Disclosure Act of 2006; applicability to town elections.**

Amends § 24.2-945 to authorize the governing body of any town with a population of less than 25,000, by ordinance, to provide that the provisions of the Act shall apply to elections in the town for town offices. Present law exempts from the provisions of the Act all elections for town office in towns with a population of less than 25,000. The bill also will make the town elections subject to other provisions governing political campaign advertisements (§ 24.2-955 et seq.) in those towns opting to be covered by the Act. The provisions on advertisements apply when the cost or value of the advertisement must be reported as a contribution or expenditure under the Campaign Finance Disclosure Act.

### **HB 800 Acts of Assembly; implementation of certain laws to special elections.**

Adds § 24.2-101.1 to provide that a change in the election laws enacted at a regular session will not take effect for a special election when the writ for the special election has been issued before the effective date of the law.

### **HB 1197 Voter registration; period of time that registration records must be closed before primary election.**

Amends §§ 24.2-414, 24.2-416, and 24.2-611 to reduce the period of time that registration records must be closed before a general or primary election from 28 to 21 days beginning January 1, 2010. The bill also permits localities to use their own funds to purchase electronic pollbooks that have been approved by the State Board of Elections. Current law authorizes the use of electronic pollbooks only in pilot programs and when paid for by state appropriations.

### **HB 1235 Voting equipment; locking and securing after an election.**

Amends §§ 24.2-659 and 24.2-682 to provide that the period of time that voting equipment must be locked and secured after an election will be until the deadline has passed to request a recount (generally 10 days after the election

results are certified); and reduces from 60 days to 55 days the period of time during which a special election cannot be called before a general or primary election. These changes give more flexibility for the scheduling of special elections. Identical to SB 509.

### **HB 1410 Campaign finance disclosure; political campaign advertisement requirements.**

Amends §§ 24.2-945.2, 24.2-955, and 24.2-955.2 to reduce from \$500 to \$200 or more the amount of independent expenditures that a person may make with respect to an election for any office, other than a statewide office, that will require him to comply with the reporting requirements for independent expenditures under the Campaign Finance Disclosure Act and with the disclosure requirements of the "stand-by-your-ad" law. The bill also provides that a candidate who is clearly identified in a "paid advertisement" is entitled to obtain the identity of the person who submitted the advertisement from the newspaper, magazine, or periodical that published the advertisement.

### **HB 1446 Campaign finance disclosure reports; filing schedule for May elections.**

Amends §§ 24.2-947.7 and 24.2-948.2 to provide for the filing by May election candidates of an additional campaign finance report on April 15 of the election year, complete for activity through March 31 of that year. Current law requires a report to be filed on the 8<sup>th</sup> day before the May election date complete for activity through the 11<sup>th</sup> day before the election and, for March primary candidates only, a report to be filed on the eighth day before the primary date complete for activity through the eleventh day before the primary. These requirements apply to May elections in all cities and in those towns with a population of 25,000 or more (Blacksburg and Leesburg). **Emergency.**

### **HB 1476 Voting equipment; wireless communications at polling places, exceptions.**

Amends § 24.2-625.2 to provide exceptions to the prohibition on wireless communications to or from voting devices at the polls on election day. First, the prohibition will not apply to

voting equipment purchased by a locality before July 1, 2007. Second, electronic pollbooks may be used. Identical to SB 52.

**HB 1477 Elections; town election polling places and processes.**

Amends §§ 24.2-310 and 24.2-601 to provide an exception to location limitations on town polling places for November town elections to require use of county precincts, modifies the process for including town offices on November ballots, and specifies how to ascertain and report the election results for towns located in more than one county. Identical to SB 757.

**SB 35 Recount procedures; ensures that logic and accuracy tests are performed after programming tabulator.**

Amends § 24.2-802 to require hard copy optical scan ballots to be rerun through appropriately programmed tabulators in recount proceedings. Present law provides that the tabulator printout will be sufficient unless it is unclear or the court orders the ballots to be rerun. The bill also requires logic and accuracy tests to be run on tabulators prior to their being used in a recount.

**SB 52 Voting equipment; wireless communications at polling places, exceptions.**

Identical to HB 1476.

**SB 53 Paper and electronic pollbooks; permits localities to purchase.**

Amends § 24.2-611 to permit localities to use their own funds to purchase electronic pollbooks that have been approved by the State Board of Elections. Current law authorizes the use of electronic pollbooks only in pilot programs and when paid for by state appropriations.

**SB 292 Optical scan tabulators; pilot programs for, audits thereof.**

Amends § 24.2-669 and adds § 24.2-671.1 to authorize the State Board of Elections to provide for pilot programs to audit optical scan tabulators in localities that choose to participate with respect to an election in which the margin between the top two candidates for each office on the ballot exceeds 10 percent. The audit will take place only after results of the election have

been certified and the time to initiate a recount has expired. The audit may be used to test the accuracy of the tabulators and to evaluate the costs of, and procedures for, audits.

**SB 509 Voting equipment; locking and securing after an election.**

Identical to HB 1235.

**SB 715 Election precincts; prohibits counties & cities from abolishing, etc. precincts.**

Adds § 24.2-309.2 to prohibit counties and cities from abolishing, creating, or changing precincts between February 1, 2009, and May 15, 2011, except in certain enumerated circumstances. Freezing of precincts for this period of time will allow the U.S. Bureau of the Census to provide 2010 population data by precinct for redistricting use in 2011.

**SB 757 Elections; town election polling places and processes.**

Identical to HB 1477.

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## **Environmental**

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**HB 211 Water Protection Permit; exempts landowners whose construction or maintenance may impact wetlands.**

Amends § 62.1-44.15:21 to exempt landowners from the requirement to obtain a Virginia Water Protection permit for impacts to state waters caused by the construction or maintenance of farm stock ponds and impoundments that do not fall under the authority of the Virginia Soil and Water Conservation Board.

**HB 233 Dishwashing detergents; bans use of phosphorus for household dishwashing machines.**

Amends §§ 62.1-193.1 and 62.1-193.2 to ban the use of phosphorus in detergents for household dishwashing machines. Phosphorus is one of the primary sources of water pollution. The bill contains a delayed effective date of July 1, 2010.

**HB 343 Cathode ray tubes; disposal bans.**

Amends § 10.1-1425.26 to permit localities to prohibit the disposal of cathode ray tubes in any

waste-to-energy or solid waste disposal facility within its jurisdiction, provided the locality has implemented a recycling program that is capable of handling all cathode ray tubes generated within its jurisdiction. Previously the ban only applied to privately operated landfills.

**HB 344 Computer Recovery and Recycling Act; recovery plan.**

Adds §§ 10.1-1425.27 through 10.1-1425.38 to require the manufacturer of more than 500 items of computer equipment to adopt and implement a recovery plan providing for the reasonably convenient collection, recycling, and reuse of computer equipment returned by a consumer in the Commonwealth. The manufacturer must also affix a permanent, readily visible label to the computer equipment with the manufacturer's brand before a manufacturer may offer computer equipment for sale in the Commonwealth. Examples of collection methods meeting the recovery plan requirements in this Act include (i) a system by which the consumer may return the computer equipment free of charge; (ii) a system using a physical collection site; or (iii) a system using collection events at which the consumer may return computer equipment. Each manufacturer must annually report on the weight of computer equipment collected, recycled, and reused during the preceding calendar year.

**HB 360 Nonpoint source pollution reduction; funding.**

Amends § 10.1-2128 to authorize the Governor and General Assembly to provide additional funding in excess of the amount deposited in the Water Quality Improvement Fund from a budget surplus to fund nonpoint source pollution reduction activities. Identical to SB 513.

**HB 392 Stormwater ordinances; authorizes localities classified as MS4 to enact.**

Adds § 10.1-603.14:1 to authorize localities classified as MS4 stormwater localities to enact ordinances to enforce stormwater permits. The bill would give these localities the authority to seek civil charges and injunctive relief, and impose civil penalties. Any person who willingly and knowingly violates the ordinance

would be subject to a criminal penalty of a Class 1 misdemeanor.

**HB 394 Water and waste authorities; powers.**

Amends § 15.2-5114 to grant such authorities powers related to intellectual property rights.

**HB 517 Onsite soil evaluators; classes.**

Amends § 54.1-2301 to require the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals to adopt regulations to include the division of onsite soil evaluators into classes, including a class restricted to the design of conventional onsite sewage systems.

**HB 518 Onsite soil evaluators; exemptions from license requirements.**

Amends §§ 54.1-400 and 54.1-402 to allow a licensed onsite soil evaluator to design conventional and alternative onsite sewer systems receiving residential wastewater when certain conditions are met.

**HB 528 Chesapeake Bay Preservation Act; ordinance appeals.**

Amends § 10.1-2109 to allow localities subject to the Chesapeake Bay Preservation Act to adopt an ordinance that establishes a time limit of at least 30 days for an aggrieved party to appeal a decision of the local board to the circuit court.

**HB 555 Wetlands; localities to establish and operate mitigation banks.**

Amends § 62.1-44.15:23 to authorize localities to establish and operate single-user wetlands and stream mitigation banks so long as the banks are operated in accordance with state and federal law. These single-user banks may only be used by localities for compensatory mitigation where the locality is the permittee.

**HB 1166 Onsite treatment works; Board of Health et al., to accept designs from professional engineers.**

Adds § 32.1-163.6 to authorize the Board of Health, the Commissioner of Health, and the Department of Health to accept treatment works designs from individuals licensed as professional engineers. Such designs shall (i) be compliant

with standard engineering practice and performance requirements established by the Board and those horizontal setback requirements necessary to protect the public health and the environment, and (ii) reflect the degree of skill and care ordinarily exercised by licensed members of the engineering profession practicing at the time of performance. The bill also establishes the procedure for submission and review of designs.

**HB 1308 Coastal primary sand dunes; authorizes additional localities to adopt ordinance.**

Amends §§ 28.2-1400 and 28.2-1403 to authorize additional localities in Tidewater Virginia to adopt coastal primary sand dune ordinances. The bill also includes three additional dune plants in the definition of what constitutes a coastal primary sand dune.

**HB 1332 DEQ; authority to issue and enforce permits, etc. related to air and water pollution.**

Amends and adds §§ in Title 10.1 and 62.1 to establish a uniform permit issuance process for the Air Pollution Control Board (Air Board) and the State Water Control Board (Water Board). After issuing a public notice of a pending permit action, a public hearing will be held if at least 25 individuals have requested a public hearing and the director of the Department of Environmental Quality finds that the issues raised are germane to the permit action and are not inconsistent with state or federal laws. The director or the two boards may convene a meeting under an expedited schedule to reconsider the decision of the director to grant a public hearing. The board is required to act on the permit within 90 days of the close of the comment period unless the applicant agrees to an extension of the time period. People who commented during the public hearing may address the boards at the meeting where final action on the permit will occur. The board must provide a written basis for its decision. Identical to SB 423.

**HB 1335 Natural Resources Commitment Fund.**

Amends §§ 2.2-1514 and amends and adds §§ in Title 10.1 to establish the Virginia Natural Resources Commitment Fund. The Fund would be capitalized with appropriated funds and moneys from public and private sources. Beginning July 1, 2008, and for the next 10 years, moneys in the Fund would be distributed to the Department of Conservation and Recreation's Agricultural Best Management Practices Cost-Share Program for the implementation of agricultural best management practices (BMP). Fifty-seven percent of the moneys are to be used for matching grants to implement BMPs on agricultural lands exclusively in the Chesapeake Bay watershed and 38 percent of the moneys would be used for all other lands in the Commonwealth. Five percent of the moneys would be allocated to soil and water conservation districts. Identical to SB 511.

**HB 1355 Sewage treatment plants; expanded or upgraded facility may limit amount of septage.**

Amends § 15.2-2123 to provide that whenever the governing body of a locality or a combination of governing bodies of two or more localities is expanding or upgrading a sewage treatment plant, the facility shall be expanded or upgraded so that it has the capability to accept and treat the septage from all onsite sewage disposal systems, which are not adequately served by another approved disposal site, located in the locality or combination thereof to be served by such plant. However, the localities may limit the design size of the plant when expanding or upgrading.

**HB 1398 Tire recycling fee; extended until July 1, 2011.**

Amends § 58.1-641 to extend, until July 1, 2011, the \$1.00 recycling fee imposed on each new tire sold; thereafter, the fee is reduced to 50 cents. Under current law the fee is to be reduced to 50 cents on July 1, 2008.

**HB 1437 Trees; conservation during land development process for air quality improvement.**

Adds § 15.2-961.1 to provide that localities in Planning District 8 may, by ordinance, require conservation of trees during the development process. The bill also provides that the tree conservation ordinance may require that the site plan for any subdivision or development provide for the preservation and replacement of trees on the development site to ensure minimum tree canopy or tree cover percentage 20 years after development. Identical to SB 710.

**HB 1552 Erosion and sediment control plan; file specifications for stream restoration banks annually.**

Amends § 10.1-563 to allow any person creating and operating stream restoration banks in more than one jurisdiction to file general erosion and sediment control specifications for stream restoration banks annually with the Virginia Soil and Water Conservation Board.

**SB 322 Electric Utility Restructuring Act; defines municipal solid waste as source of renewable energy.**

Amends § 56-576 to define municipal solid waste as a source of renewable energy under the Virginia Electric Utility Restructuring Act.

**SB 378 Stormwater; Soil and Water Conservation Board to promote reuse and reclamation.**

Amends § 10.1-603.4 to authorize the Virginia Soil and Water Conservation Board to adopt regulations that promote the reclamation and reuse of stormwater in order to protect state waters and the public health and to minimize the direct discharge of pollutants into state waters.

**SB 423 DEQ; authority to issue and enforce permits, etc. related to air and water pollution.**

Identical to HB 1332.

**SB 464 Energy and Climate Change, Commission on.**

Adds §§ 30-293 through 30-300 to establish the Virginia Commission on Energy and

Environment as a legislative study commission to review and recommend steps to implement the Virginia Energy Plan. The General Assembly rejected gubernatorial amendments so the bill will be returned to the Governor, who may sign it as enacted, not sign it (in which case it becomes law), or veto it.

**SB 511 Natural Resources Commitment Fund.**

Identical to HB 1335.

**SB 513 Nonpoint source pollution reduction; funding.**

Identical to HB 360.

**SB 665 Tire recycling fee; extended until July 1, 2011.**

Identical to HB 1398.

**SB 690 Water Quality Improvement Fund; reimbursement to localities for costs of nutrient removal upgrades.**

Amends § 10.1-1186.01 to authorize the Department of Environmental Quality to reimburse localities for the costs of nutrient removal upgrades at publicly owned treatment works on a monthly basis so long as there is written certification from the grant recipient that the local share of the project costs has been expended.

**SB 706 Hampton Roads Sanitation District; redefines term sewage disposal system.**

Amends §§ 8, 29, and 35, and § 45, of Chapter 66 of the Acts of Assembly of 1960, to redefine the term "sewage disposal system." The bill also provides that all construction contracts, except in cases of emergency, that the District's Commission may let for construction, or materials in connection with such construction, shall be let after public advertising and in accordance with the provisions of the Virginia Public-Private Education Facilities and Infrastructure Act of 2002. The bill also requires that the Virginia Department of Environment Quality approve any substantial change in the method used by the Commission for treating and disposing of sewage and industrial wastes. Further, the District may enter into any contract

that the Commission determines to be necessary or appropriate to place any obligation or investment of the District, as represented by bonds or the investment of their proceeds, in whole or in part, on the interest rate, cash flow or other basis desired by the Commission.

**SB 710 Trees; conservation during the land development process for air quality improvement.**

Identical to HB 1437.

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## **FOIA & Public Records**

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**HB 520 Freedom of Information Act; exemptions for local or regional military organizations.**

Amends §§ 2.2-3705.2 and 2.2-3711 to add a FOIA exemption for records of the Virginia Military Advisory Council, the Virginia National Defense Industrial Authority, or a local or regional military affairs organization appointed by a local governing body, to the extent such records (i) contain information relating to strategies under consideration or development by the Council, the Authority or such local or regional organization to prevent the closure or realignment of federal military installations located in Virginia, to limit the adverse economic effect of such realignment or closure, or to seek additional tenant activity growth from the Department of Defense or (ii) disclose trade secrets provided to the Council, the Authority, or such local or regional organization in connection with their work. The bill also adds a closed meeting exemption for discussion of such topics by the Virginia Military Advisory Council, the Virginia National Defense Industrial Authority, or such local or regional organization.

**HB 633 Personal Information Privacy Act; prohibits dissemination of another's social security number.**

Amends § 59.1-443.2 to prohibit the dissemination of another person's social security number, regardless of whether such number is obtained from a public or private record. Currently, the prohibition against dissemination

only applies to social security numbers obtained from private sources. Identical to SB 133.

**HB 634 Government Data Collection and Dissemination Practices Act; disclosure of personal information.**

Amends §§ 2.2-3801, 2.2-3808, 2.2-3809, and 16.1-77 to provide that no agency shall require an individual to furnish or disclose his social security number (SSN) or driver's license number unless the furnishing or disclosure of such number is (i) authorized or required by state or federal law and (ii) essential for the performance of that agency's duties. The bill also strengthens the remedies provisions of the GDCDPA by adding civil penalties matching those in FOIA, and grants general district courts the authority to hear GDCDPA cases. Additionally, the bill has enactment clauses giving it a delayed effective date of July 1, 2009, and requires state agencies to study their own collection and use of SSNs and report to the FOIA Council and JCOTS on such collection and use by October 1, 2008. The bill also contains a fourth enactment clause providing for the gathering of similar information about the use and collection of SSNs by cities, counties and towns with a population greater than 15,000. Identical to SB 132.

**HB 854 Freedom of Information Act; local public bodies may meet by electronic communication.**

Amends §§ 2.2-3701, 2.2-3708, and 2.2-3714 to allow any local governing body, school board, or any authority, board, bureau, commission, district, or agency of local government to meet by electronic communication means without a quorum of the public body physically assembled at one location when the Governor has declared a state of emergency in accordance with § 44-146.17, provided (i) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location and (ii) the purpose of the meeting is to address the emergency. The local public body convening the meeting shall (a) give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided members of the local public body

conducting the meeting; (b) make arrangements for public access to such meeting; and (c) otherwise comply with the provisions for electronic communication meetings. The nature of the emergency and the fact that the meeting was held by electronic communication means shall be stated in the minutes. Identical to SB 131.

**HB 1271 Freedom of Information Act; exemption for local franchises, exception.**

Amends § 2.2-3705.6 to broaden the current FOIA exemption to apply to any type of franchise and protects trade secrets and confidential proprietary information from both bidders for the franchise and the person who is ultimately awarded the franchise. Currently, the exemption is limited to cable TV franchises. The bill provides that no bidder, applicant, or franchisee may invoke the exclusion provided by this subdivision if the bidder, applicant, or franchisee is owned or controlled by a public body or if any representative of the applicable franchising authority serves on the management board or as an officer of the bidder, applicant, or franchisee.

**HB 1367 Freedom of Information Act; exemption for local government investment pool.**

Amends § 2.2-3705.7 to add a FOIA exemption for the records maintained by the Department of the Treasury or participants in the Local Government Investment Pool, to the extent such records relate to information required to be provided by such participants to the Department to establish accounts.

**HB 1469 Identity theft; notice of database breach.**

Adds § 18.2-186.6 to require owner of or licensee with computerized data that includes personal information to disclose any breach of the security of the system following discovery or notification of the breach to the Office of the Attorney General and any affected resident of the Commonwealth whose unencrypted and unredacted personal information was, or is reasonably believed to have been accessed and acquired by an unauthorized person. Violations

by an entity regulated by the State Corporation Commission shall be enforceable exclusively by the Commission. All other violations shall be enforced by the Office of the Attorney General, which may impose a civil penalty not to exceed \$150,000 per breach or series of breaches of a similar nature that are discovered in a single investigation. Identical to SB 307.

**SB 131 Freedom of Information Act; local public bodies may meet by electronic communication.**

Identical to HB 854.

**SB 132 Government Data Collection and Dissemination Practices Act; disclosure of personal information.**

Identical to HB 634.

**SB 133 Personal Information Privacy Act; prohibits dissemination of another's social security number.**

Identical to HB 633.

**SB 307 Identity theft; notice of database breach.**

Identical to HB 1469.

**SB 593 Freedom of Information Act; confidential records discussion to be conducted in non-public meeting.**

Amends § 2.2-3711 to allow the discussion or consideration of confidential proprietary records provided by a private business to certain state, local, or regional industrial or economic development authorities or organizations for business, trade and tourism development to be conducted in meetings not open to the public.

**SB 764 Address confidentiality for victims of domestic violence; program expanded.**

Amends § 2.2-515.2 and amend and reenact the second and third enactments of Chapter 599 of the Acts of Assembly of 2007 to expand the address confidentiality for victims of domestic violence program currently implemented in the County of Arlington to the Counties of Albemarle, Augusta, Dickenson, Fairfax, Henry, Lee, Rockbridge, Russell, Scott, Washington, and Wise as well as the Cities of Buena Vista,

Charlottesville, Lexington, Martinsville, Norfolk, and Roanoke. The bill also provides that an applicant to the program may apply in person at a domestic violence program, which is defined as a public and not-for-profit agency the primary mission of which is to provide services to victims of sexual or domestic violence. Currently, such applications are made directly to the Office of the Attorney General.

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## **Human Services: Behavioral Health, Health, Social Services, Comprehensive Services Act, Veterans, EMS**

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### **Behavioral Health**

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#### **HB 401 Emergency custody; who may accept custody.**

Amends § 37.2-808 to allow the law-enforcement agency transporting a person to a facility or location pursuant to an emergency custody order to transfer custody of the person to the facility or location if the facility or location (i) is licensed to provide the level of security necessary to protect the person and others from harm, (ii) is actually capable of providing this level of security, and (iii) has entered into an agreement with the law-enforcement agency setting forth the terms and conditions under which it will accept a transfer of custody. The facility or location may not require the law-enforcement agency to pay any fees or costs for the transfer of custody. Identical to SB 81.

#### **HB 402 Involuntary commitment petition; dismissal or withdrawal.**

Amends § 16.1-341 to provide that a petition for the involuntary commitment of a minor shall be served upon the minor and the minor's parents unless the petition has been withdrawn or dismissed. Current law only provides that such petition need not be served if the petition has been dismissed. Identical to SB 68.

#### **HB 475 Veterans; Commissioner et al., to establish comprehensive program to address mental health needs.**

Amends §§ 37.2-304 and 51.5-14 and adds § 2.2-2001.1 to require that the Department of Veterans Services, the Department of Mental Health, Mental Retardation and Substance Abuse Services and the Department of Rehabilitative Services cooperate in establishing a program to monitor and coordinate mental health and rehabilitative services support for Virginia veterans and members of the Virginia National Guard and Virginia residents in the Armed Forces Reserves not in active federal service. Identical to SB 297.

#### **HB 499 Involuntary commitment; establishes new standard for outpatient commitment.**

Amends §§ in Title 19.2; 16.1-337, 32.1-127.1:03, and 53.1-40.2 and amends and adds §§ in Title 37.2 to change the criteria for emergency custody orders, temporary detention orders, and involuntary commitment proceedings, including how that criteria is applied to prisoners and juveniles. A person may be taken into emergency custody, placed under temporary detention, or involuntarily committed where it is found that the person has a mental illness and there exists a substantial likelihood that, as a result of mental illness, the person will, in the near future (i) cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting, or threatening harm and other relevant information, if any, or (ii) suffer serious harm due to his lack of capacity to protect himself from harm or to provide for his basic needs. A person who meets the criteria for involuntary commitment may be ordered to mandatory outpatient treatment if less restrictive alternatives to involuntary inpatient treatment are appropriate and are available, and the person has the capacity to comply with the treatment and has agreed to abide by the plan. Sets forth how such mandatory outpatient treatment will be monitored and how noncompliance with such treatment will be addressed. Provides that, upon request, any health care provider or other provider rendering services to persons subject to emergency custody orders, temporary detention orders, or involuntary commitment proceedings shall

disclose to certain entities and individuals all information necessary for the entities or individuals to perform their duties in relation to the orders or proceedings. Authorizes a single two-hour extension of an emergency custody order; provides that a person under a temporary detention order may be released prior to 48 hours after the order is executed if the person does not pose a danger to himself or others; expands those qualified to perform an independent examination of a person prior to a commitment hearing to include clinical social workers, professional counselors, psychiatric nurse practitioners, and clinical nurse specialists; sets forth factors that may be considered when determining whether probable cause exists to issue an emergency custody order or temporary detention order and factors that shall be considered prior to entry of an involuntary commitment order or mandatory outpatient treatment order; and makes changes about the conduct of prescreening reports and independent examinations and the presentation of these at required hearings. Identical to SB 246.

**HB 559 Emergency custody orders, temporary detention orders, and involuntary commitment; criteria.**

Amends §§ in Titles 19.2, 37.2 and § 53.1-40.2 to change the criteria for emergency custody orders, temporary detention orders, involuntary commitment, and outpatient treatment, including how that criteria is applied to prisoners and juveniles, so that a person may be taken into custody, temporarily detained, involuntarily committed, or ordered to outpatient treatment if the person has a mental illness and there exists a substantial likelihood that the person will, in the near future (i) cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting, or threatening harm and other relevant information, if any, or (ii) suffer serious harm due to his lack of capacity to protect himself from harm or to provide for his basic human needs.

**HB 560 Commitment hearing; community services board representative, treating physician, etc. to attend.**

Amends § 37.2-817 to require the independent examiner and the community services board

employee who prepared the prescreening report, or if the hearing occurs in a different jurisdiction, an employee of the local community services board or behavioral health authority serving that jurisdiction, to attend the commitment hearing or, if physical attendance is not practicable, to participate in the hearing through a two-way video and audio or telephonic communication system. The bill also provides that the initial period of involuntary commitment shall be 30 days and allows for a subsequent order authorizing an additional period of 180 days. The bill also sets forth conditions for when a person may be ordered to mandatory outpatient treatment.

**HB 576 Mental health records; health provider shall disclose information to provide care, etc. of minor.**

Amends §§ 16.1-337, 19.2-169.6, 32.1-127.1:03, and amends and adds §§ in Title 37.2 to provide that, upon request, any health care provider or other provider rendering services to persons subject to emergency custody orders, temporary detention orders, or involuntary commitment proceedings shall disclose to certain entities and individuals all information necessary and appropriate for the entities or individuals to perform their duties in relation to such orders or proceedings. Provides that any health care provider shall be immune for any harm resulting from the disclosure of health records unless he intended the harm or acted in bad faith.

**HB 582 Psychiatric inpatient treatment of minors; timing of petition and hearing.**

Amends §§ 16.1-338 through 16.1-341 to increase from 72 hours to 96 hours the length of time (i) to hold a hearing for the involuntary commitment of a minor or the emergency admission of a minor for inpatient treatment, and (ii) that a minor may be admitted by his parents to a facility over his objections. Provides that the time to hold the involuntary commitment hearing runs from the issuance of the temporary detention order or the filing of the petition for such hearing, whichever occurs later. A petition for judicial approval of the admission of a minor by his parents over his objections shall be filed no sooner than 24 hours and no later than 96 hours after his admission. Identical to SB 276.

**HB 583 Emergency custody orders; extension of time.**

Amends § 37.2-808 to allow a magistrate to extend an emergency custody orders for one two-hour period if good cause exists to grant the extension. Good cause for an extension includes the need for additional time to (i) find a suitable facility in which to temporarily detain the person subject to the order, or (ii) complete a medical evaluation of the person.

**HB 707 Involuntary commitment hearings; person shall be held in custody until released to secure facility.**

Amends § 37.2-809 to provide that a person who is subject to a temporary detention order shall remain in the custody of a law-enforcement officer until the person is either detained within a secure facility or custody has been accepted by the appropriate personnel designated by the facility identified in the temporary detention order.

**HB 760 Mentally retarded; replaces term with intellectually disabled.**

An Act to amend §§ in Titles 2.2, 4.1, 9.1, 15.2, 16.1, 18.2, 19.2, 20, 22.1, 23, 25.1, 29.1, 32.1, 36, 37.2, 38.2, 46.2, 51.5, 53.1, 54.1, 56, 57, 63.2 and 66 to replace the term "mentally retarded" with the term "person with intellectual disability" and replaces the term "mental retardation" with the term "intellectual disability" in the Code of Virginia. This bill contains a reenactment clause. Identical to SB 620.

**HB 815 Voluntary admission; report to Central Criminal Records Exchange.**

Amends §§ 18.2-308.1:1, 18.2-308.1:3, 19.2-169.2, 37.2-814, and 37.2-819 to codify Executive Order 50, requiring information regarding involuntary admission to a facility or for mandatory outpatient treatment be forwarded to the Central Criminal Records Exchange for purposes of determining an individual's eligibility to possess, purchase, or transfer a firearm. In addition to those ordered to involuntary treatment pursuant to Title 37.2, the bill makes it illegal for a person found incompetent to stand trial and ordered to mental

health treatment to possess or purchase a firearm. The bill also makes it illegal for a person who was the subject of a temporary detention order, and subsequently agreed to voluntarily admission for mental health treatment, to possess or purchase a firearm. Such person would be advised that agreeing to voluntary treatment would affect the person's right to possess or purchase a firearm. Finally, the bill revises the procedures for a person prohibited from possessing or purchasing a firearm because of an acquittal by reason or insanity, involuntary mental health treatment, or voluntary mental health treatment after a temporary detention order to restore his rights to purchase or possess a firearm. SB 216 is similar, but not identical.

**HB 1144 Temporary detention order; magistrate may consider recommendation of examining physician, etc.**

Amends §§ 37.2-808, 37.2-809, and 37.2-817 to allow a magistrate, when considering whether to issue an emergency custody order or a temporary detention order, to consider: (i) the recommendations of any treating or examining physician licensed in Virginia, (ii) any past actions of the person, (iii) any past mental health treatment of the person, (iv) any relevant hearsay evidence, (v) any medical records available, (vi) any affidavits submitted, if the witness is unavailable and it so states in the affidavit, and (vii) any other information available that the magistrate deems relevant to the determination of whether to issue a temporary detention order. Requires that a special justice, when considering a petition for involuntary commitment or mandatory outpatient treatment, shall consider these items as well as the examiner's certification and the preadmission screening report.

**HB 1203 Mental health and substance abuse treatment providers; background checks.**

Amends §§ 37.2-416 and 37.2-506 to allow community services boards and providers licensed by the Department of Mental Health, Mental Retardation and Substance Abuse Services to hire as a direct care employee in adult substance abuse or mental health treatment programs a person who has been convicted of a

misdemeanor violation relating to assault and battery as long as such offenses were substantially related to substance abuse or mental illness and the applicant has been rehabilitated. Identical to SB 381.

**HB 1323 Temporary detention order; magistrates to issue based on recommendation of treating physicians.**

Amends § 37.2-809 to require a magistrate to issue TDOs upon the recommendation of any responsible person, any treating physician or upon his own motion after an in-person evaluation by an employee or designee of the local Community Services Board (CSB), where it appears from all of the evidence readily available that the person meets the criteria for a temporary detention order.

**SB 68 Involuntary commitment petition; dismissal or withdrawal.**

Identical to HB 402.

**SB 81 Emergency custody; who may accept custody.**

Identical to HB 401.

**SB 141 State hospitals; discharge plans upon release.**

Amends § 37.2-837 to clarify that a discharge plan prepared by the community services board for persons discharged from a state hospital or training facility shall identify the services that the person discharged will require upon release and the public or private entities that will provide the necessary services.

**SB 142 Involuntary commitment hearings; recordings.**

Amends § 37.2-818 to require that each hearing be recorded separately, so that no more than one hearing is recorded per tape or other recording.

**SB 216 Voluntary admission; report to Central Criminal Records Exchange.**

HB 815 is similar, but not identical.

**SB 246 Involuntary commitment; establishes new standards for outpatient commitment.**

Identical to HB 499.

**SB 247 Involuntary commitment of minors; appointment of counsel and guardians ad litem.**

Amends §§ 16.1-339, 16.1-341, and 16.1-343 to provide that a court shall appoint a guardian ad litem and counsel for a minor for involuntary commitment hearings and proceedings for the judicial approval of the admission for inpatient treatment of a minor 14 years of age or older over his objections.

**SB 276 Psychiatric inpatient treatment of minors; timing of petition and hearing.**

Identical to HB 582.

**SB 297 Veterans; Commissioner et al., to establish comprehensive program to address mental health needs.**

Identical to HB 475.

**SB 330 Custody and visitation cases; admissibility of mental health care records.**

Repeals § 20-124.3:1 to repeal the current law that provides that in any case in which custody or visitation of a child is at issue, the mental health records concerning a parent shall be privileged and confidential and the mental health care provider may not be required to testify on behalf of or against a parent or any of the parent's adult relatives.

**SB 381 Mental health and substance abuse treatment providers; background checks.**

Identical to HB 1203.

**SB 620 Mentally retarded; replaces term with intellectually disabled.**

Identical to HB 760.

**HJ 105 Autism services.**

JLARC study of autism services in Virginia to identify and evaluate best practices in the provision of services for the diagnosis, treatment, and management of autism; methods of providing services to persons with autism; ways to disseminate information regarding best practices; and provide autism education and training for law enforcement and judicial personnel.

**SJ 42 Mental health system.**

Directs the Joint Commission on Health Care to receive, review, and evaluate the impact of recommendations and legislation on the mental health system in the Commonwealth, including recommendations from the Chief Justice's Commission on Mental Health Law Reform, the Virginia Tech Review Panel, the Office of the Inspector General, other committees on the involuntary commitment process and the system of mental health services, and legislation enacted during the 2008 session. Report and recommendations due in 2010.

**SJ 46 Mental health needs & treatment of minority young adults.**

Directs the Joint Commission on Health Care to continue its study of the mental health needs and treatment of young minority adults.

**SJ 77 Substance abuse.**

Joint subcommittee to study strategies and models for substance abuse prevention and treatment that effectively reduce the costly service demands created by substance abuse.

**All other human services issues**

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**HB 3 Screened Family Day Home Provider List; created.**

Adds §§ 63.2-1704.1, 63.2-1704.2, and 63.2-1704.3 to require Virginia Social Services to establish and maintain a website for a "Screened Family Day Home Provider" list. The list shall include the names of family day home providers who are not required to be licensed or regulated and who voluntarily apply for inclusion on the list. These individuals must undergo a national criminal history background check and review of the child protective services registry and found to have no convictions for certain offenses or founded child abuse or neglect complaints. This bill also establishes a Screened Family Day Home Provider Fund to receive application fees and disburse funds for the administration of the List. The provisions of the bill are subject to the appropriation of funds by the 2008 General Assembly.

**HB 149 Independent living services & arrangements; requires plan for children 14 yrs. & older.**

Amends §§ 16.1-228, 16.1-281 through 16.1-282.2, and §§ in Title 63.2 to define independent living arrangement as placement of a child at least 16 years of age who is in the custody of a local board or licensed child-placing agency and has been placed by the local board or licensed child placing agency in a living arrangement which does not include daily parental supervision. Defines independent living services to include services and activities provided to a child in foster care who is 16 years of age or older or to a person who was in foster care on his 18th birthday and has not yet reached the age of 21. This bill requires, for children aged 14 years and older that the child's needs and goals in specified areas are included in the written foster care plan for that child. Identical to SB 249.

**HB 191 Emergency medical services; temporary suspension of permits and certificates pending hearing.**

Amends §§ 32.1-111.5 and 32.1-111.8 to authorize the Health Commissioner to temporarily suspend any certificate or permit for agencies or emergencies services vehicles without notice, pending a hearing or informal fact-finding conference, where a substantial danger to public health or safety exists. Requires the Commissioner to seek an expedited hearing in such cases.

**HB 192 Volunteer rescue squads; replaces term with agency, etc. licensed or certified by Office of EMS.**

Amends § 32.1-111.9 to replace the term "volunteer rescue squad" with the term "agency, entity, or provider licensed or certified by the Office of Emergency Medical Services."

**HB 214 Public entities; rights of persons with disabilities.**

Amends § 51.5-44 to add public entities, including schools, to the list of public places in which persons with disabilities are entitled to the same full and free rights as other persons.

**HB 229 Veterans services; guidelines for eligibility for domiciled veterans.**

Amends §§ in Title 2.2 to change the references under the powers and duties of the Commissioner of Veterans Services from the Secretary of Administration to the Secretary of Public Safety. Requests the Department of Veterans Services to establish eligibility determination guidelines for Virginia-domiciled veterans and their spouses, orphans, and dependents for participation in programs and benefits administered by the Department. Such guidelines shall meet the intent of federal statutes and regulations pertaining to the administration of federal programs supporting U.S. Armed Forces veterans and their spouses, orphans, and dependents. Clarifies that the purpose of the Veterans Services Foundation is to provide funding for veteran services and programs in the Commonwealth. Identical to SB 760.

**HB 248 Emergency medical services personnel; clarifies definitions.**

Amends §§ 15.2-1518 and §§ in Title 32.1 to define "emergency medical services physician," "emergency medical services provider," "operational medical director," and "physician course director."

**HB 251 Adult Fatality Review Team; created, report.**

Amend §§ 2.2-3705.5 and 63.2-1606 and adds § 32.1-283.5 to establish the Adult Fatality Review Team to review suspicious deaths of any incapacitated adult aged 18 or older and any adult aged 60 or older (i) who was the subject of an adult protective services investigation, (ii) whose death was due to abuse or neglect or acts that suggest abuse or neglect, or (iii) whose death came under the jurisdiction of the Office of the Chief Medical Examiner pursuant to § 32.1-283. The bill sets forth duties, membership, confidentiality, reporting and other requirements for the team. The bill also creates a Freedom of Information Act exemption for information and records acquired during a review of any death conducted by a family violence fatality review team or during a review of any adult death conducted by the adult fatality review team to the extent made confidential by state law.

**HB 503 Comprehensive Services Act; Executive Council oversee development of services for at-risk children.**

Amends §§ 2.2-2648, 2.2-5206, and 2.2-5208 to require the State Executive Council to develop, and localities to implement, a program of case management for residential care to include residential care plans. Requires family assessment and planning teams to develop, and community policy and management teams to review, residential care plans that include goals for residential care treatment, a provision for monitoring and review of plans, evaluation of progress toward identified goals, and a plan for returning the youth to his home or community at the earliest appropriate time. Identical to SB 487.

**HB 806 Infectious diseases; residential or day program, etc. licensed by State to report cases.**

Amends § 32.1-37 to add person in charge of a residential or day program, service, or facility licensed by any state agency to the list of nonphysicians who must report disease outbreaks. Identical to SB 463.

**HB 811 Temporary Assistance for Needy Families; waiver of ineligibility period.**

Amends § 63.2-612 to provide that the 24-month period of ineligibility shall not apply when a child is removed from his parents' home and placed with a relative as the result of a child protective services report or complaint as defined in regulations promulgated by the Board. Provides that in such cases, the relative with whom the child is placed shall be eligible for TANF financial assistance immediately and without waiting for the end of the 24-month period. Identical to SB 251.

**HB 825 Foster & adoption workers; Department of Social Services to establish minimum training requirements.**

Adds §§ 63.2-914 and 63.2-1220.1 to require the Department of Social Services to establish minimum training requirements and provide educational programs for foster and adoption workers and their supervisors.

**HB 850 Foster care; code of ethics agreement signed by head of every foster home.**

Amends §§ 63.2-900 and 63.2-902 to require Board of Social Services to approve, in foster care policy, the language of the written agreement to be entered into by local boards and licensed child-placing agencies. Provides that such agreements shall include at a minimum a Code of Ethics and mutual responsibilities for all parties to the agreement. Identical to SB 643.

**HB 871 Marriage & family programs; Department of Social Services to establish.**

Adds § 63.2-214.1 to authorize the Department of Social Services to establish a program in support of educational programs that promote healthy marriages and strong families. Authorizes the Department, to the extent authorized by federal law, to allocate to this program up to one percent of all funds received under the federal Temporary Assistance for Needy Families program.

**HB 1037 Nonprofit entities; public meeting prior to disposition of assets.**

Amends § 55-532 to require that, no later than 40 days prior to any disposition of assets, a nonprofit entity shall convene a public meeting to set forth its expectations about how the health care needs of the community will be served following the proposed disposition of assets and to receive comments and respond to questions on the potential impact of the proposed disposition of assets on the community served by the nonprofit entity. Notice of the time and place of such meeting shall be published at least 10 days prior to the meeting in a newspaper in which legal notices may be published in that jurisdiction.

**HB 1131 Children's Ombudsman, Office of.**

Adds §§ 2.2-214.2, 2.2-214.3, and 2.2-214.4 to create the Office of the Children's Ombudsman to provide ombudsman services, including investigation of complaints, advocacy, and the provision of information for children, parents, and citizens involved with child-serving agencies. Identical to SB 315.

**HB 1141 Foster care; independent living services.**

Amends § 63.2-905.1 to provide that any person who was committed or entrusted to a local board or licensed child-placing agency may choose to discontinue receiving independent living services any time before his 21st birthday in accordance with regulations adopted by the Board. The local board or licensed child-placing agency shall restore independent living services at the request of that person provided that (i) the person has not yet reached 21 years of age, and (ii) the person has entered into a written agreement, less than 60 days after independent living services have been discontinued, with the local board or licensed child-placing agency regarding the terms and conditions of his receipt of independent living services.

**HB 1152 Vehicle window tinting films; exempts rear or rear side windows of ambulances, etc.**

Amends § 46.2-1052 to exempt the rear windows or rear side windows of ambulances, rescue squad vehicles, and other emergency medical vehicles used to transport patients from limitations on window tinting.

**HB 1265 Health, Department of; payment for medical care services.**

Amends § 32.1-11 to allow the Department of Health to charge an amount equal to the allowable charge of a private insurer for the services provided by the Department to an insured individual. If an insurance company denies a claim for medical care services provided by the Department, the patient portion of the bill shall not be greater than if the person did not have private health insurance. Identical to SB 579.

**HB 1447 Long-term care services; adds additional representatives to coordination committees.**

Amends § 2.2-708 to add representatives of housing, transportation, and other appropriate local organizations that provide long-term care services to the membership of local long-term care coordination committees. Identical to SB 701.

**HB 1489 Foster care plan; eliminates requirement for plan for child placed out of his home be filed by public agency.**

Amends §§ 16.1-281, 16.1-282, and 16.1-282.1 to eliminate the requirement that a foster care plan for a child placed out of his home be filed by a public agency, other than a local board of social services, designated by a community policy and management team. Currently, such agencies must file a foster care plan when placing a child through an agreement with a child's parents or guardians when the parents/guardian retain legal custody.

**HB 1530 Foster children; placement of siblings together.**

Amends §§ 16.1-252 and 16.1-281 and adds § 63.2-900.2 to require that all reasonable steps be taken to place siblings in the same foster home. If siblings are placed in separate foster homes, a plan shall be developed to encourage frequent, regular visitation or communication.

**SB 15 Earned income tax credit; Department of Social Services to provide notice to all applicants.**

Adds § 63.2-527 to require the Department of Social Services to provide notice of the federal and state earned income tax credit to all recipients of Temporary Assistance for Needy Families, food stamps, or certain medical assistance. Notice shall be mailed to recipients annually and shall include information on the qualifying income levels, the amount of credit available, the process for applying for the credit, and the availability of assistance in applying for the credit.

**SB 228 Child abuse and neglect; adds emergency medical services personnel to list of mandatory reporters.**

Amends § 63.2-1509 to add emergency medical services personnel certified by the Board of Health to the list of mandatory reporters of child abuse and neglect and requires emergency medical services personnel to report child abuse and neglect to the Department of Social Services, unless such personnel immediately report the matter directly to the attending physician at the hospital to which the child is

transported, who shall make such report forthwith.

**SB 249 Independent living services & arrangements; requires plan for children 14 yrs. & older.**

Identical to HB 149.

**SB 251 Temporary Assistance for Needy Families (TANF); waiver of ineligibility period.**

Identical to HB 811.

**SB 315 Children's Ombudsman, Office of.**

Identical to HB 1131.

**SB 390 Emergency medical services; director may serve same function as chief of fire department.**

Amends §§ in Title 27 to clarify that a Director of Fire and Emergency Medical Services may serve the same function as a chief of a fire department.

**SB 463 Infectious diseases; residential or day program, etc. licensed by State to report cases.**

Identical to HB 806.

**SB 472 Group homes & residential facilities for children; regulations for licensure of programs offered.**

Amends §§ 22.1-323.2, 37.2-408, 63.2-1737, and 66-24 and adds § 37.2-408.1 to eliminate the interdepartmental regulation of children's residential facilities and group homes, and requires that the Departments of Mental Health, Mental Retardation and Substance Abuse Services, Social Services, and Juvenile Justice shall regulate and license children's residential facilities and group homes for which they are the primary licensing agency. Each licensing agency shall conduct background checks of persons working or volunteering at children's residential facilities and group homes. The Department of Education shall be the sole entity responsible for licensure of educational programs in children's residential facilities and group homes.

**SB 479 Comprehensive Services Act; annual workshop on best practices and evidence-based practices.**

Amends § 2.2-2649 to require the Director of the Office of Comprehensive Services for At-Risk Youth and Families to identify, disseminate, and provide annual training for CSA staff and other interested parties on best practices and evidence-based practices related to the CSA.

**SB 483 Comprehensive Services Act; Executive Council to oversee development, etc. of performance measures.**

Amends §§ in Title 2.2 and §§ 37.2-308 and 63.2-226 to require the State Executive Council to (i) oversee the development and implementation of uniform data collection standards for CSA-funded services, using a secure electronic client-specific database; (ii) oversee the development and implementation of a uniform set of performance measures for evaluating the CSA program; and (iii) oversee the development and distribution of management reports to public and community policy and management teams to help evaluate child and family outcomes and public and private provider performance. The bill requires the Director of the Office of Comprehensive Services to implement the provisions of this bill.

**SB 487 Comprehensive Services Act; Executive Council oversee development of services for at-risk children.**

Identical to HB 503.

**SB 493 Foster & adoption workers; Department of Social Services to establish minimum training requirements.**

Adds §§ 63.2-914 and 63.2-1220.1 to require the Department of Social Services to establish minimum training requirements and provide educational programs for foster and adoption workers and their supervisors. Under the bill, the costs are to be absorbed by DSS within funds appropriated for local training and assistance.

**SB 579 Health, Department of; payment for medical care services.**

Identical to HB 1265.

**SB 637 Child abuse; animal control officers required to report.**

Amends § 63.2-1509 to add animal control officers to the list of persons with the duty to report suspected child abuse. Animal control officers already receive training in the recognition of child abuse and neglect and information on how complaints are filed.

**SB 643 Foster care; code of ethics agreement signed by head of every foster home.**

Identical to HB 850.

**SB 701 Long-term care services; adds representatives of housing, etc. to coordination committees.**

Identical to HB 1447.

**SB 760 Veterans services; guidelines for eligibility for domiciled veterans.**

Identical to HB 229.

**HJ 155 Emergency responses; Hampton Roads PDC.**

Requests HRPDC to study emergency responses across jurisdictions in Hampton Roads and issue a report with findings and recommendations.

**SJ 75 Comprehensive Services Program.**

Continues the Joint Subcommittee to Study the Comprehensive Services Program for At-Risk Youth and Families to continue to review the administration of the Comprehensive Services Program and to develop additional legislative recommendations for the 2009 session.

**SJ 102 Family caregivers.**

Directs the Joint Commission on Health Care to study support services for family caregivers of the frail elderly and disabled and community-based caregiver support organizations.

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## **Land Use & Zoning**

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**HB 80 Zoning ordinance violation; action on which lis pendens is based.**

Amends § 8.01-268 to provide that in actions to enforce a zoning ordinance, no lis pendens or attachment shall affect a bona fide purchaser of

real or personal estate unless the memorandum of lis pendens recorded in the clerk's office contains a description of the alleged zoning violation. The bill also provides that a memorandum of lis pendens admitted to record in an action to enforce a zoning ordinance shall expire after 180 days. Identical to SB 427.

**HB 190 Subdivision of lot; stepchildren included as immediate family for conveyance thereof.**

Amends § 15.2-2244 to include stepchildren within the definition of "immediate family" for purposes of family subdivision provisions. Identical to SB 230.

**HB 193 Wells, private; prohibition on construction of certain.**

Amends § 32.1-176.5:2 to add to the restriction on building a private well on property adjacent to agricultural property a requirement that the agricultural property be three acres or larger.

**HB 195 Subdivision plats; clarifies definitions related thereto.**

Amends §§ in Title 15.2 to clarify definitions related to subdivision plats and preliminary subdivision plats.

**HB 262 Housing loans and grants; localities to authorize in conservation or rehabilitation districts.**

Amends § 15.2-958 to grant authority to localities to make loans or grants of local funds to certain individuals for the purpose of rehabilitating owner-occupied residences or assisting in the purchase of an owner-occupied residence in designated conservation or rehabilitation districts.

**HB 350 Zoning ordinance; powers of zoning administrators.**

Amends § 15.2-2286 to expand certain authority related to enforcement of occupancy limits in residential dwelling units to all zoning administrators, rather than just those in Planning District 8. Identical to HB 663.

**HB 430 Zoning ordinance; provisions for issuance of inspection warrants by magistrate.**

Amends § 15.2-2286 to provide that a zoning ordinance may provide for the issuance of inspection warrants by a magistrate or court. The zoning administrator or his agent may present sworn testimony to a magistrate or court and if the testimony establishes probable cause that a zoning ordinance violation has occurred, request that the magistrate or court grant an inspection warrant to enable the zoning administrator or his agent to enter the subject dwelling to determine whether violations of the zoning ordinance exist. The zoning administrator or his agent shall make a reasonable effort to obtain consent from the owner or tenant of the subject dwelling prior to seeking the issuance of an inspection warrant. Identical to SB 428.

**HB 434 Defacement of buildings; immunity.**

Amends § 15.2-908 to provide that agents of a locality who remove graffiti from buildings shall have any and all immunity normally provided to an employee of the locality.

**HB 445 Single-family dwellings; fines for zoning violations related to overcrowding.**

Amends § 15.2-2286 to provide that no fines shall accrue against the owner or managing agent of a single-family residential dwelling unit for the violation of a zoning ordinance regulating occupancy limits during the pendency of any legal action commenced by such owner or managing agent against a tenant to eliminate an overcrowding condition.

**HB 466 Zoning ordinance; administrator or locality may record a memorandum of lis pendens to enforce.**

Amends § 15.2-2208 to allow a zoning administrator or locality to record a memorandum of lis pendens for certain zoning ordinance violations.

**HB 492 Motor vehicles, used; prohibits displaying, parking, etc. for sale, penalty.**

Adds § 46.2-1508.2 to prohibit displaying, parking, selling, or advertising for sale certain used motor vehicles.

**HB 522 Jet bases; land use adjacent to certain.**

Amends § 1 of the first enactment of Chapter 266 of the Acts of Assembly of 2006 to include interfacility traffic areas or any other area designated by the military as an area of special concern based on the potential for adverse affects on military operations as property that must be included in the land use program of any locality in which a U.S. Navy Master Jet Base is located. **Emergency.**

**HB 660 Manufactured homes; deemed real estate when equipment previously used for mobility removed.**

Amends § 46.2-653 to provide that a manufactured home is to be deemed real estate, for the purposes of this section, when equipment previously used for mobility has been removed and the unit is attached to the realty.

**HB 663 Zoning ordinance, powers of zoning administrator.**

Identical to HB 350.

**HB 679 Zoning ordinance; civil penalties for violations.**

Amends § 15.2-2209 to require the general district court, upon a finding of liability, to order a violator of a zoning ordinance to abate or remedy the violation in compliance with the zoning ordinance within a period not to exceed 30 days. The bill also provides that should the violator choose to waive trial, admit liability, and pay the civil penalty, the violator will have to first agree in writing to abate or remedy the violation within a specified timeframe. When civil penalties for a zoning ordinance violation total \$5,000 or more, the violation may be prosecuted as a criminal misdemeanor.

**HB 721 Plats; approval process by local planning commission.**

Amends §§ 15.2-2259 and 15.2-2260 to create a more compact approval process for commercial property in localities with a population greater than 90,000, and in those localities, shortens time for locality to act on commercial site plans.

**HB 837 Dam break inundation zones; localities with authority to address development.**

Amends, adds and repeals §§ in Title 10.1; amends and adds §§ in Title 15.2; and amends § 55-519 to provide localities with more authority to address development in dam break inundation zones, but also imposes requirements on localities that own or maintain dams. The bill directs developers to assist dam owners with required upgrades and requires additional disclosure and notification procedures for dam owners. The bill does not affect site plans or subdivision plans submitted prior to the effective date of the act. (Parts of the bill become effective July 1, 2008, or after regulations are adopted, which is expected to take place later this summer. Other provisions become effective July 1, 2009.) Requires developers to contribute financially to the upgrades and improvements of dams when hazard levels are elevated in dam break inundation zones due to increased commercial and residential development. Fifty-eight localities own or maintain state-regulated impounding structures (114 dams) and will be required to map the dam break zones as well as upgrade impounding structures. The Department of Conservation and Recreation will be preparing an explanation of the bill to send to local governments.

**HB 879 Affordable dwelling unit ordinances; may establish requirement that prices for resale be controlled.**

Amends § 15.2-2305 to provide that a locality establishing an affordable housing dwelling unit program in any ordinance may establish a requirement that the prices for resales and rentals be controlled by the local housing authority or local governing body or designee for a period of between 15 years and 50 years, after the initial sale or rental transaction for each affordable dwelling unit, provided that the ordinance further provides for reasonable rules and regulations to implement a price control provision.

**HB 1061 Zoning ordinances; may prescribe an appeal period of less than 30 days.**

Amends § 15.2-2286 to add overcrowding violations of zoning ordinance to shortened (not

less than 10 days) appeals process in zoning ordinance.

**HB 1078 Vested rights and nonconforming uses; changes to provisions.**

Amends § 15.2-2307 to make several changes to the nonconforming use section, including (i) that a locality shall use square footage and building code provisions in determining whether a nonconforming use has been enlarged or structurally altered; and (ii) providing that when a property owner has either obtained a certificate of occupancy or has paid taxes to the locality for a building or structure for a period in excess of 15 years, a zoning ordinance may provide that such building or structure shall be nonconforming, but not illegal.

**HB 1079 Zoning, Board of; structure permitted by variance may be expanded under certain conditions.**

Amends § 15.2-2309 to provide that a structure permitted by a variance may not be expanded unless the expansion is within an area of the site or part of the structure for which no variance is required under the ordinance. Where the expansion is proposed within an area of the site or part of the structure for which a variance is required, the approval of an additional variance shall be required.

**HB 1084 Zoning; approval of certain proffered conditions.**

Amends § 15.2-2303 to provide that in any instance in which a locality has accepted proffered conditions that include pedestrian improvements, and the Virginia Department of Transportation has reviewed and not objected to the proposed pedestrian improvements during the processing of the rezoning, the Virginia Department of Transportation shall allow the proffered improvements to be constructed, except when such improvements will violate local, state, or federal laws, regulations, or mandated engineering and safety standards.

**HB 1086 Zoning appeals; written notice of zoning violation.**

Amends § 15.2-2311 to provide that a written notice of a zoning violation or a written order of

the zoning administrator that includes such statement sent by registered or certified mail to, or posted at, the last known address of the property owner as shown on the current real estate tax assessment books or current real estate tax assessment records shall be deemed sufficient notice to the property owner and shall satisfy the notice requirements under general law.

**HB 1107 Single-family dwellings; fines for zoning violations related to overcrowding.**

Amends § 15.2-2286 to increase the maximum fines for repeat violations of ordinances regulating the number of unrelated persons in single-family residential dwellings.

**HB 1149 Recreation facilities; locality may establish trails for all-terrain vehicles, etc.**

Amends § 15.2-1806 and adds § 15.2-1809.1 to allow localities to establish a system of trails for ATVs and motorcycles and provides immunity for the locality in the absence of gross negligence or willful misconduct, for damages resulting from injuries from the use of such system.

**HB 1177 Plats; length of validity after all or portion of property recorded.**

Amends §§ 15.2-2260 and 15.2-2261 to provide that once a plat for all or a portion of a multiphase development is recorded, the preliminary plat shall remain valid for a period of five years from the date of the latest recorded plat of subdivision for the property. Also, an approved final subdivision plat that has been recorded, from which any part of the property subdivided has been conveyed to third parties (other than to the developer or local jurisdiction), shall remain valid for an indefinite period of time unless and until any portion of the property is subject to a vacation action.

**SB 230 Subdivision of lot; stepchildren included as immediate family for conveyance thereof.**

Identical to HB 190.

**SB 393 Zoning ordinance; owner of residential building, etc. allowed to rebuild after natural disaster.**

Amends § 15.2-2307 to provide that a zoning ordinance shall permit the owner of any residential or commercial building damaged or destroyed by a natural disaster or other act of God to repair, rebuild, or replace such building to eliminate or reduce the nonconforming features to the extent possible, without the need to obtain a variance.

**SB 427 Zoning ordinance violation; action on which lis pendens is based.**

Identical to HB 80.

**SB 428 Zoning ordinance; provisions for issuance of inspection warrants by magistrate.**

Identical to HB 430.

**SB 477 Development rights programs; State grants shall be distributed to local purchase.**

Amends § 3.1-18.10 to provide that, in general, local purchase of development rights programs would be required to make a \$1 match for each \$1 in grants awarded by the Office of Farmland Preservation but requires the Office of Farmland Preservation to include incentives encouraging use of land use taxation.

**SB 742 Annexation proceedings; extends moratorium.**

Amends § 15.2-3201 to provide that the moratorium on annexation proceedings does not end following the expiration of the 2006-2008 or the 2008-2010 biennium if, for the 2008-2010 biennium, actual appropriations to local governments for law-enforcement expenditures are less than the amount statutorily required.

**SB 791 Incentive zoning; definition.**

Amends § 15.2-2201 to expand the definition of "incentive zoning" for the purposes of Chapter 22 of Title 15.2 as the use of bonuses within or without the property being developed in the form of increased project density or other benefits to a developer in return for the developer providing certain features, design elements, uses, services, or amenities desired by

the locality, including but not limited to, site design incorporating principles of new urbanism and traditional neighborhood development, environmentally sustainable and energy-efficient building design, affordable housing creation and preservation, and historical preservation, as part of the development.

**HJ 178 Development and land use tools.**

Joint subcommittee to study development and land use tools in Virginia's localities. The two-year study will examine and monitor the transition to channeling development into Urban Development Areas, and determine if additional legislation is needed to help localities as they transition to UDAs. The joint subcommittee shall also make a comprehensive evaluation of all existing land use planning tools and infrastructure financing options, as well as consider matters addressed in HJ 22 (2008). Identical to SJ 70.

**HJ 195 Transfer of development rights.**

Joint subcommittee to study transfer of development rights (TDR) and examine ways in which the existing TDR legislation may be modified to make it more appealing to localities.

**SJ 56 Vacant residential units in densely populated urban areas.**

Directs the Virginia Housing Commission to study the impact of abandoned and vacant residential buildings on densely populated urban areas.

**SJ 70 Development and land use tools.**

Identical to HJ 178.

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## Miscellaneous

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**HB 12 Payday Loan Act.**

Amends and adds §§ in Title 6.1 to require the State Corporation Commission, by January 1, 2009, to create, via private party, an Internet-accessible database, and requires payday lenders to query the database prior to making any loan to determine whether the loan is permissible. Licensees are required to pay a database inquiry fee to the database provider and may charge borrower for that. A lender cannot make a loan

to a borrower who already has one payday loan outstanding; lenders may not make a payday loan on the same day that the person has paid a previous payday loan. Caps interest rate at of 36 percent annually; allows a loan fee of not more than 20 percent of the loan proceeds, and a \$5 verification fee. Payday lenders are prohibited from knowingly making loans to a member of the military service or to the spouse or dependent of such person. Borrowers have the option to enter into an extended payment plan to repay the loan in at least four equal installments over a period of not less than 60 days.

Additional restrictions are placed on users of extended loan payments. Other provisions: (i) prohibit a lender from engaging in any unfair, misleading, deceptive, or fraudulent acts or practices in the making or collecting of a payday loan; (ii) makes Fair Debt Collection Practices Act provisions apply to collection efforts; (iii) any provision of a written loan agreement that violates the Payday Loan Act is unenforceable against the borrower; and (iv) applies the Payday Loan Act to Internet lenders. The measure, except the authorization to establish the database, will become effective January 1, 2009. Identical to SB 588.

**HB 33 Sheriffs' office vehicles; solid colors other than brown or white.**

Amends § 15.2-1610 to allow marked sheriffs' office vehicles to be painted solid colors other than brown or white.

**HB 119 Soil and water conservation districts; Attorney General to represent.**

Amends §§ 2.2-507 and 10.1-501 to require the Attorney General to represent Soil and Water Conservation Districts in any suits or actions brought by the districts or district directors, upon request of such districts or directors. Currently, attorneys for the Commonwealth are charged with the responsibility of representing districts and district directors.

**HB 781 Southwest Virginia Cultural Heritage Commission.**

Amends and adds §§ in Title 2.2 to create the Southwest Virginia Cultural Heritage Commission to encourage the economic

development of Southwest Virginia through the expansion of cultural heritage ventures and initiatives related to tourism and other asset-based enterprises. Identical to SB 653.

**Emergency.**

**HB 1298 Contractors; shall not knowingly employ unauthorized alien.**

Adds § 2.2-4311.1 to require that all public bodies provide in every written contract that the contractor does not, and shall not during the performance of the contract for goods and services in the Commonwealth, knowingly employ an unauthorized alien as defined in the federal Immigration Reform and Control Act of 1986. Identical to SB 517.

**HB 1319 Underground transmission lines; pilot program established.**

An Act to establish a pilot program for the placement of four new transmission lines of 230 kilovolts or less to be placed underground, either in whole or in part. The bill establishes criteria for the State Corporation Commission to consider and procedures for the Commission to follow in selecting the projects. One of the projects shall be for a transmission line that has received Commission approval prior to the effective date of the act. If a qualifying project provides radial rather than networked electric service, a presumption of need is created in applications for transmission lines that will complete the network.

**HB 1329 Communication towers, state-owned; wireless broadband service in unserved areas.**

Amends §§ 2.2-1150.1 and 2.2-1151 and adds § 2.2-1150.2 to require state agencies to lease or convey a license or other interest in a state-owned communication tower for which they are responsible to qualified providers of wireless broadband service in order to deploy broadband Internet service in areas of the Commonwealth that do not have access to terrestrial broadband or radio frequency Internet service. The requirement is subject to the provider presenting a spectrum and certified structural analysis of the tower and proof that the tower satisfies all applicable local government requirements. The

conveyance shall require payment of such consideration as the Director of the Department of General Services deems appropriate and which is commensurate with the consideration paid for use of comparable space on similar towers. Identical to SB 206.

**HB 1362 Misuse of public assets; penalty.**

Adds § 18.2-112.1 to provide that any full-time officer, agent, or employee of the Commonwealth, or political subdivision who, without lawful authorization, uses or permits the use of public assets for private or personal purposes unrelated to the duties and office of the accused or any other legitimate government interest when the value of such use exceeds \$1,000 in any 12-month period, is guilty of a Class 4 felony. The bill defines public assets as any personal property belonging to or paid for by a public body or the labor of any person other than the accused that is paid for by the public body. Identical to SB 350.

**HB 1496 Southwest Regional Recreation Authority.**

Adds §§ 15.2-6016 through 15.2-6024 to establish an authority for Southwest Virginia to create a multi-purpose regional recreational area similar to, and potentially adjoining, such areas in West Virginia and Kentucky. Identical to SB 740.

**SB 206 Communication towers, state-owned; wireless broadband service in unserved areas.**  
Identical to HB 1329.

**SB 350 Misuse of public assets; penalty if used for personal purposes.**  
Identical to HB 1362.

**SB 352 Public Private Education Facilities & Infrastructure Act of 2002; definition of qualifying projects.**  
Identical to HB 955.

**SB 499 Inmates; permitting work on public or private property.**  
Amends § 53.1-129 to allow jail inmates to perform work on private property used by a nonprofit organization.

**SB 517 Contractors; shall not knowingly employ unauthorized alien.**  
Identical to HB 1298.

**SB 533 Conflict of Interests Act, State and Local Government; disclosure of real estate interests.**

Amends § 2.2-3117 to require local government officers and certain local government employees to list all real property in which they have an ownership interest including a partnership interest and any option, easement, or land contract. Currently, local government officers and employees are required to list real estate located in the county, city, or town in which they serve as an officer or employee and in any contiguous county, city, or town.

**SB 588 Payday Loan Act; requires SCC to contract with one or more parties to develop, etc. database.**  
Identical to HB 12.

**SB 653 Southwest Virginia Cultural Heritage Commission.**  
Identical to HB 781. **Emergency.**

**SB 740 Southwest Regional Recreation Authority.**  
Identical to HB 1496.

**SB 772 Conditions of bond; court may bar person in elected office from returning to constitutional office.**  
Amends § 19.2-123 to allow the court as a condition of bond to bar a person who holds an elected constitutional office and who is accused of a felony arising from the performance of his duties from returning to his constitutional office. The General Assembly rejected a gubernatorial amendment to allow the court to suspend an officer so accused, and to appoint a person to act in the officer's place, so the bill will be returned to the Governor, who may sign it as enacted, not sign it (in which case it becomes law), or veto it.

**HJ 89 Southeastern Public Service Authority; APA report.**  
Auditor of Public Accounts to collect, receive, and analyze data and information relating to the

operation and finances of the Southeastern Public Service Authority. Identical to SJ 65.

**SJ 65 Southeastern Public Service Authority; APA report.**

HJ 89 is identical.

**SJ 99 Circuit Court Clerks' Offices.**

Continues the joint subcommittee to study the operations of circuit court clerks' offices.

**SJ 126 Innovation index.**

Requests the Center for Innovative Technology to establish a Commonwealth Innovation Index to foster the technology-based economic development opportunities.

**SJ 129 VITA.**

JLARC two-year study of services provided to state agencies and public bodies by the Virginia Information Technologies Agency including evaluating the quality, etc. of the services delivered to state agencies and public bodies.

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## **Personnel**

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**HB 93 Public defenders; permits county or city offices to supplement compensation.**

Amends § 19.2-163.01 and adds § 19.2-163.01:1 to permit counties or cities that have public defender offices to supplement, payable from their own funds, the compensation of the public defender or his deputies or employees in excess of the compensation fixed by the executive director of the Virginia Indigent Defense Commission. Identical to SB 634.

**HB 112 Retirement System; early retirement provisions for certain local government officials.**

Amends § 51.1-155.2 to clarify that all county administrators are included in the list of local officials who may retire without a reduction in retirement allowance at age fifty, if they are involuntarily dismissed or not reappointed.

**HB 926 Illegal aliens; corporate existence terminated involuntarily for employing.**

Amends §§ in Title 13.1 and § 50-73.58 to provide that the authority of certain business

entities, including foreign and domestic corporations, limited liability companies, business trusts, and limited partnerships, to operate in the state may be terminated involuntarily or revoked upon the conviction of the business entity for a violation of 8 U.S.C. § 1324a (f) (hiring or continuing to employ illegal aliens). A business entity whose authority to operate in the state is terminated or revoked is not eligible to have that authority reinstated for a period of not less than one year. The business entity shall report any such conviction to the State Corporation Commission and file an authenticated copy of the judgment or record of conviction. Identical to SB 782.

**HB 1017 Telework Promotion and Broadband Assistance, Office of; established, report.**

Adds § 2.2-225.1 to codify Executive Order 35 (2006) creating the Office of Telework Promotion and Broadband Assistance under the Secretary of Technology. The goals of the Office are to encourage telework as a family-friendly, business-friendly public policy that promotes workplace efficiency and reduces strain on transportation infrastructure. In conjunction with efforts to promote telework, the Office shall work with public and private entities to develop widespread access to broadband services. The provisions of this act expire on July 1, 2018.

**HB 1334 Conflict of Interests Act, State and Local Government; acceptance of awards.**

Amends § 2.2-3104.1 to allow an employee of local government to receive an award or payment in honor of meritorious or exceptional service from a 501 (c) (3) organization. Identical to SB 478.

**HB 1480 Deputy sheriffs; locality allow those injured to use accrued leave to supplement workers' comp.**

Adds § 15.2-1511.01 to require a locality to allow a deputy sheriff injured in the line of duty to use accrued vacation, compensatory, and sick leave to supplement his workers' compensation allowance, so as to receive 100 percent compensation. The bill also requires the locality

to continue to pay any employer's share of certain health insurance coverage for the injured deputy and his dependents to the same extent as for other employees. Identical to SB 673.

**HB 1542 District court employees; localities may supplement salaries.**

Amends §§ 16.1-69.45 and 16.1-69.46 to remove the restriction on local salary supplements paid to local district court employees. Identical to SB 112.

**SB 112 District court employees; local salary supplements.**

Identical to HB 1542.

**SB 288 Health insurance program; local officers & employees of state-funded centers for independent living.**

Amends § 2.2-1204 to make officers and employees of state-funded centers for independent living eligible to participate in the "local choice" health insurance program established by the Department of Human Resource Management.

**SB 353 Long-term care coverage; transfers administration thereof for public employees to Retirement System.**

Amends §§ 2.2-1207 and 2.2-1208 and adds §§ 51.1-513.2, 51.1-513.3, and 51.1-513.4 to transfer the administration of long-term care coverage programs for state employees, employees of local governments, local officers, and teachers from the Department of Human Resource Management (DHRM) to the Virginia Retirement System, upon the mutual consent of VRS and DHRM.

**SB 478 Conflict of Interests Act, State and Local Government; acceptance of awards.**

Identical to HB 1334.

**SB 634 Public defenders; permits county or city offices to supplement compensation.**

Identical to HB 93.

**SB 673 Deputy sheriffs; locality accrued leave to supplement workers' comp.**

Identical to HB 1480.

**SB 782 Illegal aliens; corporate existence terminated involuntarily for employing.**

Identical to HB 926.

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## Public Safety

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**HB 113 Disregarding signal to stop; endangerment of operation of law-enforcement officer.**

Amends § 46.2-817 to provide that if a law-enforcement officer pursues a person who has disregarded a law-enforcement officer's signal to stop his motor vehicle and drives in willful and wanton disregard of such signal so as to interfere with or endanger the operation of the law-enforcement vehicle or to endanger people and the law-enforcement officer is killed as a direct and proximate result of the pursuit, the person is guilty of a Class 4 felony. The bill also increases the penalty for disregarding a signal from a law-enforcement officer to stop or attempting to escape or elude a law-enforcement officer from a Class 3 misdemeanor to a Class 2 misdemeanor. Identical to SB 368.

**HB 132 Handicap placards; fine for inappropriately displaying.**

Amends § 46.2-1242 to provide that the governing body of any city, county, or town may, by ordinance, provide for a lesser fine if there is a placard within a vehicle using a parking space reserved for persons with disabilities, when placard is not appropriately displayed.

**HB 223 Sex offenders; prohibiting proximity to children.**

Amends §§ 18.2-10 and 18.2-370.2 to provide that any adult who is convicted of an offense prohibiting proximity to children, when the offense occurred on or after July 1, 2008, shall as part of his sentence be forever prohibited from going, for the purpose of having any contact whatsoever with children that are not in his custody, within 100 feet of the premises of any place owned or operated by a locality that he knows or should know is a playground, athletic field or facility, or gymnasium. A violation is a Class 6 felony.

**HB 228 Reduced cigarette ignition propensity; local ordinances prohibited.**

Adds §§ 59.1-293.1 through 59.1-293.9 to prohibit the manufacture, sale, or offer for sale of cigarettes within the Commonwealth, or to persons located in the Commonwealth, unless the cigarettes have been tested to determine that they meet a performance standard for fire safety. Fees assessed on manufacturers and civil penalties collected from violators are deposited in a Cigarette Fire Safety Standard and Firefighter Protection Act Fund, to be split between implementation of this measure and use by the State Fire Marshal in carrying out the Statewide Fire Prevention Code. The measure will become effective on January 1, 2010, except that a provision prohibiting localities from enacting or enforcing conflicting provisions becomes effective July 1, 2008. The measure will expire on the effective date of any federal reduced cigarette ignition propensity standard that preempts the measure. Identical to SB 208.

**HB 277 Traffic control measures; allows installation and application on secondary system components.**

Adds § 33.1-223.2:18 to allow installation and application of traffic control measures on secondary system components in residence districts even if those components also provide access to business districts.

**HB 278 Decedent; identification of body by next of kin.**

Amends § 32.1-283 to provide that, upon the death of any person from trauma, injury, violence, poisoning, accident, suicide or homicide, or suddenly when in apparent good health, or when unattended by a physician, or in jail, prison, other correctional institution or in police custody, or who is a patient or resident of a state mental health or mental retardation facility, or suddenly as an apparent result of fire, or in any suspicious, unusual or unnatural manner, or the sudden death of any infant less than eighteen months of age whose death is suspected to be attributable to Sudden Infant Death Syndrome, good faith efforts shall be made by such person or institution having custody of the dead body to identify and to notify the next of kin of the decedent. This bill

also requires that notification shall include informing the person presumed to be the next of kin that he has a right to have identification of the decedent confirmed without due delay and without being held financially responsible for any procedures performed for the purpose of the identification.

**HB 440 Illegal aliens; presumption of no bail.**

Adds § 19.2-120.1 to establish a presumption against bail for illegal immigrants charged with certain crimes. Identical to SB 623.

**HB 453 School bus stops; local school boards may install signs or other devices to indicate.**

Adds § 33.1-223.2:18 to provide that local school boards may install signs or other devices to indicate school bus stops. Installation of these signs or devices is subject to VDOT approval if installed on any state-maintained highway. Maintenance, repair, and replacement of these school bus stop signs is to be the responsibility of the local school board.

**HB 470 Loitering; prohibited in right-of-way of certain highways with posted signs.**

Amends § 46.2-930 to prohibit loitering in the right-of-way of any highway where it has been determined that loitering presents a public safety hazard and the VDOT Commissioner or the local governing body has posted signs prohibiting such activity.

**HB 546 Telephone systems, multiline; alternative method of providing emergency calls.**

Amends §§ 56-484.19 and 56-484.23 to provide that an alternative method of providing call location information exists when a 9-1-1 call to a public safety answering point (PSAP) provides sufficient information to ensure that emergency responders are dispatched to a location at the facility from which the call was placed, where the responders are able to view all of the telephone stations in the contiguous area containing the telephone from which the emergency call was placed. Currently, an alternative method requires responders to be able to view all of the telephone stations at the facility. MLTS providers of a system using

VOIP services acquired or installed on or after July 1, 2009, shall make reasonable efforts to ensure that emergency calls provide calling party information to the 9-1-1 network or an alternative method of providing call location information. The measure also provides that the MLTS provider of a multiline telephone system acquired or installed on or after July 1, 2009, is required, if reasonably achievable, to be able to provide calling party information to the 9-1-1 network that connects to the PSAP, or to provide an alternative method of providing call location information. Calling party information allows equipment at the PSAP to perform automatic location identification (ALI) and automatic number identification (ANI). MLTS providers are required to arrange to update the ALI database with the appropriate master street address guide, valid address and callback information corresponding to the calling party information for each telephone station, and to update the information as soon as practicable for new MLTS installation or within one business day of record completion of the actual changes for previously installed systems. Currently, such providers are required to ensure that emergency calls provide either ALI and ANI or an alternative method of providing call location information.

**HB 567 Sexual offenses; those convicted prohibited entry onto school property.**

Amends § 18.2-370.5 to provide that every adult who is convicted of a sexually violent offense, as defined in § 9.1-902, shall be prohibited from entering and being present upon any property he knows or has reason to know is a public or private elementary or secondary school or child day center property during school-related and school-sponsored activities. Currently, the prohibition only applies during school hours.

**HB 622 Sexual offender; prohibited from residing within 500 feet of public park in proximity to children.**

Amends § 18.2-370.3 to prohibit an adult convicted of certain sex offenses from living within 500 feet of a public park that is owned and operated by a county, city or town, shares a boundary line with a primary, secondary or high school and is regularly used for school activities.

A violation is a Class 6 felony and there is an exception if the public park was established subsequent to the offender's conviction.

**HB 651 Prisoner reentry planning; Department of Corrections to develop and implement comprehensive plan.**

Adds § 53.1-32.2 to require the Department of Corrections to develop and implement a comprehensive reentry plan for each person committed to the supervision of the Department, as soon as practicable, considering the prisoner's anticipated release date. Such plan shall identify educational, vocational, therapeutic, and other programs necessary to prepare the person for successful transition from prison to society upon the person's discharge and shall include mentor pairing to the extent possible. Identical to SB 200.

**HB 820 Inmates; officer of correctional facility to inquire of alien status.**

Amends and adds §§ in Title 19.2 and amends § 53.1-218 to require an officer in charge of a jail or correctional facility to inquire of a person in his custody as to whether the person was born in or is a citizen of the U.S. and to make an immigration alien query to the Law Enforcement Support Center of the U.S. Immigration and Customs Enforcement for any person who was born in or is a citizen of another country, or if the answers to these questions are unknown. The jail officer shall communicate the results of this immigration alien query to the Local Inmate Data System of the State Compensation Board. The State Compensation Board shall communicate, on a monthly basis, the results of any query confirming that a person is illegally present in the U.S. to the Central Criminal Records Exchange. Identical to SB 609.

**HB 831 State Corporation Commission; confidentiality of information.**

Amends §§ 6.1-2.27:1 and 38.2-1834.1 to authorize the State Corporation Commission to share information with local law-enforcement authorities, provided the recipient agrees to maintain its confidential and privileged status.

**HB 839 Interoperability Executive Committee.**

Adds §§ 2.2-2732 and 2.2-2733 to codify the State Interoperability Executive Committee, which assists the Commonwealth Interoperability Coordinator. Identical to SB 520.

**HB 840 Capitol Police, Division of; powers and duties.**

Amends §§ in Title 15.2 and § 30-34.2:1 to allow the Capitol Police to enter into contracts or agreements with other agencies or localities in the same manner as local governments as may be necessary to carry out the Division's law-enforcement duties.

**HB 956 Criminal Injuries Compensation Fund; physical evidence recovery kit examinations reimbursements.**

Amends §§ 19.2-165.1, 19.2-368.3, and 19.2-368.11:1 to allow the Fund to directly reimburse a health care provider for the costs of performing the physical evidence recovery kit (PERK) examinations used in cases of sexual assault. The defendant, upon conviction, is required to reimburse the Commonwealth. Identical to SB 312.

**HB 1117 Alcoholic beverage control; suspension and revocation of licenses if meeting place of street gang.**

Amends § 4.1-225 to permit the revocation of a license if the licensee has allowed his premises to become a meeting place or rendezvous for members of a criminal street gang, as defined in § 18.2-46.1.

**HB 1171 Alcoholic mixed beverages; grounds for suspension, etc. of license if obscene material upon premise.**

Amends §§ 4.1-225, 4.1-226, and 4.1-325 to remove the authority of the Alcoholic Beverage Control Board to revoke or suspend a license if an establishment has allowed noisy, lewd, or disorderly conduct upon its premises. Clarifies that the Board may revoke or suspend a license if a licensee allows obscene literature, pictures or materials upon the licensed premises. The Board may also revoke a license if the licensee

allows any striptease act or any person connected with the licensed business to appear nude or partially nude unless the licensee is operating a theatre, concert hall, art center, museum, or similar establishment that is devoted primarily to the arts or theatrical performances, when the performances are expressing matters of serious literary, artistic, scientific, or political value. For a mixed beverage licensee, the Board may revoke or suspend the license if the licensee allows entertainment of an obscene nature, stripteases, topless entertaining, or entertainment that has employees who are not clad both above and below the waist unless the licensee is operating a theatre, concert hall, art center, museum, or similar establishment that is devoted primarily to the arts or theatrical performances, when the performances are expressing matters of serious literary, artistic, scientific, or political value.

**HB 1236 Criminal Justice Services, Department of; powers and duties.**

Amends § 9.1-102 to require the Department of Criminal Justice Services to establish compulsory training standards and publish a model policy for law-enforcement personnel regarding death notifications.

**HB 1254 Juvenile records; intake officer to report to Bureau of Immigration & Customs if in U.S. illegally.**

Amends § 16.1-309.1 to provide that a juvenile intake officer must report to the Bureau of Immigration and Customs Enforcement of the U.S. Department of Homeland Security a juvenile who has been detained in a secure facility based on an allegation that he committed a violent juvenile felony, if the intake officer has probable cause to believe that the juvenile is in the U.S. illegally.

**HB 1302 Incident management; makes several changes to law in order to increase effectiveness & efficiency.**

Amends §§ 19.2-81 and 46.2-888 to redefine the "scene of any accident" for the purposes of arrest without a warrant. The revised definition includes a reasonable location where a vehicle or person involved in an accident has been moved

at the direction of a law-enforcement officer to facilitate the clearing of the highway or to ensure the safety of the motoring public. The bill also removes the limitation that the driver of a vehicle involved in an accident may move the vehicle only "so far as necessary" to prevent obstructing traffic.

**HB 1395 Sexual assault; Dept. of State Police, etc. establish policies for responding to crimes involving sexual assault.**

Amends § 9.1-102; adds §§ 9.1-1300 and 9.1-1301; and repeals § 19.2-81.4 to require that the Department of State Police, local law-enforcement agencies and campus police departments establish written policies and procedures regarding response to incidents involving sexual assault. The Department of Criminal Justice Services is directed to provide law-enforcement agencies with technical support and assistance in developing the policies and procedures and to submit a report on the status of implementing such policies and procedures. A Code section on domestic violence procedures is moved from Title 19.2 to Title 9.1. Identical to SB 786.

**HB 1478 Pedestrian control signals; abide by words or symbols displayed thereon.**

Amends § 46.2-925 to require pedestrians to obey signals exhibiting the words, numbers, or symbols meaning "Walk" or "Don't Walk."

**HB 1562 Alcoholic beverage control; allows transfer of ABC license for purchaser of a licensed premises.**

Amends § 4.1-212 to allow for the transfer of an ABC license upon application by a bona fide purchaser of a licensed premises under certain conditions. Bona fide purchasers whose license transfer application is granted by the Board shall, at the time for renewal of the license, meet all of the requirements for initial licensure. The bill provides that the ABC Board may not grant a license transfer to an applicant against whom there is pending in the courts or before the Board a charge for violation of the provisions of Title 4.1 or Board regulations. Additionally, the Board may refuse to grant a license transfer for such causes as are specified in § 4.1-222.

**SB 200 Reentry planning; Department of Corrections to develop & implement comprehensive plan.**

Identical to HB 651.

**SB 208 Reduced cigarette ignition propensity; local ordinances prohibited.**

Identical to HB 228.

**SB 312 Criminal Injuries Compensation Fund; physical evidence recovery kit examinations reimbursements.**

Identical to HB 956.

**SB 368 Disregarding signal to stop; endangerment of operation of law-enforcement officer, penalty.**

Identical to HB 113.

**SB 382 Firearms; sale to persons not lawfully present in U.S..**

Amends §§ 18.2-308.2:01 and 18.2-308.2:1 to prohibit the sale or transfer of firearms to any person who is not a citizen of the U.S. and who is not lawfully present in the U.S. A violation of this section is a Class 6 felony.

**SB 520 Interoperability Executive Committee.**

Identical to HB 839.

**SB 609 Inmates; officer of correctional facility to inquire of alien status.**

Identical to HB 820.

**SB 623 Illegal aliens; presumption of no bail.**

Identical to HB 440.

**SB 786 Sexual assault; Dept. of State Police, etc. establish policies for responding to crimes involving sexual assault.**

Identical to HB 1395.

**HJ 113 Juvenile justice system**

Crime Commission to continue its study of juvenile justice, to (i) review the severity of offenses committed by juveniles in the Commonwealth; (ii) evaluate the effects on the learning environment and educational process, particularly for other students, when juvenile

offenders are returned to the public school classroom; (iii) identify and examine more effective methods of rehabilitating juveniles, particularly juveniles who commit serious offenses; and (iv) recommend such changes as the Commission may deem necessary to provide a more effective juvenile justice system.

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## Taxation & Finance

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### **HB 29 Budget Bill.**

Amends Chapter 847 of the 2007 Acts of Assembly, which appropriated the public revenues and provided a portion of such revenues for the two years ending, respectively, on the thirtieth day of June, 2007, and the thirtieth day of June, 2008.

### **HB 30 Budget Bill.**

Provides a portion of revenues for the two years ending respectively on June 30, 2009, and June 30, 2010.

### **HB 140 Governing bodies & school boards; required to publish their budgets online.**

Amends §§ 15.2-2503 and 22.1-93 to require local governing bodies and local school boards to annually publish their approved budgets online. If there is no local government website or local school board website, the budgets must be available in hard copy.

### **HB 163 Real estate tax; exemption or deferral for certain elderly and handicapped persons.**

Amends § 58.1-3215 to permit localities to grant a real estate tax exemption or deferral to elderly and handicapped persons based upon projected income and financial worth for the current year under certain circumstances. Under current law, the previous year's income and financial worth is used.

### **HB 171 Resources Authority; authorized to finance energy conservation and energy efficiency projects.**

Amends §§ 62.1-198 and 62.1-199 to authorize the Virginia Resources Authority to finance

energy conservation and energy efficiency projects. Identical to SB 242.

### **HB 239 Real estate tax; classification of certain energy-efficient buildings.**

Amends § 58.1-3221.2 to expand energy-efficient buildings that may be classified as a separate class of real property for tax purposes to include buildings that meet performance guidelines or standards under the Green Globes Building Rating System of the Green Building Initiative, Leadership in Energy and Environmental Design (LEED) Green Building Rating System, EarthCraft House program, or Energy Star program.

### **HB 254 Licenses, local; issued free of charge to certain vehicles owned by museums.**

Amends § 46.2-752 to provide that local licenses may be issued free of charge to vehicles with a gross weight exceeding 10,000 pounds owned by museums officially designated by the Commonwealth.

### **HB 314 Assessors and appraisers; certification program.**

Amends and adds §§ in Title 58.1 to provide for the Department of Taxation to establish a certification program for all supervisors, assessors, and appraisers contracted to perform assessments or general reassessments of real property. The certification requirements include (i) minimum education, training, and experience and combinations thereof, and (ii) standards of conduct and practice. Under the bill, supervisors, assessors and appraisers must be certified by the Department prior to being able to contract to perform assessment and reassessment services.

### **HB 361 Retail Sales and Use Tax; repeal of tax on motor vehicle repairs in certain localities.**

Amends §§ 58.1-605 and 58.1-606 to repeal the sales and use tax on charges for motor vehicle repair services in the localities in the Hampton Roads Transportation Authority and the Northern Virginia Transportation Authority.

**HB 525 Vehicle registration fees; exempts member and dependent of armed forces of U.S..**

Amends § 46.2-755.2 to exempt from the additional registration fees vehicles of a member of the armed forces of the U.S. if the vehicle had previously been registered in a foreign country while the member of the armed forces of the U.S. was deployed overseas. The bill applies to the Hampton Roads and Northern Virginia Transportation Authority. The Virginia Supreme Court has ruled that the Northern Virginia Transportation Authority could not impose broad based taxes and fees; the ruling presumably extends to the Hampton Roads Transportation Authority. Therefore, the bill has no practical effect unless the General Assembly adopts legislation that imposes the additional registration fees covered by the bill.

**HB 579 Retail Sales and Use Tax; repeal of tax on motor vehicle repairs in certain localities.**

Amends §§ 58.1-605, 58.1-606, and 58.1-622 to repeal the sales and use tax on charges for motor vehicle repair services in the localities embraced by the Hampton Roads Transportation Authority and the Northern Virginia Transportation Authority.

**HB 625 Personal property tax; extends sunset provision for separate classification for tax purposes.**

Amends § 58.1-3506 to extend the sunset date from June 30, 2009, to June 30, 2019, for a separate classification for personal property tax rate purposes, for personal property used in manufacturing, testing, or operating satellites within a Multicounty Transportation Improvement District. Identical to SB 192.

**HB 626 Investment of Public Funds Act; investment of funds for volunteer fire & rescue squad pension prog.**

Amends § 2.2-4501 to remove from the Investment of Public Funds Act those funds contributed by a locality to a retirement program for the benefit of a pension program for the benefit of a volunteer fire department and rescue squad operating in the locality.

**HB 627 PPTA; private entity to pay costs for independent audit of all traffic and cost estimates.**

Amends § 56-560 to require, for projects undertaken under the Public-Private Transportation Act of 1995 (PPTA) that have an estimated construction cost in excess of \$50 million, the responsible private entity to pay the costs for an independent audit of any and all traffic and cost estimates associated with the private entity's proposal, as well as a review of all public costs and potential liabilities to which taxpayers could be exposed. This independent audit must be conducted by an independent consultant selected by the responsible public entity, and all information from the review must be fully disclosed.

**HB 632 Resources Authority; provisions of broadband services.**

Amends §§ 62.1-198 and 62.1-199 to clarify that the Virginia Resources Authority may be used as a funding mechanism for all projects involving the provision of broadband services, and not just those using wireless broadband technologies.

**HB 662 Land preservation tax credit program; confidentiality of taxpayer information.**

Amends § 58.1-3 to include as a confidential tax document any document that is required to be filed with the Department of Conservation and Recreation under the land preservation tax credit program.

**HB 677 Public-Private Education Facilities and Infrastructure Act of 2002; public hearing.**

Amends § 56-575.17 to provide that at least 30 days prior to entering into an interim or comprehensive agreement under the Public-Private Education Facilities and Infrastructure Act, a responsible public entity must hold a public hearing on the proposals. Currently a responsible public entity is required to provide an opportunity for public comment, which may include a public hearing at the sole discretion of the responsible public entity.

**HB 680 Neighborhood Assistance Act; moves tax credit program to taxation.**

Adds §§ 58.1-439.18 through 58.1-439.24, and repeals §§ in Title 63.2 to move the Neighborhood Assistance Act Tax Credit program from Title 63.2 to Title 58.1 and provides a cross-reference to the tax credit program in Title 63.2. The bill also provides that the value of a donated motor vehicle for purposes of computing the neighborhood assistance tax credit shall be such value as determined under federal income tax laws. This would replace, in part, a current regulation that provides that the value for merchandise donated to a neighborhood organization that is not used by the organization but is sold, auctioned, or raffled by the organization, shall be the lesser of the value determined for federal tax purposes or the actual proceeds received by the neighborhood organization. The bill includes language that has been in the budget bill the last two years that (i) reduces the tax credit from 45 percent to 40 percent of the value of a donation, and (ii) removes the prohibition from taking the credit if a federal income tax deduction is also taken for the donation.

**HB 698 Real estate tax; exemption for elderly and handicapped persons in certain counties and cities.**

Amends §§ 58.1-3211 and 58.1-3211.1 to add the cities of Newport News and Hampton, and the counties of Hanover and Powhatan to the list of localities that may provide real estate tax exemptions to elderly and handicapped persons whose income and net worth do not exceed limitations that are higher than the income and net worth limitations that apply in general to counties, cities, and towns. The bill also increases the income limitation from \$62,000 to \$67,000 for Charlottesville, Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, Richmond, Suffolk, Virginia Beach, and the counties of Chesterfield, Goochland, Hanover, Henrico, and Powhatan. Identical to SB 283.

**HB 723 Resources Authority; authorized to finance park and recreation projects.**

Amends §§ 62.1-198 and 62.1-199 to authorize the Virginia Resources Authority to finance park and recreation projects. Identical to SB 473.

**HB 833 Automotive manufacturers; specialized registration & titling of company vehicles.**

Amends and adds §§ in Title 46.2, and amends § 58.1-2403 to provide for specialized registration and titling of company vehicles of automotive manufacturers having a headquarters in the commonwealth. Company vehicles are defined as vehicles used for sales or service training, headquarters-related purposes, or corporate policies that allow headquarters employees or their family members to use such vehicles. These vehicles would also be exempt from the motor vehicle sales and use tax. Identical to SB 291.

**HB 849 Land preservation tax credit; taxpayer to give consent when tax credit, etc. has been transferred.**

Amends and adds §§ in Title 58.1 to specify when a taxpayer is deemed to give consent regarding certain tax information when a tax credit or other tax attribute has been transferred. The legislation also addresses the statute of limitations, waiver of same, notice requirements, and participation in administrative and judicial remedies regarding any tax attributable to pass-through entity items.

**HB 867 Public Procurement Act; regional industrial facility authorities to enter into certain contracts.**

Amends § 2.2-4344 to authorize regional industrial facility authorities to enter into certain contracts without competition. Industrial development authorities already have this authority.

**HB 869 Personal property tax; uncollected balances added to delinquent list maintained by Treasurer.**

Amends § 58.1-3924 to add uncollected balances of personal property taxes on certain vehicles to the list of delinquent taxes maintained by the Treasurer that must be furnished to the local governing body on request, and for which the Treasurer shall be given credit for the amount of such taxes.

**HB 922 Registration fees; increase for firefighting and emergency medical services vehicles.**

Amends § 46.2-694 to increase the “\$4-for-life” fee to \$4.25, with the revenues generated by the additional \$0.25 to be used for costs associated with the certification and recertification training of emergency medical services personnel.

**HB 944 Public Procurement Act; procurement of professional services for certain transportation projects.**

Amends § 2.2-4301 to increase the monetary limits for architectural and professional engineering contracts associated with projects that any locality and certain authorities and sanitation districts may enter into under the Virginia Public Procurement Act. The bill raises the amount for a single contract from \$1 million to \$5 million and increases the maximum amount for each task order from \$200,000 to \$1 million.

**HB 955 Public-Private Education Facilities & Infrastructure Act of 2002; definition of qualifying projects.**

Amends § 56-575.1 to add to the categories of “qualifying project” under the Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA) any services designed to increase productivity or efficiency through the direct or indirect use of technology. The bill also adds technology applications to the types of technology infrastructure projects that may be carried out under the PPEA. Identical to SB 352.

**HB 1066 Public Procurement Act; methods of procurement.**

Amends § 2.2-4303 to clarify that any public body may use competitive negotiation for the construction, alteration, repair, renovation, or demolition of structures (and not just buildings) when the contract is not expected to cost more than \$1 million.

**HB 1073 Administration of the Private Activity Bonds.**

Adds §§ 2.2-2285, 15.2-5000 through 15.2-5004, 36-137, and 36-139 to provide that the

administration of the Private Activity Bonds program shall be shared jointly by the Small Business Financing Authority, the Virginia Housing Development Authority, and the Department of Housing and Community Development.

**HB 1115 Forest protection; increases annual amount a locality pays to State Forester.**

Amends § 10.1-1124 to increase the annual amount a locality pays to the State Forester to provide forest fire protection, detection, prevention, and suppression. Beginning July 1, 2008, the amount localities will pay for such services will increase from the current five cents per acre to seven cents per acre and starting July 1, 2009, the payments will increase to nine cents per acre.

**HB 1123 Real estate and personal property taxes; applied to property of public service corporations, etc.**

Amends § 58.1-2606 to provide that the additional real property tax authorized to be imposed on commercial property by the localities in the Hampton Roads Transportation Authority shall not be imposed on property of a public service corporation or electric supplier unless a final certificate of occupancy for a commercial or industrial use has been issued and remains in effect.

**HB 1243 Civil remedial fees; repeals provision for those imposed certain drivers.**

Repeals § 46.2-206.1 which provides for the imposition of civil remedial fees on certain drivers and provides for the state to refund fees already paid. **Emergency.**

**HB 1330 Aerospace Engine Manufacturing Performance Grant Program.**

Adds §§ 59.1-284.20, 59.1-284.21, and 59.1-284.22 to establish three grant programs relating to aerospace engine manufacturing. Grants would be paid to manufacturers of aerospace engines who (i) make a capital investment of at least \$500 million in real and personal property and (ii) create in excess of 540 jobs relating to aerospace engine manufacturing or related. This grant program is capped at a maximum of \$35

million, beginning in FY 2013-2014 and ending in FY 2022-2023. A second grant program would provide training grants in the amount of \$9,000 for each new job created by a manufacturer of aerospace engines or affiliate. Training grants would not exceed \$5,778,000. A supplemental training grant in the amount of \$3 million would be paid to an aerospace engine manufacturer who has invested at least \$153.9 million in real and personal property and has hired at least 176 new employees. A final grant program would provide up to \$5 million in grants to an aerospace engine manufacturer who attracts certain suppliers to locate or expand operations in the Commonwealth. Under this grant program, in order for the aerospace engine manufacturer to be paid the full \$5 million in grants, suppliers would be required to create at least 300 jobs and make a capital investment of at least \$50 million. Identical to SB 651.

**HB 1453 Transient occupancy tax; allows all 34 counties listed in statute to impose.**

Amends § 58.1-3819 to allow all 34 counties listed in the statute to impose up to a five percent transient occupancy tax with any excess over two percent to be designated solely for tourism and travel, marketing of tourism, or initiatives that, as determined after consulting the local tourism industry organizations, attract travelers to the locality. Under current law, 15 of the counties were not required to consult with local tourism industry organizations.

**HB 1457 Resources Authority; authorized to finance construction of local government buildings.**

Amends §§ 62.1-198 and 62.1-199 to authorize the Virginia Resources Authority to finance the construction of local government buildings. Identical to SB 56.

**HB 1479 Real estate tax; relief for nonrelatives of owner or certain caregivers of elderly and handicapped.**

Amends § 58.1-3211 to include the income of nonrelatives living in the dwelling of the owner seeking tax relief, except for bona fide tenants and bona fide paid caregivers, in computing the maximum income limits to be eligible for the tax

relief. Under current law, only the income of relatives living in the dwelling are included with that of the owner's in determining eligibility.

**HB 1503 Real estate tax; exemptions for elderly and handicapped persons in certain cities and counties.**

Amends § 58.1-3211 to raise the maximum income eligibility restriction from \$62,000 to \$67,000 in the Cities of Charlottesville, Chesapeake, Norfolk, Portsmouth, Richmond, Suffolk, and Virginia Beach and the Counties of Chesterfield, Goochland, and Henrico. Identical to SB 203.

**HB 1527 Sewer charges; enforcement of certain when authority doesn't provide water services.**

Adds § 15.2-5138.1 to provide that in Planning District 1 or Planning District 2 a water and waste authority may require that water service provided by another entity be discontinued under certain circumstances for nonpayment of sewer charges. **Emergency.**

**SB 1 Civil remedial fees on certain drivers; repealed.**

Repeals § 46.2-206.1 which provides for the imposition of civil remedial fees on certain drivers and provides that the state issue refunds to persons who have already paid the fees.

**SB 56 Resources Authority; authorized to finance construction of local government buildings.**

Identical to HB 1457.

**SB 174 Real estate tax; classification of certain energy-efficient buildings.**

Amends § 58.1-3221.2 to provide alternative performance standards for buildings to qualify for separate class of real property established for energy efficient buildings.

**SB 191 Vehicle license fees, local; localities to exempt those owned by citizen support units.**

Amends § 46.2-752 to allow localities to exempt from local vehicle license fees vehicles owned by members and former members of authorized police volunteer citizen support units.

**SB 192 Personal property tax; extends sunset provision for separate classification for tax purposes.**

Identical to HB 625.

**SB 195 Personal property tax; separate classification for low-speed vehicles.**

Amends § 58.1-3506 to create a separate classification for local taxation purposes for low-speed vehicles, which are defined as four-wheeled electrically powered vehicles with a maximum speed greater than 20 miles per hour but not greater than 25 miles per hour that comply with federal safety standards.

**SB 203 Real estate tax; exemptions for elderly and handicapped persons in certain cities and counties.**

Identical to HB 1503.

**SB 237 Localities; allowed to make donations to nonprofit association furnishing services to community.**

Amends § 15.2-953 to allow localities to make donations to any nonprofit association or organization furnishing services to beautify and maintain communities and/or to prevent neighborhood deterioration.

**SB 242 Resources Authority; financing energy conservation and energy efficiency projects.**

Identical to HB 171.

**SB 283 Real estate tax; exemption for elderly and handicapped persons in certain counties and cities.**

Identical to HB 698.

**SB 291 Automotive manufacturers; specialized registration & titling of company vehicles.**

Identical to HB 833.

**SB 399 Investment of Public Funds Act; authorized through Certificate of Deposit Account Registry Service.**

Adds § 2.2-4518 to authorize public entities to invest public funds in certificates of deposit in one or more federally insured bank or savings

institution. The moneys must be initially invested through a federally insured bank or savings institution that is qualified by the Virginia Treasury Board to accept public deposits.

**SB 473 Resources Authority; authorized to finance park and recreation projects.**

Identical to HB 723.

**SB 591 Tourism zones, local; increases number of years which tax incentives may be provided therein.**

Amends § 58.1-3851 to increase from 10 to 20 the number of years in which tax incentives may be provided in a local tourism zone.

**SB 651 Aerospace Engine Manufacturing Performance Grant Program.**

Identical to HB 1330.

**SB 679 Forest firefighting by localities or volunteer fire or rescue; recovery of costs.**

Amends § 10.1-1141 to allow a locality to collect the costs for fighting or extinguishing a fire if the fire was set intentionally and the person who set the fire failed to attempt to prevent the fire from escaping. Further states that any such person shall be liable for the full amount incurred by the locality and any volunteer fire or rescue squad for fighting or extinguishing the fire and any reasonable administrative costs expended to collect such expenses. Also allows a locality to recover costs, up to \$750, from a minor's parents for any fire suppression that is the result of malicious or willful conduct on the part of the minor. The Department of Forestry already has the authority to collect costs expended by the Commonwealth in such circumstances.

**SB 700 Neighborhood Assistance Act; changes tax credit program.**

Amends § 63.2-2006 to change the Neighborhood Assistance Act tax credit program by allowing individuals to receive tax credits for donations of marketable securities.

**SB 704 Nonprofit foundations; gifts & donations by localities thereto support public parks, libraries, etc.**

Amends § 15.2-953 to provide that a locality may make gifts and donations to nonprofit foundations established to support the locality's public parks, libraries, and law enforcement, including in-kind services.

**HJ 75 Local incentives for economic development.**

Joint subcommittee to study local incentives provided to private businesses for economic development purposes. The joint subcommittee shall (i) determine all incentives that localities are permitted to provide to private businesses; (ii) evaluate the impact of such incentives on smaller local competitors of the businesses provided the incentives; and (iii) evaluate the effectiveness of the incentives that are provided.

**HJ 177 Multistate corporations; single sales factor.**

Subcommittee study of the benefits of adopting a single sales factor to apportion the income of multistate corporations for purposes of the corporation income tax. Identical to SJ 101.

**SJ 101 Multistate corporations; single sales factor.**

Identical to HJ 177.

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## **Transportation**

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**HB 84 Repeals Virginia-North Carolina Interstate Toll Road Compact.**

Repeals § 33.1-465 of the Code of Virginia to repeal the Virginia-North Carolina Interstate Toll Road Compact, effective July 1, 2009.

**HB 326 Speed limits; maximum on rural, rustic roads.**

Adds § 46.2-873.2 to provide for a maximum speed limit of 35 mph on any highway designated a rural rustic road.

**HB 451 Northern Virginia Transportation Authority; increases membership.**

Amends § 15.2-4832 to increase the membership from 16 to 17 by adding a town representative who shall serve as a nonvoting member.

**HB 526 Peninsula Ports Authority; creates procedure for dissolution thereof.**

Adds § 20 to Chapter 46 of the Acts of Assembly of 1952 to create a procedure for the dissolution of the Peninsula Ports Authority of Virginia.

**HB 885 Bus engine idling; allows all counties, cities, and towns power to adopt ordinances limiting.**

Amends § 46.2-1224.1 to allow all counties, cities, and towns to adopt ordinances limiting bus engine idling.

**HB 890 Emergency vehicles; flashing warning lights.**

Amends §§ 46.2-1022 and 46.2-1023 to allow warning lights on emergency vehicles to be of types constructed within turn signal housings or motorcycle headlight housings, subject to approval by the Superintendent.

**HB 1116 Environmental impact reports; required for any major state construction project over \$500,000.**

Amends § 10.1-1188 to require an environmental impact report be done for any major state construction project that will cost \$500,000 or more. The current threshold amount requiring such a report is \$100,000.

**HB 1140 Tolls; State Corporation Commission authority to approve or revise rates charged.**

Amends § 56-542 to direct the State Corporation Commission (SCC), in setting highway tolls under the Virginia Highway Corporation Act from January 1, 2013, through January 1, 2020, to approve requests to increase toll rates by a percentage that (i) is equal to the increase in the consumer price index from the date the Commission last approved a toll increase, plus 1 percent, (ii) is equal to the increase in the real gross domestic product from the date the Commission last approved a toll increase, or (iii) 2.8 percent, whichever is greatest. In addition,

the SCC shall allow the operator to include, in its tolls, the amount by which its local property taxes paid in the immediately preceding calendar year increased by more than the annual percentage increase above such payments for the previous calendar year. Includes provisions for higher tolls; however, the Commission shall not approve an increase that exceeds the percentage increase necessary to permit the operator to maintain the minimum coverage ratio, and such request shall not be made as a result of a change in control of the operator or the project roadway. Other provisions (i) direct the SCC, in determining whether the operator's costs are improper or excessive, to consider the contractual relationships between the operator and individuals or entities that are closely associated with the operator to assure that the terms on such contractual relationships are no less favorable or unfavorable to the operator than what it could obtain in an arm's-length transaction; (ii) require the operator to provide a verified copy of its annual audited financial statements; (iii) require the SCC, when there is a change in the ownership of an operator, to ensure in any subsequent toll rate proceeding that the price paid in connection with the change in ownership or control, and any costs and other factors attributable to or resulting from the change in ownership or control, if they would contribute to an increase in the level of the toll, are excluded from the determination of the operator's reasonable return; and (iv) direct that the proceeds and funding provided to the operator from any future bond indenture must be used for certain purposes related to the roadway property, unless otherwise authorized by the SCC. Identical to SB 778.

**HB 1259 Environmental impact reports; requires county, city, or town to submit report on highway projects.**

Amends § 10.1-1188 to require an environmental impact report in connection with a local highway construction, reconstruction, or improvement project only when such a project is estimated to cost more than \$500,000. The current threshold amount requiring such a report is \$100,000. Identical to SB 43.

**HB 1320 Public road easements; maintenance of certain roads not abandoned.**

Adds § 55-50.3 to provide that any property owner, along a road that serves as the primary means of ingress and egress to more than one property, may maintain, repair, or improve the road without the express permission of the other property owners after review by the local government.

**HB 1406 Rural rustic road program; increases maximum average daily traffic volume for roads.**

Amends § 33.1-70.1 to increase from 1,000 to 1,500 vehicles per day the maximum average daily traffic volume for roads to be eligible to participate in the rural rustic road program.

**HB 1502 Alcoholic beverage control; canal boat operator license created.**

Amends §§ 4.1-100, 4.1-206, 4.1-231, and 4.1-233 to create a canal boat operator license, sets the privileges of this new license, and sets the applicable state and local license tax. The bill defines canal boat operator.

**HB 1516 Public-Private Transportation Act; prohibits private entity from imposing tolls on Interstate 81.**

Amends §§ 33.1-23.03:10 and 56-565 to prohibit a private entity from imposing tolls or user fees under the PPTA on any rural portion of I-81 without the prior approval of the General Assembly. Identical to SB 754.

**HB 1551 Overweight and overload permits; creates fee schedules to help recover maintenance costs.**

An Act to require the Department of Transportation, in consultation with DMV, to review the current fee structure applied to overload and overweight vehicles. From July 1, 2008, to June 30, 2009, the annual overweight permit fee will be \$265.

**HB 1557 Mopeds; limitations on operation of mopeds.**

Amends § 46.2-914 to provide that a person who operates a moped in excess of 35 miles per hour will be deemed to be operating a motorcycle.

**HB 1572 Comprehensive highway access management standards.**

An Act to require that the Commonwealth Transportation Commissioner promulgate comprehensive highway access management standards in phases. Those standards relating to principal arterial roads take effective July 1, 2008, and those relating to minor arterial roads become effective on Oct. 1, 2009. The Commissioner will be subject to the Administrative Process Act for those regulations effective on Oct. 1, 2009. Identical to SB 370.

**HB 1578 Northern Virginia Transportation Authority; refund of certain fees and taxes imposed thereby.**

An Act to declare null and void, and refund the fees and taxes imposed by the Northern Virginia Transportation Authority that were ruled as unconstitutional by the state Supreme Court.

**SB 43 Environmental impact reports; requires county, city, or town to submit report on highway projects.**

Identical to HB 1259.

**SB 99 Highway systems; revenue-sharing funds in certain counties, cities, and towns.**

Amends § 33.1-23.05 to provide that the Commonwealth Transportation Board must first give funding priority to projects that are administered locally (thereby eliminating the previous priority for projects receiving more than \$1 million of local money). Priority is next assigned to projects for which a local government commits more local funding than the amount of state revenue-sharing requested. The third priority is when the allocation will accelerate an existing project in the state's Six-Year Improvement Program or the locality's capital plans. All requests for funding need to include a prioritized listing of specific projects. Local governments must expend at least a portion of the revenue sharing funds no later than two fiscal years after receiving an allocation from the program. VDOT also has agreed to strengthen its efforts to help local governments administer local road projects.

**SB 189 Highway construction; increases cost of project using state or local employees.**

Amends § 33.1-190 to increase the maximum cost of a project that may be undertaken using state or local employees to \$600,000; and provides that the Board may enter into a written agreement with a locality for the building and maintenance of roads by local employees so long as the locality has obtained a cost estimate of not more than \$1 million.

**SB 370 Comprehensive highway access management standards; Commissioner to promulgate in phases.**

Identical to HB 1572.

**SB 607 Towing and recovery operator; definition excludes franchised motor vehicle dealer.**

Amends § 46.2-2800 to exclude a franchised motor vehicle dealer using a tow truck owned by a dealer when transporting a vehicle to or from a repair facility owned by the dealer when the dealer does not receive compensation from the vehicle owner for towing of the vehicle or when transporting a vehicle in which the dealer has an ownership or security interest from the definition of "towing and recovery operator."

**SB 707 Towing and Recovery Operators, Board of; powers, duties, and regulations.**

Amends §§ in Title 46.2 to extend the effective date for Board regulations pertaining to public safety towing and recovery services to July 1, 2010, and extends the effective date of other Board regulations to January 1, 2009. Prior to drafting any public safety towing regulations, the Board will hold four public meetings to receive comments and recommendations regarding the appropriate equipment, standards, training, safety, and other factors related to providing public safety towing and recovery services.

**SB 754 Public-Private Transportation Act; prohibits private entity from imposing tolls on Interstate 81.**

Identical to HB 1516.

**SB 778 Tolls; State Corporation Commission authority to approve or revise rates charged.**  
Identical to HB 1140.

**SB 799 Move-over law; drivers must move to lane not adjacent emergency vehicle displaying emergency lights.**

Amends § 46.2-921.1 to provide that the driver of a motor vehicle approaching a stationary emergency vehicle displaying emergency lights must move to a lane not adjacent to the emergency vehicle if the road is two lanes wide in the driver's direction, if safe to do so.

**HJ 72 Seaports.**

Joint subcommittee to study public-private partnerships regarding seaports in Virginia.

**HJ 159 U.S. Route 460 Communications Committee.**

Extends the U.S. Route 460 Communications Committee until the U.S. Route 460 project as approved by the Commonwealth Transportation Board in November 2005 is started.

**HJ 194 Hampton Roads; transportation network.**

Joint subcommittee to conduct a one-year study of the transportation network of Hampton Roads.

**SJ 92 Functions & authorities of transportation entities.**

Joint subcommittee to study the functions and authorities of entities with transportation responsibilities, beginning with the Hampton Roads region. Study will review the statutory functions of the metropolitan planning organizations, planning district commissions, and transportation authorities, making recommendations to resolve ambiguities and overlapping functions.

**SJ 122 Rapid transit network.**

Joint subcommittee to study the feasibility of creating a regional rapid transit network for connecting existing and emerging population centers in major transportation corridors.

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## **Charters & Legislation of Limited Application**

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**HB 7 Charter; Town of Brodnax.**

Amends § 3.1 of Chapter 131 of the Acts of Assembly of 1977, which provides for November town elections, extends terms of council members from 2 to 4 years and provides for staggered terms. Identical to SB 460.

**HB 8 Water and sewer charges; Town of Kenbridge.**

Amends § 15.2-2118 to add the Towns of Front Royal and Kenbridge to those localities where water or sewer bills shall be a lien on the real estate served by such waterline or sewer. Where residential rental real estate is involved, no lien shall attach unless the user of the water or sewer services is also the owner of the real estate or the owner of the real estate negotiated or executed the agreement by which such water or sewer services were provided to the property.

**HB 177 Charter; Town of Appomattox.**

Amends §§ 5, 7, and 11 of the charter of the Town of Appomattox and to repeal § 8 of such charter to clarify the duties of the town manager and the town mayor.

**HB 240 Charter; Town of Troutville.**

Amends § 3.1 of Chapter 73 of the Acts of Assembly of 1973 staggering the terms of the town council.

**HB 337 Handbills, etc.; distribution in highway rights-of-way in certain localities.**

Amends § 46.2-931 to allow Arlington and Henrico Counties and the Town of Vienna to regulate distribution of handbills, etc., in all highway rights-of-way within their boundaries. Present law restricts this power to secondary and urban highway system components. Identical to SB 160.

**HB 357 Electric utility special rate districts; Fauquier County.**

Amends § 15.2-2404 to add Fauquier County to those localities that may request an electric utility that proposes to construct an overhead

electric transmission line of 150 kilovolts or more, any portion of which would be located in such locality, to enter into an agreement with the locality that provides the locality will impose a tax or assessment on electric utility customers in a special rate district in an amount sufficient to cover the utility's additional costs of constructing that portion of the proposed line to be located in such locality, or any smaller portion thereof as the utility and the locality may agree, as an underground rather than an overhead line.

**HB 432 Arts and cultural districts; City of Manassas.**

Amends § 15.2-1129.1 to add the City of Manassas to those localities authorized to create an arts and cultural district for the purpose of increasing awareness and support for the arts and culture in the locality. Localities may provide incentives for the support and creation of arts and cultural venues in the district.

**HB 443 Loudoun County; rights and duties of county chairman.**

Amends § 15.2-1213 to list various rights and duties of the board chairman in Loudoun County.

**HB 456 Charter; City of Martinsville.**

Amends Chapter 193 of the Acts of Assembly of 1950, by adding in Chapter 12 a section numbered 3, to allow the City to establish a municipal trust. The principal of the trust shall be (i) all of the proceeds of the sale of any City asset owned by the City that generates between \$10 million and \$20 million, (ii) one-half of any such proceeds in excess of \$20 million, (iii) such income generated by the trust remaining unexpended at the close of each fiscal year, and (iv) such other funds as the city council may by majority vote to contribute to the fund. Identical to SB 92.

**HB 487 Communications sales and use tax; allows Bath County to receive percentage of revenues apportioned.**

Amends § 58.1-662 to allow Bath County to receive a set percentage of the communication sales and use tax revenues apportioned and

distributed monthly to localities, beginning July 1, 2008. Identical to SB 262.

**HB 639 Charter; Town of Purcellville.**

Amends § 3-5 of Chapter 52 of the Acts of Assembly of 1968 to remove the residency requirement for the chief of police.

**HB 787 Transient occupancy tax; extends date to January 1, 2012, for Arlington County.**

Amends § 58.1-3822 to extend the sunset date from January 1, 2009, to January 1, 2012, for Arlington County's additional transient occupancy tax of one-fourth of one percent. Under current law, revenues from the tax are required to be used by the county for promoting tourism and business travel in the county. Identical to SB 462.

**HB 845 Charter; City of Winchester.**

An Act to add § 5.01 to Chapter 39 of the Acts of Assembly of 1932 to rewrite the city's budget section to shorten it to 1 year from 2.

**HB 847 Charter; City of Winchester.**

Amends § 14.01, as amended, of Chapter 39 of the Acts of Assembly of 1932 to clarify that school board members who were in office on July 1, 2007, shall not be subject to the residency requirement that took effect on that date.

**HB 875 Handbills, etc.; distribution in Spotsylvania County and City of Richmond.**

Amends § 46.2-931 to grant the City of Richmond the same powers granted to Albemarle, Arlington, Greene, and Henrico Counties and the Town of Vienna to regulate soliciting contributions, distribution of materials, etc., in highway rights-of-way.

**HB 877 Community development authority board; City of Richmond appoint seven members.**

An Act to allow the City of Richmond to appoint seven members to a community development authority board.

**HB 883 Affordable housing; permitting certain densities in plan in City of Charlottesville.**

An Act to authorize the City of Charlottesville to provide in its comprehensive plan for the physical development within the city for densities of development ranging between a floor area ratio (FAR) of 1.0 (1.0 FAR) and a floor area ratio of 10.0 (10.0 FAR) or greater in some or all parts of the city. The bill authorizes the City of Charlottesville to establish affordable housing contributions from developers as a condition of the governing body's approval of a special exception application for residential, commercial, or mixed-use projects with a density equal to or greater than 1.0 FAR. Under the bill, the provisions of the ordinance would allow the developer to provide on-site Affordable Dwelling Units, off-site Affordable Dwelling Units, or a cash contribution to the city's affordable housing fund in lieu of providing the units. Identical to SB 268.

**HB 908 Alcoholic beverage control; operation of government stores on Sunday.**

Amends § 4.1-120 to allow ABC stores to be open on Sunday in any city with a population of 100,000 or more. Since 2004, ABC stores may be open, at the discretion of the ABC Board, in the Counties of Fairfax, Arlington, Loudoun, and Prince William, and in the Cities of Alexandria, Fairfax, Manassas, Manassas Park, Norfolk, and Virginia Beach. The bill would add the Cities of Portsmouth, Hampton, Newport News, Richmond, and Chesapeake.

**HB 983 Charter; City of Radford.**

Amends §§ 2.28 and 2.29 of Chapter 209 of the Acts of Assembly of 1968 to update appointment provisions with regard to the director of finance and the city attorney.

**HB 991 Development rights; allows Albemarle County to enact an ordinance for severance and transfer.**

An Act to permit the severance and transfer of development rights from a sending property without requiring those rights to be immediately affixed to a specific receiving property.

**HB 1056 Charter; City of Falls Church.**

Amends §§ 10.02 and 17.10 of Chapter 323 of the Acts of Assembly of 1950 to provide that council shall appoint the city attorney for at-will employment, removing 4-year term provision. Also, the city's zoning powers are amended to include provisions related to the availability of moderately priced housing. Identical to SB 54.

**HB 1132 Wine and beer; City of Roanoke can obtain retail on-premises licenses for outdoor amphitheaters.**

Amends § 4.1-209 to add the City of Roanoke to the list of locations where food concessions at outdoor amphitheaters, etc. having a seating capacity of more than 3,500 can obtain retail on-premises wine and beer licenses.

**HB 1172 Charter; Town of Pound.**

Amends § 4.3 of Chapter 109 of the Acts of Assembly of 1984 to eliminate the residency requirement for the town clerk and town treasurer.

**HB 1196 Charter; City of Bristol.**

Amends § 8.06, as amended, of Chapter 542 of the Acts of Assembly of 1990 to formalize an agreement between the city and the TVA regarding electric rates. Identical to SB 349.

**HB 1215 Charter; City of Emporia.**

Amends § 9 of Chapter 78 of the Acts of Assembly of 1968 to provide that the city council may set the membership of the Emporia Redevelopment and Housing Authority. The city council may appoint a council member as a commissioner of the Emporia Redevelopment and Housing Authority.

**HB 1217 Charter; Town of Lawrenceville.**

Amends §§ 4 and 5A, and § 6 of Chapter 194 of the Acts of Assembly of 1934 to change the office of town treasurer from an elected to an appointed position and makes other technical changes.

**HB 1345 Parking violations; grants James City County ability to impose civil penalties.**

Amends § 46.2-1220 to grant James City County the same ability presently given to Chesterfield

County to impose civil penalties for parking violations.

**HB 1429 Golf carts; operation on public highways in Claremont.**

Amends § 46.2-916.2 to allow the operation of golf carts on public highways within the boundaries of the Town of Claremont.

**SB 45 Charter; City of Norfolk.**

Amends § 114 of Chapter 34 of the Acts of Assembly of 1918 to provide that employees of the constitutional officers of the city or of the circuit court judges of the city on or after July 1, 2008 shall not be included in the classified service of the city.

**SB 54 Charter; City of Falls Church.**

Identical to HB 1056.

**SB 92 Charter; City of Martinsville.**

Identical to HB 456.

**SB 160 Handbills, etc.; distribution in highway rights-of-way in certain localities.**

Identical to HB 337.

**SB 165 Golf cart and utility vehicles; crossing of highways at certain intersections in Colonial Beach.**

Amends § 46.2-916.3 to allow golf carts and utility vehicles to cross highways in the Town of Colonial Beach at intersections controlled by traffic lights if the posted speed limit on the highway is no more than 35 miles per hour.

**SB 215 Charter; Town of Narrows.**

Amends §§ 1.2, 2.2, 7.2, 7.3, 7.4, 7.6, and 7.7 of Chapter 472 of the Acts of Assembly of 1970, and repeals §§ 6.1 through 6.4 to make several technical amendments to bring the charter to conform to general law.

**SB 262 Communications sales and use tax; allows Bath County to receive percentage of revenues apportioned.**

Identical to HB 487.

**SB 268 Affordable housing; permitting certain densities in plan in City of Charlottesville.**

Identical to HB 883.

**SB 349 Charter; City of Bristol.**

Identical to HB 1196.

**SB 375 Charter; Town of Colonial Beach.**

Amends § 4 of Chapter 261 of the Acts of Assembly of 1960 to provide that the chief of police shall serve at the pleasure of the town council.

**SB 460 Charter; Town of Brodnax.**

Identical to HB 7.

**SB 462 Transient occupancy tax; extends sunset date to January 1, 2012, for Arlington County.**

Identical to HB 787.

**SB 505 Charter; Town of Bowling Green.**

Amends the charter by: (i) providing for staggered four-year terms of office for the mayor and council; (ii) removing the salary cap for mayor and members of council; (iii) employment of town clerk and a treasurer permissive rather than mandatory; (iv) clarifying the duties of the town clerk, town manager, and the town treasurer; (v) providing for a town attorney; (vi) providing that the town council may establish and maintain a police force and that the chief of police and the policemen and employees of such police force shall be under the control and supervision of the town manager; (vii) deleting outdated provisions; and (viii) making numerous technical changes.

**Emergency.**

**SB 532 Land use proceedings; disclosures in Loudoun County.**

Amends § 2.2-3100 and adds § 15.2-2287.1 to require each individual member of the Loudoun County board of supervisors, planning commission, and board of zoning appeals in any proceeding before each such body involving an application for a special exception or variance or involving an application for amendment of a zoning ordinance map, which does not constitute

the adoption of a comprehensive zoning plan, an ordinance applicable throughout the locality, or an application filed by the board of supervisors that involves more than 10 parcels that are owned by different individuals, trusts, corporations, or other entities, to make a full public disclosure of any business or financial relationship that such member has, or has had within the 12-month period prior to such hearing, (i) with the applicant in such case; (ii) with the title owner, contract purchaser, or lessee of the land that is the subject of the application, except, in the case of a condominium, with the title owner, contract purchaser, or lessee of 10 percent or more of the units in the condominium; (iii) if any of the foregoing is a trustee (other than a trustee under a corporate mortgage or deed of trust securing one or more issues of corporate mortgage bonds), with any trust beneficiary having an interest in such land; or (iv) with the agent, attorney, or real estate broker of any of the foregoing.

**SB 603 Charter; City of Williamsburg.**

Amends § 44.1 of Chapter 393 of the Acts of Assembly of 1932 to change the definition of transient lodging to lodging for not more than 90 consecutive days, rather than 30 consecutive days.

**SB 727 Charter; City of Fredericksburg.**

Amends § 1 of Chapter 654 of the Acts of Assembly of 1990 to provide that the City of Fredericksburg may lease as lessee all or a portion of the lands, buildings, and improvements used for courthouses, including suitable space and facilities to accommodate the various courts and officials thereof, clerk's office and record room, and appurtenant facilities such as parking facilities.

**SB 770 Transient occupancy tax; used for advertising Historic Triangle area.**

Amends § 58.1-3823 to make changes to the Williamsburg Area Destination Marketing Committee, which is responsible for administering the local transient occupancy tax for the Historic Triangle area. The bill also would provide for the Greater Williamsburg

Chamber and Tourism Alliance to serve as the fiscal agent for the Committee.

**SB 794 Clarksville-Boydton Airport Commission; authorized to issue bonds.**

Amends § 3 of Chapter 680 of the Acts of Assembly of 2005 and amends Chapter 680 of the Acts of Assembly of 2005 by adding §§15 through 22 to authorize the Commission to issue bonds; which shall not be a debt of the Commonwealth or any political subdivision thereof, other than the Commission; and to charge fees to pay for the bonds.

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## Environment

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### **HB 1534 Plastic carryout bags.**

Authorizes a locality to provide that a retail merchant located within its jurisdiction shall not provide to any of its customers at the point of sale any plastic carryout bag in which a product or products purchased by any such customer from such store is placed unless such plastic carryout bag is a durable plastic bag manufactured for multiple reuse.

### **HB 1548 Landfills; prohibition on accepting construction and demolition debris.**

Prohibits publicly owned landfills from accepting three or more tons of construction and demolition debris per hauler trip if there are recycling facilities available in the area or there is a construction and demolition landfill in the area.

### **SB 166 Trees; replacement during development process in certain localities.**

Reduces the maturity date from 20 years to 15 years. The bill also increases the mature canopy coverage from 20 percent to 30 percent for a residential site zoned 10 units or less per acre.

### **SB 361 Stream mitigation banks; Henrico County to establish and operate.**

Authorizes Henrico County to establish and operate stream mitigation banks so long as the banks are operated in accordance with state and federal law.

### **SB 454 Residential Property Disclosure Act; disclosure of stormwater detention facilities.**

Requires the owner to disclose to the purchaser prior to settlement the presence of any storm water detention facilities on the property.

### **SB 470 Natural resources; annual funding.**

Provides annual funding for natural resources from (i) 20 percent of the

remaining revenues of state recordation taxes that are not currently allocated and (ii) unallocated land preservation tax credits in each calendar year. Sets out uses of funds.

### **SB 641 Land preservation tax credit; conveyance for public parks, recreational areas, or trails.**

Provides that the land preservation tax credit would equal 60 % of the fair market value of any land conveyed for the purpose of a public park, public recreational facility, or public trail access easement. The governing body of the county city in which the land is located would be required to pass a resolution that states (i) its approval of the conveyance, and (ii) that the conveyance is in accordance with the comprehensive plan in effect for the county or city.

### **SB 711 Plastic carryout bags; retail merchant shall provide durable plastic bag, with handles.**

Authorizes a locality to provide that a retail merchant located within its jurisdiction shall not provide to any of its customers at the point of sale any plastic carryout bag in which a product or products purchased by any such customer from such store is placed unless such plastic carryout bag is a durable plastic bag, with handles, that is at least 2.25 mils thick and is specifically designed and manufactured for multiple reuse.

### **SB 744 Land preservation tax credit; establishes process where properties are registered with Dept. of Tax.**

Establishes a process by which properties are to be registered with the Department of Taxation prior to any tax credit being allowed for a donation. The registration process requires a written certification by a licensed reviewer certifying that the property, or interest therein, is in compliance with pre-registration standards established by the Department. The pre-registration standards would include standards for the public benefit derived from the donation and standards for the use of the property by the donee.

**SB 752 Brownfields; public notice of voluntary remediation plans.**

Requires the Department of Environmental Quality to provide written notice of an application for a voluntary remediation plan to any person who owns a property that abuts or lies within 100 feet of the boundary lines of the subject property or who owns a property that is identified as contaminated by a release on the subject property. Notice must also be published in a newspaper of general circulation. A public comment period of at least 30 days shall follow the issuance of notice.

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## **Human Services**

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**HB 338 Emergency plans; fee for review.**

Allows a locality to charge an administrative fee for the review of the emergency plans of nursing homes, assisted living facilities, adult day care centers, and child day care centers located within the locality. Localities that have an emergency management agency are currently authorized to require such a review.

**HB 749 Standards of Quality; apportionment of state & local share for costs of giving educational programs.**

Directs that the General Assembly, in apportioning the state and local share for the costs of providing an educational program meeting the Standards of Quality shall, as provided in the appropriation act, modify the formula that determines each locality's ability to pay for its share of providing an educational program meeting the prescribed Standards of Quality to incorporate statewide average teacher salaries and to provide adjustments for the number of special education students and students receiving English as a second language instruction.

**HB 1174 Immigrant Assistance, Office of.**

Establishes in the Department of Social Services an Office of Immigrant Assistance, to assist persons lawfully entering the

United States and the Commonwealth for the purpose of becoming citizens.

**HB 1321 Foster care; transition plan for children 16 years of age or older.**

Clarifies that a foster care plan can provide, for children 16 years and older, no substitute parental supervision and allows for, under the same plan, educational or vocational training to help the child transition out of the foster care system. Also delineates the procedure by which any person 18 to 21 years of age who is in the independent living system may choose to opt out of the independent living system and the procedure for disqualification from independent living system.

**SB 16 Crisis intervention team pilot programs.**

Permits the Department of Criminal Justice Services to establish crisis intervention team pilot programs in areas of the state by January 1, 2009. The crisis intervention team pilot programs shall assist law-enforcement officers in responding to crisis situations involving persons with mental illness, substance abuse problems, or both.

**SB 18 Mental health courts; establishment of pilot program.**

Directs the Office of the Executive Secretary of the Supreme Court to establish by January 1, 2009, no less than two and no more than five mental health courts in Virginia for nonviolent offenders with serious mental illnesses.

**SB 177 Assisted outpatient treatment program; established for severely mentally ill.**

Establishes a program of assisted outpatient treatment for the severely mentally ill. The bill authorizes assisted outpatient treatment for persons previously hospitalized due to noncompliance with prescribed psychiatric treatment, who would be likely to meet the criteria for inpatient commitment without treatment.

**SB 274 Involuntary commitment order; detainee may petition court to transfer to outpatient treatment.**

Provides that the director of any facility in which a person subject to an involuntary commitment order is detained may petition the judge to order the person transferred to involuntary outpatient treatment if the director concludes that the person satisfies the criteria for outpatient treatment and that the person's mental illness would be more effectively treated in such an environment.

**SB 275 Inmates; emergency psychiatric treatment.**

Adds a provision that a defendant in a criminal matter may be hospitalized if so seriously mentally ill as to be unable to care for himself.

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## **Land Use & Zoning**

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**HB 356 Impact fees; assessment, collection, and imposition.**

Provides that the assessment, collection, and imposition of impact fees shall, at the option of the locality, not apply to a subdivision, separation, or split-off of property made pursuant to a family subdivision ordinance, provided that title to the parcels subdivided, separated, or split-off is held in the name of an immediate family member for at least the first 60 months immediately following the subdivision, separation, or split-off.

**HB 892 Annexation; extends from 2010 to 2020 temporary restriction on city annexation authority.**

Extends from 2010 to 2020 the temporary restriction on city annexation authority, the granting of city charters, and county immunity proceedings.

**HB 1105 Outdoor advertising; local governments ability to limit or remove signs.**

Gives local governments increased ability to limit or remove nonconforming billboard signs.

**HB 1511 Changeable electronic variable message signs; moratorium.**

Imposes a moratorium on the erection or conversion of advertisements and advertising structures into changeable electronic variable message signs.

**SB 162 Vacant building registration; enhances penalties for failure to register.**

Provides for enhanced penalties for failure to register vacant buildings.

**SB 163 Derelict structures; locality authorized to impose fee on record owner.**

Authorizes a locality, by ordinance, to impose on the record owner of a derelict structure, a fee not to exceed the lesser of \$2,500 or 15 % of the most recently assessed value of the derelict structure and the land upon which the structure is situated under specified circumstances. Also, a locality may provide that any owner(s) of such derelict structure who fail to (i) respond to a notice in writing with an abatement or removal plan or (ii) abate or remove the derelict structure as prescribed in an approved plan, shall be guilty of a misdemeanor punishable by a fine of not more than \$2,500. The bill also allows a locality to abate or remove the derelict structure should the owner fail to act; the cost of which shall be a lien on the property. Bill referred to Housing Commission.

**SB 185 Impact fees; grants authority to high-growth localities.**

Grants general impact fee authority to "high-growth" localities. Any locality that includes within its comprehensive plan a calculation of the capital costs of public facilities necessary to serve residential uses may impose and collect impact fees to cover the costs of issuing permits for residential uses in amounts sufficient to defray all or part of the capital costs of public facilities related to residential development. Impact fees imposed and collected shall only be used for public facilities that are impacted by a particular development project; however, the

fees may be used in the general area of the project.

**SB 363 Automatic sprinkler systems; tax credit for initial installation.**

Requires that all buildings that (i) are more than 75 feet high or more than six stories high, (ii) are being used to house individuals or to provide guest rooms for occupancy, and (iii) are not equipped with an automatic sprinkler system would be equipped with an automatic sprinkler system by December 31, 2017. The bill also would make available to the owners of such building an income tax credit equal to 45% of the total amount paid by the owner for the initial installation of the sprinkler system.

**SB 458 Rental inspection districts; removes certain language that expressly rejects construction thereof.**

Removes language that expressly rejects any construction of the rental inspection districts statute as an authorization for a locality-wide rental inspection district.

**SB 519 Zoning appeals, Board of; petitioner to be awarded reasonable attorney fees and court costs.**

Allows the petitioner to be awarded reasonable attorney fees and court costs in a successful action against the board of zoning appeals.

**SB 656 Annexation; extends current annexation moratorium to 2018.**

Extends the current annexation moratorium to 2018.

**SB 751 Water and sewer rates; towns may charge higher rates for out of town customers.**

Prohibits towns from charging rates for water and sewer service provided to residents of an adjacent county that unreasonably discriminate between customers on the basis of whether services are provided to customers located within or outside the limits of the town, or that provide a cross-subsidy for in-town

customers. A town may charge rates for out-of-town customers that are higher than the rates for in-town customers, provided the difference does not exceed 50 %. Upon receipt of a petition from five % of the customers who receive service in the county, the Commission on Local Government is authorized to conduct an investigation and analyze the rates, fees and charges. If the Commission determines that the rates, fees and charges do not comply with these requirements, it will notify the county and the town. The county may then petition for the appointment of a special court to set rates for such services.

**SB 763 Changeable electronic variable message signs; imposes a moratorium on erection of advertisements.**

Imposes a moratorium on the erection or conversion of advertisements and advertising structures into changeable electronic variable message signs.

**SB 766 Demolition of historic structures, cemeteries and graves; civil penalty.**

Authorizes a civil penalty for the demolition of a structure designated as an historic area, cemetery or grave without the approval of the architectural review board or the governing body of the county. The bill also includes in the amount of the civil penalty the value of a plan for data recovery that has been approved by the Department of Historic Resources. The bill defines “plan for data recovery” as a strategy for retrieving historical information from an archaeological or architectural resource, a landscape, or a cemetery.

**SB 768 Conditional zoning; replaces cash proffer system with system of impact fees.**

Replaces the current cash proffer system with a system of impact fees.

**SB 777 Sewage systems; counties and towns may approve.**

Provides that the governing body of any county or town that has adopted a master plan for a sewage system is authorized to

deny an application for a sewage system if such proposed sewage system does not conform to the comprehensive plan for the county or town. In addition, the governing body of any county notified of the proposed establishment of a water system or of the extension of any existing water system may disapprove the same if it finds that such water system (i) does not conform to the county's comprehensive plan or (ii) is not in the best interests of the inhabitants of the county.

**HJ 123 Constitutional amendment; eminent domain (1st ref).**

Defines the term "public uses" and specifies permitted public uses for which private property may be taken. The definition is the same definition enacted in 2007 and set out in § 1-219.1 of the Code of Virginia. SJ 88 is similar.

**SJ 88 Constitutional amendment; eminent domain (1<sup>st</sup> ref).**

Establishes limitations on takings of private property. Except for property taken for public service companies or railroads, property may not be taken if the primary purpose of the taking is private financial gain, private benefit, an increase in tax base or tax revenues, or an increase in employment. No more property shall be taken than is necessary to achieve the stated public use. HJ 123 is similar.

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## Miscellaneous

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**HB 55 English; designating as official language of State.**

States that, except as provided by federal law, English is the official language of the Commonwealth, and no state agency or local government shall provide or otherwise assist in providing any documents, information, literature, or other written materials in any language other than English. The bill provides exceptions to this general rule for law-enforcement and limited other purposes.

**HB 244 Campaign finance reports; custody and retention requirements.**

Requires local electoral boards and election officials to retain campaign finance reports filed by candidate campaign committees so long as the candidate remains in any elected office.

**HB 858 Freedom of Information Act; exemption for certain publicly owned museum records.**

Exempts from FOIA records of a publicly owned museum that can be used to identify an individual who donates or loans one or more items of personal property to the museum.

**HB 878 School divisions, local; requires 65% of each education dollar to be spent in classroom.**

Requires each local school board to allocate 65 percent of its operating budget to instructional spending.

**HB 1558 Public Procurement Act; verification of legal presence of contractors for employment.**

Requires all public contractors and their subcontractors to register and participate in a federal Electronic Work Verification Program or similar electronic verification of work authorization program to determine that their employees and individual independent contractors are legally eligible for employment in the United States. Contractors and subcontractors are required to verify the employment status of their employees and independent contractors, and are prohibited from employing or contracting with an individual who is not determined to be legally eligible for employment in the United States as determined through the verification of the individual's status.

**HB 1564 Regional Industrial Facility Authority; Wythe County may withdraw .**

Provides that Wythe County may withdraw from Virginia's First Regional Industrial Facility Authority if Wythe County (i) has

not voted affirmatively for the authority to incur debt; (ii) has not entered into any participation agreement with other member localities of the authority obligating itself to pay any debt incurred by the Authority; or (iii) is not otherwise legally obligated to pay any debt incurred by the Authority.

**HB 1577 Polling places; extension of polling hours in emergency situations.**

Provides for extension of polling hours in emergency situations. Identical to SB 796.

**HJ 28 Constitutional amendment; Redistricting Commission (1st ref).**

Establishes the Virginia Redistricting Commission to redraw Congressional and General Assembly district boundaries after each decennial census. Identical or similar to HJ 70, HJ 120, HJ 181, SJ 5 and SJ 59.

**HJ 70 Constitutional amendment; Redistricting Commission (1st ref).**

Identical or similar to HJ 28, HJ 120, HJ 181, SJ 5 and SJ 59.

**HJ 124 Constitutional amendment; English as official language of State (1st ref).**

Provides that English is the official language of Virginia, that the provision is self-executing, and that the General Assembly may pass laws to implement the provision.

**HJ 245 Constitutional amendment; supervision of schools by local government & administrative officer (1<sup>st</sup> ref).**

Amends Section 7 of Article VIII to state that the General Assembly may provide by general law or special act that responsibility for supervision of schools may be exercised by a local governing body and the locality's chief administrative officer rather than a school board.

**SB 260 State employees; increases health insurance credits for those retired.**

Increases the monthly health insurance credit for retired state employees from \$4

for each year of creditable service to \$6 for each year of creditable service.

**SB 305 Health insurance; credits for certain retired public officers and employees.**

Increases the monthly health insurance credit for retired constitutional officers, employees of constitutional officers, general registrars, employees of general registrars, and local social service employees to \$4 for each year of creditable service. Currently, the credit is \$1.50 per month for each year of creditable service. The maximum monthly credit is increased from \$45 to \$120.

**SB 400 Deputy sheriffs; certain retired under disability retirement.**

Makes legislation passed by the 2007 Session of the General Assembly that increased retirement benefits for certain sheriffs, deputy sheriffs, public safety officers, and state police officers applicable to deputy sheriffs who retired prior to July 1, 2008, under a disability retirement. Under the 2007 legislation, deputy sheriffs of localities in VRS were provided LEOs retirement benefits. Any increase in retirement benefits as a result of the bill would be made available on a prospective basis beginning July 1, 2008.

**SB 402 Law Officers' Retirement System; supplemental allowance paid until Social Security retirement age.**

Provides that the supplemental allowance currently paid to certain members upon retirement until age 65 would instead be paid until Social Security retirement age.

**SB 535 Conflict of Interests Act, State and Local Government; prohibited conduct for certain officers.**

Prohibits a local officer and certain local employees from accepting employment with any person or business that was party to any transaction before the local officer's or employee's agency in which the local officer participated in discussion and the final vote

taken by the agency on the transaction or the local employee participated in an official capacity during the agency's consideration of the transaction.

**SB 619 Retirement System; average final compensation retirement multiplier.**

Allows members of the Virginia Retirement System to make member contributions for purposes of increasing the average final compensation retirement multiplier from 1.7 percent to 1.85 percent. Members would be required to pay the actuarial equivalent cost for such increase. All such contributions would be treated as additional employee contributions.

**SB 571 Telephone service; alternatives to regulation.**

Declares that all telephone services, other than lifeline and E-911 services, offered by a telephone company are competitive. Caps increases in monthly charges for residential dialtone telephone service through July 1, 2011, though the State Corporation Commission may extend this cap for up to an additional 24 months if competition in the market place cannot be an effective regulator. The Commission is required to establish rules to permit any telephone company to detariff telephone services offered to (i) business customers, other than E-911 services, beginning no later January 1, 2009, and (ii) residential customers, other than lifeline services, beginning no later than January 1, 2010. Prior to detariffing its telephone services, a telephone company may offer promotional rates, terms, or conditions in accordance with the Commission's rules for competitive local exchange carriers. Lifeline or E-911 services may be detariffed when the Commission determines that their tariffing is no longer required to protect the public interest. Telephone companies offering competitive telephone services under these provisions are exempted from Commission oversight of their issuance of securities and affiliate transactions.

**SB 674 Health insurance credits; all retired employees of local school divisions to receive.**

Expands the recipients of the health insurance credits for retired teachers to all retired employees of local school divisions.

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## **Public Safety**

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**HB 51 Immigration laws; immunity to State agencies and employees, etc. for authorized enforcement.**

Provides immunity to agencies and employees of the Commonwealth and political subdivisions for the authorized enforcement of immigration laws.

**HB 904 Mobile telephone and other wireless electronic devices; use of hands-free accessory while driving.**

Provides that, with certain exceptions, no person may use a mobile telephone or other wireless telecommunications device while operating a moving motor vehicle on any public highway in the state unless such mobile telephone or other wireless telecommunications device is equipped with a hands-free accessory.

**SB 39 Traffic accident reports; damage threshold.**

Increases from \$1,000 to \$1,500 the damage threshold at which traffic accidents become "reportable."

**SB 65 Community criminal justice boards; membership.**

Adds a provider and consumer of mental health services to the membership of community criminal justice boards.

**SB 120 Blacksburg; authority to bring civil action for failure to provide adequate crowd control.**

Expands existing authority to bring a civil action against a person who negligently fails to provide adequate security or crowd control at events that draw large crowds to include the Town of Blacksburg.

**SB 492 Vital Records, Office of, et al.; development of alternative verification system.**

Requires the Department of Health's Office of Vital Records, along with the Department of Motor Vehicles and other appropriate state and local agencies, to develop and implement a plan to provide Virginia resident verification, as an alternative to the requirements of the federal Real ID Act of 2005. The measure specifies that Virginia shall not comply with the unfunded mandates of the Real ID Act.

**SB 384 Firefighters and emergency rescue personnel; capital murder thereof.**

Provides that the willful, deliberate, and premeditated killing of a fire marshal, firefighter, or member of an emergency rescue squad is punishable as capital murder, when the killing is for the purpose of interfering with his official duties.

**SB 530 Crowd control; authority to bring civil action against person who negligently fails to provide.**

Expands existing authority to bring a civil action against a person who negligently fails to provide adequate security or crowd control at events that draw large crowds to include all cities and towns.

**SB 546 Correctional facilities, local; City of Danville & Pittsylvania County to enter into jail project.**

Allows Danville and Pittsylvania to enter into a regional jail project without a third participating jurisdiction.

**SB 558 Vehicle weight limit statutes; enforcement by local law-enforcement agencies.**

Allows enforcement of state vehicle weight limit statutes by local law-enforcement agencies.

**SB 638 Protective orders; notification of service.**

Provides that persons who have obtained a protective order shall receive notice of the

service of such order by the local police department, sheriff's office, or other law-enforcement agency that served the order on the person subject to the order. The notification may be made through the Virginia Statewide VINE (Virginia Information and Notification Everyday) System.

**SB 771 Extradition; sheriff or police chief may hire private entity to perform on behalf of State.**

Clarifies that a sheriff or police chief of a locality may hire a private entity to perform extraditions on behalf of the Commonwealth.

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## **Taxation & Finance**

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**HB 11 Constitutional amendment; exempts certain homeowners from taxation (voter referendum).**

Provides for a referendum at the November 2008 election on approval of a proposed constitutional amendment relating to property tax exemptions.

**HB 51 Immigration laws; immunity to State agencies and employees, etc. for authorized enforcement.**

Provides immunity to agencies and employees of the Commonwealth and political subdivisions for the authorized enforcement of immigration laws.

**HB 58 Keep Our Promise Act of 2008.**

Reinstates the Personal Property Tax Relief Act of 1998 at 100% reimbursement for qualifying vehicles effective January 1, 2009.

**HB 76 Recordation tax; changes basis on which are calculated.**

Changes the basis on which recordation taxes are calculated on the transfer of real estate to the stated consideration for the real estate. Under current law the basis is the consideration for the real estate or the value of the real estate, whichever is greater.

**HB 124 Exempts most machinery and tools from taxation.**

Reclassifies all machinery and tools used in manufacturing, mining, water well drilling, processing or reprocessing placed in service on or after Jan. 1, 2010, except those used by farm wineries, as intangible personal property exempt from state and local taxation under the state constitution. The measure also exempts from state and local taxation all certified pollution control equipment and facilities placed in service on or after Jan. 1, 2010.

**HB 215 Real estate tax; classification of residential property.**

Permits localities to tax residential property at a lower tax rate than that imposed on the general class of real property by creating a separate classification for taxation purposes. If a locality imposes a lower tax rate on residential property, then thereafter the locality shall not increase the rate of taxation on the general class of real property.

**HB 331 Real estate; assessments on damaged or destroyed buildings.**

Removes certain blighted property, derelict property, and property on which drug blight exists from the categories of real property that have been damaged or destroyed that must be given a lower assessment before the usual next assessment date.

**HB 406 BPOL tax; proof of state licensure for contractors.**

Requires certain contractors to provide proof of valid state licensure before being issued a local business license.

**HB 437 Public schools; composite index formula for basic state aid.**

Requires division superintendents to include the number of students enrolled in the public schools of the school division for whom English is a second language in estimating the amount of money that will be needed during the next fiscal year for the support of the public schools. Also, the Department of Education must include the percentage of

such students in the public schools of each school division when calculating the composite index of local ability-to-pay.

**HB 465 Real estate tax; exemptions for certain elderly and disabled persons with income limits.**

Provides a local option formula for determining net combined financial worth that allows individuals who depend on investment income rather than pension income to qualify for real estate tax relief.

**HB 699 Real estate tax; classification of residential property from commercial property.**

Permits localities to tax single family dwellings, multifamily dwellings, and commercial property at different rates from each other and from all other real property.

**HB 761 Charter; Town of Herndon.**

Provides that no excise tax shall be imposed or be effective in the town unless approved by the town council. There is a delayed effective date of January 1, 2010.

**HB 848 Development rights program; Board of Farmland Preservation to create lease.**

Requires the Office of Farmland Preservation to create a lease of development rights program. Properties of 20 acres and larger enrolled in land use taxation programs, would be eligible to participate in a lease of development rights program whereby the property owner relinquishes "by right" development for at least seven years in exchange for a contractually agreed upon lease amount.

**HB 921 Jail construction, local; State will reimburse up to one-half of capital costs.**

Increases the Commonwealth's reimbursement level for local jail construction, enlargement, or renovation projects from one-fourth of capital costs to one-half of capital costs if the project results in a facility with 150 or more beds. Additionally, the bill increases the

Commonwealth's reimbursement level for regional jail construction, enlargement, or renovation projects that do not meet the requirements of § 53.1-81 or 53.1-82 if the project results in a facility with 150 or more beds.

**HB 923 School Construction Revolving Fund.**

Creates the Virginia School Construction Revolving Fund for financing elementary, secondary, or vocational education school projects. Identical to SB 737 and SB 780.

**HB 1009 Real estate taxes; assessments, bills, and deferral by localities.**

Requires localities (i) to include the tax rate that will apply to reassessed real property in the notice to taxpayers regarding the reassessment, (ii) to attach to each property tax bill the tax rate that will apply, the assessed value of the property, the total amount of the new tax levy, the total amount of the prior year's tax levy, and the percentage change in the new tax levy from the immediately prior year's tax levy, and (iii) to permit taxpayers to defer a portion of the increase in real property taxes on the primary dwelling owned and occupied by the taxpayer until the property is transferred or until the taxpayer's death. The bill has a delayed effective date of January 1, 2009.

**HB 1082 Virginia Housing Trust Fund; creates dedicated source of funding via percentage of recordation tax.**

Provides a dedicated source of funding (recordation tax) for the fund. The bill also provides that a portion of the fund shall be used to provide matching funds to localities that have both established a local housing fund and appropriated local moneys to the fund.

**HB 1225 Fire Programs Fund; increases rate of assessment.**

Increases the rate of the assessment for the Fire Programs Fund from one to 1.5 percent of the total direct gross premium income for fire and related lines of insurance.

**HB 1275 Real estate tax; localities to grant higher percentages of tax relief to elderly.**

Allows localities to grant higher percentages of tax relief to the elderly based on increasing age, especially for those who are 75 years of age and older.

**HB 1318 Taxpayer Surplus Relief Fund.**

Establishes a mechanism to provide tax relief to Virginia taxpayers when the Auditor of Public Accounts determines the Revenue Stabilization Fund has reached its maximum size as provided in the Constitution of Virginia. The excess funds must be used for provide tax relief to Virginia taxpayers.

**HB 1348 Consumer utility tax; tax rate for residential customers.**

Provides that the local consumer utility tax shall not exceed \$3 in any month for residential customers. Currently, the local consumer utility tax may be imposed at a rate not to exceed 20 percent, and up to the first \$15 charged in each month by the utility for residential customers. This results in a cap of \$3 per month for residential customers. The bill would not change the monthly cap but would allow the tax rate to apply to amounts billed in excess of \$15 while maintaining the \$3 per month cap.

**HB 1392 Jail construction, local; State will reimburse up to one-half of capital costs.**

Provides that the Commonwealth will reimburse any county or city up to one-half of the capital costs of a jail construction or renovation project that will increase the capacity by at least 150 beds. Certain shared jail arrangements will also be reimbursed up to one-half of the capital costs for increasing capacity by 150.

**HB 1394 Recordation tax; changes basis of calculation on transfer of real estate.**

Changes the basis on which recordation taxes are calculated on the transfer of real estate to the stated consideration for the real

estate. Under current law the basis is the consideration for the real estate or the value of the real estate, whichever is greater.

**HJ 4 Constitutional amendment; exempts certain homeowners from taxation (2nd ref).**

Authorizes the General Assembly to enact legislation that will allow localities by ordinance to exempt from real property taxes, or defer real property taxes on, up to 20 percent of the value of residential or farm property that is the owner- occupant's primary dwelling and lived in continuously.

**HJ 18 Constitutional amendment; property tax exemption for certain veterans (1st ref).**

Directs the General Assembly to exempt from taxation real property that is the principal residence of a veteran (or widow or widower of a veteran) if the veteran has been determined by the United States Department of Veterans Affairs or its successor agency pursuant to federal law to have a 100 percent combat-related, permanent, and total disability. Identical to HJ 38, SJ 8, and SJ 10.

**HJ 19 Constitutional amendment; assessments of real property and tax rates (1st ref).**

Provides that assessments of real property shall not increase annually by more than one percent plus the percentage increase, if any, in the rate of inflation. Increases in the rate of taxation on real property are limited to one percent per year. HJ 122 is similar.

**HJ 20 Constitutional amendment; restriction on entities that may impose taxes (1st ref).**

Prohibits any entity from imposing taxes other than the Commonwealth, counties, cities, towns, or regional governments. The resolution grandfathers any taxes imposed prior to the effective date of the amendment.

**HJ 21 Constitutional amendment; restriction on entities that may impose taxes (1st ref).**

Prohibits any entity from imposing taxes other than the Commonwealth, counties, cities, towns, or regional governments. The amendment applies to such taxes imposed before the effective date of the amendment but not to any such taxes collected before the effective date of the amendment.

**HJ 38 Constitutional amendment; property tax exemption for certain veterans (1st ref).**

This is identical to HJR 18, SJR 8 and SJR 10.

**HJ 122 Constitutional amendment; localities computation of real estate taxes (1st ref).**

HJ 19 is similar.

**SB 259 Land preservation tax credit; elimination of verification of conservation value.**

Eliminates Department of Conservation and Recreation verification of conservation value of land donations resulting in \$1 million or more in tax credits if the grantee is the Virginia Outdoors Foundation. Currently, the Department must verify the conservation value of donations that will result in \$1 million or more in tax credits.

**SB 299 Real estate taxes; classifies affordable rental housing.**

Classifies as affordable rental housing (i) real property operated as affordable rental housing for each of the 12 months of the most recently ended tax year in accordance with the definition of or criteria for affordable rental housing established by the locality, provided that during such year all building code violations have been abated or remedied, or (ii) real property with one or more of such units designated by the locality as committed for affordable rental housing. Under current law, rent restrictions and restrictions on conveyances of affordable

rental housing are taken into consideration in determining fair market value.

**SB 408 Literary Fund; distributions.**

Raises the maximum limit for any loan from the Literary Fund from \$7.5 million to \$14 million.

**SB 412 Fire Programs Fund; increases rate of assessment.**

Increases the rate of the assessment for the Fire Programs Fund from one to 1.5 percent of the total direct gross premium income for fire and related lines of insurance.

**SB 445 Motor fuels tax; funding for transportation-related alternatives.**

Increases the state motor fuels tax rate by \$0.01 per gallon with the revenues deposited into the Biofuels Production Fund to fund grants for biofuels production.

**SB 449 Public-Private Transportation Act; competitive bidding.**

Requires that all facets of any project having an aggregate value in excess of \$1 billion undertaken pursuant to the Public-Private Transportation Act of 1995 (PPTA) will be subject to all the laws of the Commonwealth requiring competitive bidding.

**SB 471 Short-term real property rental businesses; taxations applied.**

Clarifies that short-term rental of dwellings to transients for less than 30 consecutive days is subject to state and local sales taxes and local license and transient occupancy taxes. Short-term rentals are rentals for which advertising has been used or for which the dwelling has been rented on numerous occasions during the year.

**SB 551 Recordation tax; changes basis of calculation on transfer of real estate.**

Changes the basis on which recordation taxes are calculated on the transfer of real estate to the stated consideration for the real estate. Under current law the basis is the consideration for the real estate or the value of the real estate, whichever is greater.

**SB 555 Auditor of Public Accounts; auditing services.**

Provides that auditing services for city and county officials and executive branch agencies handling state funds may be performed by licensed independent certified public accountants in lieu of such services being performed by the Auditor of Public Accounts. Such officials and agencies would be authorized to contract with licensed independent certified public accountants for such auditing services. If the Auditor of Public Accounts performs such auditing services, he would be authorized to charge a fee that does not exceed the reasonable cost for similar services provided by a licensed independent certified public accountant.

**SB 589 Jail construction, local; State will reimburse up to one-half of capital costs.**

Provides that the Commonwealth will reimburse any county or city up to one-half of the capital costs of a jail construction or renovation project that will increase the capacity by at least 150 beds. Certain shared jail arrangements will also be reimbursed up to one-half of the capital costs for increasing capacity by 150.

**SB 661 Virginia Housing Trust Fund; creates dedicated source of funding via percentage of recordation tax.**

Changes the name of the Virginia Housing Partnership Revolving Trust Fund to the Virginia Housing Trust Fund. The bill provides for a percentage of the annual revenue from taxes and fees imposed pursuant to the Virginia Recordation Tax Act to be transferred to the Fund. The bill provides that a portion of the fund shall be used to provide matching funds to localities that have both established a local housing fund and appropriated local moneys to the fund. The bill authorizes grants to be made to support innovative housing projects and low- and moderate-income housing projects that are located in areas experiencing extreme shortages of such housing.

**SB 737 School Construction Revolving Fund.**

Identical to HB 923 and SB 780.

**SB 779 Real estate taxes; assessments, bills, and deferral by localities.**

Requires localities (i) to include the tax rate that will apply to reassessed real property in the notice to taxpayers regarding the reassessment, (ii) to attach to each property tax bill the tax rate that will apply, the assessed value of the property, the total amount of the new tax levy, the total amount of the prior year's tax levy, and the percentage change in the new tax levy from the immediately prior year's tax levy, and (iii) to permit taxpayers to defer a portion of the increase in real property taxes on the primary dwelling owned and occupied by the taxpayer until the property is transferred or until the taxpayer's death. The bill has a delayed effective date of January 1, 2009.

**SB 780 School Construction Revolving Fund.**

Identical to HB 923 and SB 737.

**SB 783 Tax rates; locality to fix at least 30 days prior to approval of budget for ensuing year.**

Requires each locality to fix tax rates for an ensuing year at least 30 days prior to approval of the budget for the ensuing year, with separate public notices and separate public hearings. The bill also requires each locality to lower its real estate tax rate for the forthcoming tax year to produce no more than the previous year's real property tax levies when any annual assessment, biennial assessment, or general reassessment of real property by the locality would result in an increase in the total real property tax levied. The locality may increase the rate above the reduced rate after a public hearing held no sooner than 30 days after the rate reduction. Delayed effective date of January 1, 2009.

**SB 789 Real estate assessments; burden of proof on appeal.**

Provides that when any assessment of real property is 20% greater than the previous assessment, in any appeal of the assessment to a board of equalization or circuit court, the burden of proof is on the commissioner of revenue or other local assessing official to show that the assessment was accurately computed according to generally accepted appraisal practices.

**SB 796 Polling places; provides for extension of polling hours in emergency situations.**

Identical to HB 1577.

**SJ 8 Constitutional amendment; property tax exemption for certain veterans (1<sup>st</sup> ref).**

Identical to HJ 18, HJ 38, and SJ 10.

**SJ 10 Constitutional amendment; property tax exemption for certain veterans (1<sup>st</sup> ref).**

Identical to HJ 18, HJ 38, and SJ 8.

**SJ 48 Constitutional amendment; localities to tax historical property on basis of its use value (1<sup>st</sup> ref).**

Authorizes the General Assembly by general law to classify separately real estate devoted to historical uses and to permit localities to provide tax relief for such real estate.

**SJ 60 Constitutional amendment; assessment of real property for tax purposes (1<sup>st</sup> ref).**

Provides that tax assessments made by any county, city, or town of real property used by its owners solely for single family residential purposes may, by ordinance adopted by the local governing body, be reduced on an annual basis in an amount up to the first \$100,000 of the assessed value, provided that such property has been the primary residence of its owners for at least five years.

**SJ 73 Constitutional amendment; partial exemption of local real estate taxes (1<sup>st</sup> ref).**

Directs the General Assembly to enact legislation that will permit localities to provide for a partial exemption from, or deferral of, local real property taxes on a taxpayer's primary residence and up to five acres of land associated with his residence.

**SJ 91 Constitutional amendment; Transportation Funds (1<sup>st</sup> ref).**

Identical or similar to HJ 29 and HJ 48.

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## **Transportation**

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**HB 94 Secondary highway system; allocates construction funds among counties based on population.**

Allocates construction funds among the counties in the state secondary highway system solely on the basis of population. Presently, allocations are made on the basis of population (80%) and area (20%).

**HB 405 Interstate Routes 64 & 664; prohibits imposition & collection of tolls for use of certain portions.**

Prohibits imposition and collection of tolls for use of (i) Interstate Route 64 between the Virginia Route 143 interchange in the City of Newport News and the Hampton Roads Bridge-Tunnel and (ii) Interstate Route 664 between Interstate Route 64 and the Monitor-Merrimac Memorial Bridge-Tunnel.

**HB 544 Richmond Metropolitan Authority (RMA); powers and duties of Authority.**

Revises the composition of the Board of Directors of the Richmond Metropolitan Authority (RMA).

**HB 1288 Bridge and safety funding; prioritization by Transportation Board.**

Requires the Commonwealth Transportation Board to make the replacement and/or repair of bridges in the Commonwealth that are of

the same or substantially similar design to the Interstate Route 35W bridge over the Mississippi River in Minneapolis, Minnesota, that collapsed on August 1, 2007, the highest priority for all available bridge and safety funding.

**HB 1301 Bridge replacement & repair; design-build procurement.**

Allows the Commonwealth Transportation Board to award contracts for the design-build procurement of bridge replacement and bridge repair projects.

**HB 1573 Central Virginia Regional Transportation Authority.**

Creates an authority to include the Counties of Chesterfield, Hanover and Henrico, and the City of Richmond. Fees and taxes authorized by this Act by the Authority shall only be imposed or assessed by the Authority if (i) at least three of the four governing bodies of the core localities embraced by the Authority that include at least 51 percent of the population of the core localities embraced by the Authority pass a duly adopted resolution stating their approval of such power of the Authority.

**HJ 29 Constitutional amendment; Transportation Funds (1st ref).**

Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, Priority Transportation Fund, and other funds dedicated to transportation by general law. Identical or similar to HJ 48 and SJ 91.

**HJ 48 Constitutional amendment; Transportation Funds (1st ref).**

Identical or similar to HJ 29 and SJ 91.

**SB 115 Traffic lights; creates Class 1 misdemeanor for running red light.**

Creates a Class 1 misdemeanor for running a red light, if running the red light is the sole and proximate cause of the death of another.

**SB 122 Rail Transportation Development Authority.**

Establishes the Rail Transportation Development Authority with the power to finance or assist in financing any rail transportation project. The bill requires the Virginia Department of Rail and Public Transportation, in conjunction with the Authority, to develop a rail transportation plan for the Commonwealth.

**SB 233 Transportation Plan; include quantifiable measures & achievable goals for greenhouse gas emission.**

Requires that the Statewide Transportation Plan include quantifiable measures and achievable goals for carbon dioxide gas emissions.

**SB 342 Toll facilities, state; purchaser thereof that is non-State entity to agree to open meetings.**

Requires the purchaser of a state toll facility that is a non-Commonwealth public or private entity to agree in writing to conduct all business of the newly acquired toll facility in open meetings under the provisions of the Virginia Freedom of Information Act.

**SB 407 Tractor-trailer combinations; local ordinances prohibiting use of certain highways.**

Allows the governing body of any county, city, or town by ordinance to prohibit the use of any highway within its boundaries by tractor-trailer combinations when, in the sole judgment of the local governing body, tractor-trailer combinations are unable safely to negotiate such highway.

**SB 676 Hampton Roads Transportation Authority; abolishes Authority, taxes, etc., dedicated to operation.**

Abolishes the Authority and the taxes, fees, and charges dedicated to financing its operation and programs.

**SB 767 Richmond Metropolitan Authority; revises composition of Board of Directors.**

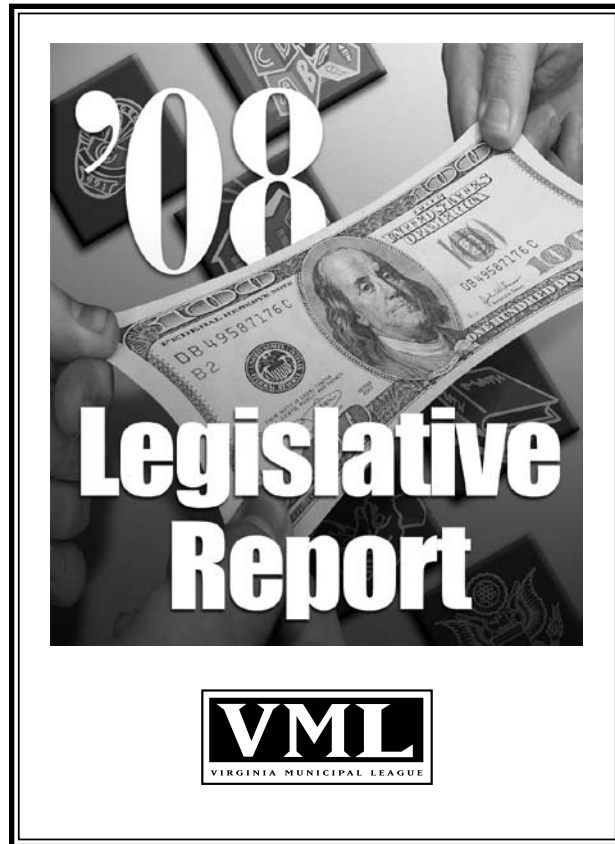
Revises the composition of the Board of Directors of the Richmond Metropolitan Authority (RMA) and provides an opportunity for additional localities to join the Authority. The RMA is also granted additional revenue authority. However, the fees and taxes authorized by this Act by the Authority shall only be imposed or assessed by the Authority if (i) the member localities approve the restructuring of the Board of Directors of the Authority as proposed by this Act and (ii) a majority of Authority members that include at least 51 percent of the population of the localities embraced by the Authority pass a duly adopted resolution stating its approval of such power of the Authority.

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## Environmental

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**HB 645** Water Protection Permit; Board to consider project as part local or regional water supply plans.

**HB 689** Combined Sewer Overflow Fund; designating funds to be deposited therein for use by certain cities.

**HB 727** Natural resources funding; allocates annually percentage of revenue generated by sales & use tax.

**HB 962** Residential Property Disclosure Act; disclosure of stormwater detention facilities.

**HB 976** Single lot development; developers to provide stormwater management.

**HB 1083** Environmental impact reports; exempts state/local authority from submission on major state project.

**HB 1283** Land preservation tax credit; elimination of verification of conservation value.

**HJ 106** Fluorescent light bulbs; Recycling Markets Development Council to study costs and benefits of recy.

**SB 196** Hazardous materials; localities to prohibit initiation of new storage in floodplains.

**SB 386** Chesapeake Bay Preservation Act; redefines localities that are under jurisdiction.

**SJ 76** Open-Space Land & Farmlands, Long-Term Funding for Purchase of Development Rights; Study.

**SJ 107** Uranium; joint subcommittee to study mining in State.

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## Human Services Including Education

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**HB 419** Educational programs; computation of composite index.

**HB 948** Community services board employees; legal fees and expenses.

**HB 1048** Education; computation of composite index.

**HB 1053** Standards of Quality; increased positions for students having limited English proficiency.

**HJ 44** Service Fee Directory; comprehensive information system to replace or revise.

**HJ 56** Constitutional amendment; exempts certain homeowners from taxation (second reference).

**HJ 85** School boards; JLARC to study implications of granting fiscal autonomy to those elected.

**HJ 156** Public health emergencies; Commission on Local Government to study need for contingency plans.

**HJ 215** Jails, local and regional; joint subcommittee to study mental health services.

**SJ 17** Service Fee Directory; comprehensive information system to replace or revise.

**SJ 66** School boards; JLARC to study implications of granting fiscal autonomy to those elected.

[SJ 68](#) School facilities; joint subcommittee to study state assistance to localities for financing.

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## Land Use

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[HB 49](#) Utility easements; conveyance thereof subject to condition is void if not used within 20 years.

[HB 71](#) Building permit; localities may adopt provisions for assessment of impact fees prior to issuance.

[HB 72](#) Building permit; localities may use impact fees for capital improvements.

[HB 202](#) Ordinances; adoption of certain after general elections.

[HB 205](#) Zoning ordinance; provisions for issuance of inspection warrants by magistrate.

[HB 208](#) Public facilities; deferral of subdivision plats or site plans when inadequate.

[HB 330](#) Affordable housing; price controls.

[HB 332](#) Spot blight abatement; alternative procedure when owner of record fails to respond.

[HB 387](#) Public use; determining whether locality is authorized to acquire property.

[HB 391](#) Uniform Statewide Building Code; rental inspection districts.

[HB 485](#) Carbon monoxide detectors; locality to require installation in certain buildings.

[HB 508](#) Annexation; approval by referendum.

[HB 509](#) Annexation, granting of city charters, etc.; repealing temporary restrictions.

[HB 511](#) Vacant building registration; increases annual fee.

[HB 519](#) Eminent domain; offer of repurchase to former owner.

[HB 598](#) Uniform Statewide Building Code; notice to owner prior to issuance of building permits.

[HB 635](#) Impact fees; expands existing road impact fee provisions to include school improvements, etc.

[HB 726](#) Conditional zoning; purchase of development rights.

[HB 954](#) Conditional zoning; purchase of development rights.

[HB 958](#) Residential dwellings, non-owner occupied; local government authority to require registration.

[HB 1008](#) Derelict structures; locality authorized to impose fee on record owner.

[HB 1119](#) Derelict structures; locality authorized to impose fee on record owner.

[HB 1297](#) Public facilities; locality may by ordinance adopt provision for adequacy.

[HB 1343](#) Zoning ordinance; rezoning property to previous designation.

[HB 1571](#) Impact fees; restores provisions to how existed prior July 1, 2007 & repeals those passed in 2007.

[HJ 22](#) Residential and commercial development, new; joint subcommittee to study identifiable costs.

[HJ 108](#) Affordable housing; Departments of Housing and Community Development, and Taxation to study.

[HJ 114](#) Public's right to float, fish, and navigate waters of State; joint subcommittee to study.

[SB 49](#) Zoning ordinances and districts; matters to be considered in drawing and applying.

[SB 50](#) Zoning ordinances; purpose thereof.

[SB 77](#) Eminent domain; offer of repurchase to former owner.

[SB 455](#) Local government authority; registration of non-owner occupied residential dwellings; civil penalty.

[SB 457](#) Single lot development; developers to provide stormwater management.

[SB 531](#) Zoning ordinances; certain disclosures of real parties in interest.

[SJ 80](#) Affordable housing; Housing Commission to study incentives for targeted development.

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## Miscellaneous

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[HB 288](#) Indoor Clean Air Act; smoking in restaurants.

[HB 313](#) Freedom of Information Act; working papers and correspondence.

[HB 328](#) November elections; filing deadlines, and requirements for certain city and town officials.

[HB 367](#) Sanctuary cities; prohibits localities from adopting policy that protects undocumented immigrants.

[HB 500](#) Smoke Free Air Act; smoking in public places.

[HB 572](#) Smoke Free Air Act; smoking in public places.

[HB 601](#) Alcoholic beverage control; localities to regulate the sale for off-premises consumption, etc.

[HB 821](#) Smoke Free Air Act; smoking in public places.

[HB 1253](#) Smoking; prohibited in restaurants.

[HB 1341](#) Indoor Clean Air Act; smoking in restaurants.

[HB 1432](#) Indoor Clean Air Act; smoking in restaurants in certain cities.

[HJ 111](#) Dillon Rule; joint subcommittee to study.

[SB 38](#) Bipartisan Redistricting Commission; created, report.

[SB 105](#) General Assembly and Congressional redistricting plans; new method for preparation.

[SB 202](#) Indoor Clean Air Act; smoking in restaurants.

[SB 243](#) Redistricting Commission; created.

[SB 298](#) Smoke Free Air Act; smoking in public places.

[SB 419](#) Cable television services; provision by localities in certain planning districts.

[SB 501](#) Smoking; prohibited in restaurants.

[SB 647](#) Freedom of Information Act; exemption for certain publicly owned museum records.

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## Personnel

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[HB 9](#) Health insurance credits; increased for certain retired employees of local social services boards.

[HB 78](#) Health insurance; credits for certain retired public officers and employees.

[HB 100](#) Law-Enforcement Officers Procedural Guarantee Act; includes deputy sheriffs under coverage.

[HB 128](#) Retirement System; creating new defined contribution retirement plan.

[HB 152](#) Governmental employees; permission to form associations.

[HB 231](#) Law-enforcement officer; uniform requirement for arrests for speeding.

[HB 271](#) Line of Duty Act; amends definition of deceased person.

[HB 297](#) Governmental employees; use of association membership fees.

[HB 369](#) Retirement System; state & local law-enforcement officers may take full retirement if have 25 yrs.

[HB 484](#) Retirement System; average final compensation retirement multiplier for teachers.

[HB 596](#) Retirement System; benefits for superintendents and sworn officers of regional jails.

[HB 736](#) Retirement System; average final compensation retirement multiplier for teachers.

[HB 790](#) Retirement System; retired members to continue receiving retirement allowance.

[HB 852](#) Governmental employees; repeals provisions that prohibit bargaining with labor union.

[HB 960](#) Retirement System; optional increase for local employees.

[HB 981](#) Retirement System; benefits for local law-enforcement officers.

[HB 998](#) Line of Duty Act; definition of disabled person to include local employees.

[HB 1148](#) Local Government Manager Retention Program; retirement benefits for chief local executive employee.

[HB 1154](#) Sick leave; retirement credit for unused balances of state & local employees.

[HB 1219](#) Law Officers' Retirement System; supplemental allowance paid until Social Security retirement age.

[HB 1436](#) Line of Duty Act; funding for Line of Duty Health Benefits Trust Fund.

[SB 41](#) Line of Duty Act; definition, and funding for Line of Duty Death and Health Benefits Trust Fund.

[SB 51](#) Health insurance; extension of coverage funded by localities.

[SB 76](#) Law-Enforcement Officers Procedural Guarantee Act; changes to process and procedures.

[SB 110](#) Retirement benefits; applicable to certain public safety officers and state police officers.

[SB 159](#) Deputies; minimum number of deputies.

[SB 269](#) Law-enforcement employees; extends coverage under overtime compensation.

[SB 329](#) Line of Duty Act; definition, and funding for Line of Duty Death and Health Benefits Trust Fund.

[SB 338](#) Public funds; payment for membership to professional associations in certain instances prohibited.

[SB 355](#) Law-Enforcement Officers Procedural Guarantee Act; changes process and procedures.

[SB 500](#) Infectious disease presumption; emergency declaration by Governor.

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## Public Safety

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[HB 371](#) Firearm control; locality to pay attorney fees resulting from taking actions prohibited.

[HB 697](#) Libraries; localities may adopt an ordinance prohibiting firearms, etc. on premises.

[HB 734](#) Public libraries; possession of firearms on premises prohibited.

[HB 1292](#) Concealed weapons; possession in vehicles.

[HB 1353](#) Fire Prevention Code; prohibits locality from restricting manufacture, etc. of permissible firework.

[HB 1371](#) Concealed handgun permittees; carrying firearms on public property.

[SB 20](#) Carbon monoxide alarms; locality to require installation in certain buildings.

[SB 32](#) Libraries; localities may adopt an ordinance prohibiting firearms, etc. on premises.

[SB 33](#) Outdoor theaters, cabarets, etc.; localities may adopt an ordinance to prohibit firearms on premise.

[SB 300](#) Dangerous weapons; governing body has authority to restrict in governmental facilities.

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## Taxation & Finance

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[HB 6](#) Constitutional amendment; exempts certain homeowners from taxation (submitting to qualified voters).

[HB 74](#) Real estate tax; limitation on rates by localities.

[HB 102](#) Real estate tax; limitation on tax rate in localities.

[HB 133](#) Vehicle registration; refusal to issue or renew because of fees or taxes owed to counties, etc.

[HB 272](#) Constitutional amendment; exempts certain homeowners from taxation (submitting to qualified voters).

[HB 449](#) School boards, local; unexpended funds.

[HB 472](#) Income tax, state, and personal property tax; local piggyback imposition.

[HB 602](#) Real estate assessments; burden of proof on appeal.

[HB 681](#) Real estate tax; exemptions and deferrals for certain residential or farm property.

[HB 683](#) Real estate tax; reports by owners of income-producing property.

**HB 702** Tax information; local commissioners of revenue to provide access to their local police & fire dept.

**HB 898** Retail Sales and Use Tax; Exemptions include additional one-half percent authorized for localities.

**HB 911** Intangible personal property; classifies idle equipment, hardware or software, of a research and development or technology, high technology, or nanotechnology business as intangible personal property.

**HB 927** Tax rates; requires localities to fix for ensuing year at least 30 days prior to approval of budget.

**HB 1036** Tax rates; localities to fix before approval of budget and notices of reassessments.

**HB 1045** Real estate tax; exemptions and deferrals for certain residential or farm property.

**HB 1113** Certificate of occupancy; imposition of fee for issuance.

**HB 1118** Real estate tax; exemptions and deferrals for certain residential or farm property.

**HB 1347** Cigarette tax; authorizes any county to impose.

**HB 1357** Taxpayer Surplus Relief Fund; established to provide tax relief.

**HB 1450** Food and beverages tax; allows any county to impose.

**HB 1560** Real estate taxes; requires localities to permit real property owners to defer portion thereof.

**HB 1561** Local license tax; exemption for new businesses.

**HJ 3** Constitutional amendment; exempts certain homeowners from taxation (second reference).

**HJ 87** Real estate tax; joint subcommittee to study treatment of income & asset qualifications for relief.

**HJ 121** Constitutional amendment; exempts certain homeowners from taxation (second reference).

**SB 9** Constitutional amendment; exempts certain homeowners from taxation (voter referendum).

**SB 10** Real estate tax; exemptions and deferrals for certain residential or farm property.

**SB 239** Taxpayer information; local officials to provide direct access for use by fire, rescue, etc.

**SB 289** Real estate tax, local; deferral programs.

**SB 334** Property tax bills; localities to include additional information.

**SB 424** Real property tax; relief for certain new or rehabilitated, renovated, or replacement real property.

**SB 425** Real property tax; exemptions and deferrals for persons having legal right to be present in U.S.

**SB 444** Motor fuels tax; funding for transportation-related alternatives.

**SB 496** Real property tax; exemptions and deferrals for certain residential or farm property.

**SB 792** Real estate tax; purchaser of property belonging to State, etc. entitled to tax credit.

**SB 800** State lottery revenues; transferred to Lottery Proceeds Fund for payment to counties, cities, etc.

**SJ 6** Constitutional amendment; exempts certain homeowners from taxation (second reference).

**SJ 25** Sixty-five percent Solution; General Assembly recognize problems with and implications thereof.

**SB 102** Three-tiered system of transportation; established.

**SB 644** Pedestrians and drivers; sets out responsibilities at marked and unmarked crosswalks.

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## **Transportation**

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**HB 389** Highway systems; allocation of maintenance funds.

**HB 471** Highway construction, primary system; funds allocation.

**HB 692** Highway welcome and exit signs; localities may put up within highway rights-of-way.

**HB 961** Highway maintenance; provides for increased payments where traffic volumes exceed statewide average.

**HB 1033** Urban transportation service districts; grants towns authority to create.

**HB 1108** Highway construction, primary system; funds allocation.

**HB 1270** Pedestrians and drivers; sets out responsibilities at marked and unmarked crosswalks.

**HB 1385** Highway construction funds, primary and secondary; funds allocation.

**HB 1566** Speed limits; grants counties certain powers with regard to setting.

**HB 1574** Photo-monitoring systems; counties and cities may install to operate a traffic light signal.