



## Technology & Science Legislation Adopted by the 2010 General Assembly

**HB 1: Unsolicited commercial electronic mail (spam); penalty.** Narrows the scope of the existing spam statute to cover only those emails that constitute unsolicited commercial electronic mail (spam). Commercial electronic mail is defined in the bill as electronic mail, the primary purpose of which is the advertisement or promotion of a commercial product or service. Spam is defined as a subset of commercial mail that is unsolicited. The definition of spam excludes emails that are transmitted by a sender to a person with whom the sender has an existing business or personal relationship. Any person who (i) falsifies or forges the transmission or routing information of spam or (ii) knowingly sells, gives, or distributes software designed to facilitate the transmission of spam is guilty of a Class 1 misdemeanor. The penalty for sending spam rises to a Class 6 felony if the person sends a certain volume of spam in a given time period or generates a certain amount of revenue from a spam transmission.

This bill corrects a constitutional infirmity identified in the ruling of the Virginia Supreme Court in *Jaynes v. Commonwealth*, 276 Va. 443 (2008). In its opinion the Supreme Court held that Virginia Code § 18.2-152.3:1 (anti-spam statute) is unconstitutionally overbroad on its face because it prohibits the anonymous transmission of all unsolicited bulk emails, including those containing political, religious, or other speech protected by the First Amendment of the Constitution.

**HB 21: Space flight liability and immunity; sunset.** Repeals the July 1, 2013, expiration date on the act establishing space flight liability and immunity. This bill is identical to SB 189.

**HB 193: Aerospace Advisory Council.** Removes the sunset provision, thereby making the Aerospace Advisory Council a permanent council.

**HB 283: Electronic filing of civil actions.** Provides that the general district courts shall accept case data in an electronic format for any civil action filed. The use of the electronic transfer shall be at the option of the plaintiff or the plaintiff's attorney, and if electronic transfer is utilized, the plaintiff or the plaintiff's attorney shall comply with the security and data configuration standards established by the Office of the Executive Secretary of the Supreme Court.

**HB 326: Mercury thermostats recycling program.** Requires the Virginia Waste Management Board to adopt regulations to encourage the recycling of thermostats containing mercury. The bill also authorizes localities to prohibit the disposal of mercury thermostats in any privately operated landfill within its jurisdiction, so long as the locality has implemented a recycling program that is capable of handling all of the mercury

thermostats within the jurisdiction. Currently, a similar program exists for the recycling of cathode ray tubes.

**HB 388: Virginia Register Act; filing of agency regulations; use of electronic signatures.** Provides that final regulations filed with the Virginia Registrar must be accompanied by a statement or certification, either in original or electronic form, that the regulations are full, true, and correctly dated. Currently, such regulations must be accompanied by a signed statement or certification.

**HB 389: Virginia Offshore Wind Project Development Authority.** Creates the Virginia Offshore Wind Development Authority to facilitate and support the development of the offshore wind industry and wind-powered electric energy facilities located off the coast of the Commonwealth beyond the Commonwealth's three-mile jurisdictional limit. The Authority is charged with, among other tasks, (i) identifying existing state and regulatory or administrative barriers to the development of the offshore wind industry, (ii) collecting metocean and environmental data, (iii) upgrading port facilities to accommodate the manufacturing and assembly of project components and vessels that will support such projects, and (iv) applying to the U.S. Department of Energy for loan guarantees for such projects. SB 577 is identical.

**HB 433: Government Data Collection and Dissemination Practices Act; collection of social security numbers.** Sets out the original date (January 1, 1975) when social security numbers were authorized to be collected/required by state and local agencies under federal law, which is a recommendation of the Freedom of Information Advisory Council. The bill also provides that nothing shall be construed to prohibit the collection of a social security number for the sole purpose of debt collection by state and local agencies.

**HB 676: Aerospace Advisory Council.** Removes the sunset on the Aerospace Advisory Council and adds five nonlegislative citizen members to the Council. In addition to advising the Governor, the Council shall advise the Joint Commission on Technology and Science, and the Secretaries of Technology, Commerce and Trade, and Education, on policy and funding priorities with respect to aerospace development, workforce training, and educational programs and curriculum. Staffing for the Council is provided by the Department of Aviation, with the Division of Legislative Services providing additional staff support to legislative members serving on the Council. Nonlegislative citizen members serve without compensation. This bill is identical to SB 23.

**HB 677: Specialized Biotechnology Research Performance Grant Program; established.** Establishes the Specialized Biotechnology Research Performance Grant Program for nonprofit entities engaged in research, development, and production related to molecular diagnostics and drug development that enter into a performance-based memorandum of understanding with the Commonwealth prior to June 30, 2010. Grants would be paid to an eligible entity based in Fairfax County that commits in the memorandum of understanding and fulfills its obligation to (i) make a new capital investment of at least \$200 million, (ii) create at least 415 new full-time jobs, and (iii)

meet any other criteria set forth in the memorandum of understanding. Grants from the program to a qualified entity shall not exceed \$22 million in the aggregate.

**HB 678: Innovation and Entrepreneurship Investment Authority (IEIA) and the Commonwealth Research and Commercialization Fund (CRCF).** Updates obsolete references to the predecessors of the IEIA and the CRCF.

**HB 709: Public schools; purchase of electronic textbooks.** Requires contracts and purchase orders with publishers of textbooks approved by the Board of Education for use in grades 6 - 12 to allow for the purchase of printed textbooks, printed textbooks with electronic files, or electronic textbooks separate and apart from printed versions of the same textbook. In addition, allows each school board to purchase an assortment of textbooks in any of the three forms listed above.

**HB 710: Health care data and reporting.** Requires the Department of Health to take steps to increase public awareness of data and information related to health care quality that is available through a website maintained by a nonprofit organization with which the Department has entered into a contract, and to provide guidance regarding how such data and information can be used to inform decisions about health care providers and services.

**HB 756: Royalties from offshore drilling.** Requires that all revenues and royalties paid to the Commonwealth as a result of offshore natural gas and oil drilling shall be distributed as follows: (i) 70 percent to the Transportation Trust Fund, (ii) 20 percent to the Virginia Coastal Energy Research Consortium, and (iii) 10 percent to localities for improvements to infrastructure and transportation.

**HB 787: Offshore energy resources.** States that it shall be the policy of the Commonwealth to support oil and natural gas exploration, development, and production 50 miles or more off Virginia's coast, taking into account the impact on affected localities, armed forces, and the mid-Atlantic regional spaceport. Currently, the policy is limited to supporting exploration for natural gas resources 50 miles or more offshore. SB 394 is identical.

**HB 806: Virginia Alternative Fuels Revolving Fund.** Adds improvement of infrastructure such as refueling stations as a goal of the Fund. Requires that the Commissioner aggressively pursue grants and other sources of funding for the Fund.

**HB 928: Virginia Universities Clean Energy Development and Economic Stimulus Foundation.** Creates the Virginia Universities Clean Energy Development and Economic Stimulus Foundation as a body corporate and a political subdivision of the Commonwealth. The Foundation shall identify, obtain, disburse, and administer funding for (i) research and development of alternative fuels, clean energy production, and related technologies; (ii) support of economic development projects in disadvantaged rural areas; and (iii) the provision of assistance in the commercialization of alternative fuels and clean energy technologies. Funding shall be awarded only to those proposed projects that best meet the established criteria and purposes of this act.

**HB 974: Technological efficiencies in circuit court clerks' offices; fees.** Makes technical changes in circuit court clerks' handling of electronic or digital filing and their maintenance and support of electronic filing. This bill incorporates HB 90 and HB 825.

**HB 1034: Information Technology governance in the Commonwealth; the Secretary of Technology; the Chief Information Officer; the Information Technology Investment Board; the Information Technology Advisory Council, established.**

Eliminates the Information Technology Investment Board (ITIB) and replaces it with the Information Technology Advisory Council (ITAC), which is established as a policy council under the Governor with the power and duty to advise the Chief Information Officer (CIO) and the Secretary of Technology. The ITAC is composed of 10 agency representatives from each Cabinet Secretary, the Secretary of Technology, the CIO, and no more than two citizens, all to be appointed by the Governor. The Secretary of Technology serves as chair and the CIO as vice chair.

The bill requires the Secretary of Technology, in addition to existing duties, to develop criteria defining a "major information technology project" and, upon recommendation of the CIO, approve the procurement of such projects.

The bill grants the Governor the power to appoint the Chief Information Officer (CIO), who shall serve as the head of the Virginia Information Technologies Agency (VITA). The CIO reports to the Secretary of Technology and is responsible, through his role as head of VITA, for planning, developing, and procuring enterprise applications and infrastructure services. The CIO is also responsible for planning, developing, and soliciting contracts for major information technology projects. The CIO may enter such contracts only upon approval of the Secretary of Technology. The CIO may suspend a major information technology project but such project may only be terminated by the Secretary of Technology.

This bill contains additional substantive changes to information technology governance in the Commonwealth as well as numerous technical changes. This bill incorporates HB 1035 and contains an emergency clause. This bill is also identical to SB 236.

**HB 1039: Notification of breach of medical information.** Requires notification to residents of the Commonwealth if their unredacted or unencrypted medical information or health insurance information is the subject of a database breach. The notification required by this section would apply only to state and local government entities. This bill would become effective January 1, 2011. This bill incorporates HB 525. This bill is identical to SB 224.

**HB 1045: Electronic filing of tax returns.** Requires (i) tax preparers who file 50 or more individual income tax returns for taxable years that begin on or after January 1, 2010, to file all income tax returns electronically in subsequent taxable years; (ii) employers who furnish 150 or more withholding statements to employees for calendar year 2010, or 50 or more such statements for any calendar year beginning on and after January 1, 2011, to file their annual report electronically; and (iii) dealers who elect to file consolidated sales tax returns for any taxable year and who are required to remit payment by electronic funds transfer, to file monthly returns electronically.

**HB 1065: Electronic filing of cases in circuit courts.** Establishes electronic filing of cases in circuit courts by providing for acceptance of electronic images as original documents for filing and recording, and for the attachment of electronic seals or stamps for original signatures and notarizations in civil cases. The circuit court clerk may require each person whom the clerk authorizes to file documents electronically to enter into an agreement specifying the electronic filing procedures to be followed for transmitting signed or notarized documents. However, the bill does not allow for electronic filing in certain classes of cases where particular forms are specified by statute (e.g., creation and execution of wills, codicils, testamentary trusts, premarital agreements, and negotiable instruments). As introduced, this bill was a recommendation of the Judicial Council. This bill is identical to SB 220.

**HB 1147: Civil damages for computer trespass.** Expands the availability to institute a suit for civil damages resulting from computer trespass to include computer trespass by installing or causing to be installed, or collecting information through, computer software that records all or a majority of the keystrokes made on the computer of another.

**HB 1292: Photo-monitoring systems.** Provides that a summons executed for violation of a photo-monitoring ordinance shall provide to the person summoned at least 30, rather than 60, business days to inspect information collected in connection with the violation. Allows a private entity that operates a traffic light signal violation monitoring system to enter into an agreement with the Department of Motor Vehicles to obtain vehicle owner information regarding the registered owners of vehicles that fail to comply with a traffic light signal. Also allows a locality to access and use recorded images and associated information if the vehicle involved is owned, leased or rented by the locality, for employee disciplinary purposes.

**HB 1349: Taxation; Virginia Free File program.** Requires the Tax Commissioner to establish a Virginia Free File program, modeled after the federal Free File program, no later than December 31, 2010. The new Virginia Free File program would be offered to certain lower-income taxpayers at no cost.

**HB 1378: Department of Medical Assistance Services; pilot program for the use of biometric data.** Requires the Department of Medical Assistance Services to design and develop a plan for a pilot program for the use of biometric data to identify medical assistance services recipients and link services rendered to specific recipients, in order to (i) increase the quality of care provided to recipients of medical assistance services; (ii) improve the accuracy and efficiency in billing for medical assistance services by providers; and (iii) reduce the potential for identity theft and the unlawful use of recipients' identifying information.

**HB 1388: Establishment of virtual school programs.** Requires the Superintendent of Public Instruction to develop, and the Board of Education to approve, criteria for approving and monitoring multi-division providers of online courses and virtual school programs. The bill also allows local school boards to enter into contracts with approved

private or nonprofit organizations to provide such courses and programs; such contracts shall be exempt from the Virginia Public Procurement Act. Any multi-division online provider operating prior to the adoption of approval criteria by the Board may continue operating until such criteria are adopted. This bill is identical to SB 738.

**SB 23: Aerospace Advisory Council.** Removes the sunset on the Aerospace Advisory Council and adds five nonlegislative citizen members to the Council. In addition to advising the Governor, the Council shall advise the Joint Commission on Technology and Science, and the Secretaries of Technology, Commerce and Trade, and Education, on policy and funding priorities with respect to aerospace development, workforce training, and educational programs and curriculum. Staffing for the Council is provided by the Department of Aviation, with the Division of Legislative Services providing additional staff support to legislative members serving on the Council. Nonlegislative citizen members serve without compensation. This bill is identical to HB 676.

**SB 189: Space flight liability and immunity; sunset.** Repeals the July 1, 2013, expiration date on the act establishing space flight liability and immunity. This bill is identical to HB 21.

**SB 220: Electronic filing of cases in circuit courts.** Establishes electronic filing of cases in circuit courts by providing for acceptance of electronic images as original documents for filing and recording, and for the attachment of electronic seals or stamps for original signatures and notarizations in civil cases. The circuit court clerk may require each person whom the clerk authorizes to file documents electronically to enter into an agreement specifying the electronic filing procedures to be followed for transmitting signed or notarized documents. However, the bill does not allow for electronic filing in certain classes of cases where particular forms are specified by statute (e.g., creation and execution of wills, codicils, testamentary trusts, premarital agreements, and negotiable instruments). As introduced, this bill was a recommendation of the Judicial Council. This bill is identical to HB 1065.

**SB 236: Information Technology governance in the Commonwealth; the Secretary of Technology; the Chief Information Officer; the Information Technology Investment Board; the Information Technology Advisory Council, established.** The bill eliminates the Information Technology Investment Board (ITIB) and replaces it with the Information Technology Advisory Council (ITAC), which is established as a policy council under the Governor with the power and duty to advise the Chief Information Officer (CIO) and the Secretary of Technology. The ITAC is composed of 10 agency representatives from each Cabinet Secretary, the Secretary of Technology, the CIO, and no more than two citizens, all to be appointed by the Governor. The Secretary of Technology serves as chair and the CIO as vice chair.

The bill requires the Secretary of Technology, in addition to existing duties, to develop criteria defining a "major information technology project" and, upon recommendation of the CIO, approve the procurement of such projects.

The bill grants the Governor the power to appoint the Chief Information Officer (CIO), who shall serve as the head of the Virginia Information Technologies Agency (VITA).

The CIO reports to the Secretary of Technology and is responsible, through his role as head of VITA, for planning, developing, and procuring enterprise applications and infrastructure services. The CIO is also responsible for planning, developing, and soliciting contracts for major information technology projects. The CIO may enter such contracts only upon approval of the Secretary of Technology. The CIO may suspend a major information technology project but such project may only be terminated by the Secretary of Technology.

This bill contains additional substantive changes to information technology governance in the Commonwealth as well as numerous technical changes. This bill incorporates SB 390 and SB 480 and contains an emergency clause. This bill is also identical to HB 1034.

**SB 241: Open Education Curriculum Board; established.** Establishes the Open Education Curriculum Board. The purpose of the Board is to designate qualifying entities as Open Education Consortia and set the standards for submission of education materials and subsequent licensing of educational curriculum developed by the Consortia. Materials submitted to a Consortium may be edited in any manner and released under a Creative Commons license or licensed for use as a commercial product, subject to restrictions developed by the Board. Consortia may offer incentives to encourage individuals to submit educational materials to the Consortium.

**SB 272: Biodiesel and green diesel; procurement by state public bodies.** Requires the Department of General Services to establish the conditions under which state public bodies may procure diesel fuel containing, at a minimum, two percent, by volume, biodiesel fuel or green diesel fuel, for use in on-road internal combustion engines. The bill also permits any state public body to establish a pilot program to procure and use such biodiesel fuel or green diesel fuel.

**SB 357: Electronic filing of tax returns.** Requires (i) tax preparers who file 50 or more individual income tax returns for taxable years that begin on or after January 1, 2010, to file all income tax returns electronically in subsequent taxable years; (ii) employers who furnish 150 or more withholding statements to employees for calendar year 2010, or 50 or more such statements for any calendar year beginning on and after January 1, 2011, to file their annual report electronically; and (iii) dealers who elect to file consolidated sales tax returns for any taxable year and who are required to remit payment by electronic funds transfer, to file monthly returns electronically.

**SB 394: Offshore energy resources.** States that it shall be the policy of the Commonwealth to support oil and natural gas exploration, development, and production 50 miles or more off Virginia's coast, taking into account the impact on affected localities, armed forces, and the mid-Atlantic regional spaceport. Currently, the policy is limited to supporting exploration for natural gas resources 50 miles or more offshore. HB 787 is identical.

**SB 549: Virginia Network for Geospatial Health Research Authority; created.** Requires the Secretaries of Health and Human Resources and Technology to evaluate opportunities to partner with nonprofit organizations and institutions of higher education

in the Commonwealth to develop a network for geospatial health research, and to report on their findings to the Governor; the Senate Committees on Education and Health, Finance, and General Laws and Technology; and the House Committees on Appropriations, Health, Welfare, and Institutions, and Science and Technology no later than December 1, 2010.

**SB 577: Virginia Offshore Wind Project Development Authority.** Creates the Virginia Offshore Wind Development Authority to facilitate and support the development of the offshore wind industry and wind-powered electric energy facilities located off the coast of the Commonwealth beyond the Commonwealth's three-mile jurisdictional limit. The Authority is charged with, among other tasks, (i) identifying existing state and regulatory or administrative barriers to the development of the offshore wind industry, (ii) collecting metocean and environmental data, (iii) upgrading port facilities to accommodate the manufacturing and assembly of project components and vessels that will support such projects, and (iv) applying to the U.S. Department of Energy for loan guarantees for such projects.

**SB 644: Specialized Biotechnology Research Performance Grant Program; established.** Establishes the Specialized Biotechnology Research Performance Grant Program for nonprofit entities engaged in research, development, and production related to molecular diagnostics and drug development that enter into a performance-based memorandum of understanding with the Commonwealth prior to June 30, 2010. Grants would be paid to an eligible entity based in Fairfax County that commits in the memorandum of understanding and fulfills its obligation to (i) make a new capital investment of at least \$200 million, (ii) create at least 415 new full-time jobs, and (iii) meet any other criteria set forth in the memorandum of understanding. Grants from the program to a qualified entity shall not exceed \$22 million in the aggregate.

**SB 654: Electronic reforms; State Board of Elections.** Makes several amendments to Title 24.2 (Elections) that authorize the State Board of Elections to utilize various electronic systems. The bill provides that the State Board shall provide only electronic pollbooks, and not paper pollbooks, for any election held on or after November 1, 2010, and for all subsequent years and makes corresponding amendments that become effective on November 1, 2010. The bill further provides that the State Board may furnish an electronic copy of absentee voter applicant lists to candidates or political parties for use only for campaign and political purposes. Such lists shall not contain any voter's social security number, or part thereof; day and month of birth; or residence address of a voter who has provided a post office box in lieu of a residence street address.

**SB 713: Coastal Energy Research Consortium.** Adds George Mason University to the membership of the Coastal Energy Research Consortium and the President of George Mason University or his designee to the governing board of the Consortium. The measure also directs that a representative of NASA's Langley Research Center shall serve as a nonvoting member of the Consortium's board of directors.

## 2010 Carry Over Legislation of Interest

**HB 47: Income tax; telework expenses tax credit.** Provides a tax credit to employers for expenses incurred in allowing employees to telework pursuant to a signed telework agreement for taxable years beginning on or after January 1, 2011, but before January 1, 2013. An employer would be eligible for a credit of up to \$1,200 per teleworking employee, depending on the number of days per month an employee will telework and whether the employer's primary place of business is located in a nonattainment area under the federal Clean Air Act. There is also a 100 percent tax credit for costs the employer incurs for conducting a telework assessment in the year prior to implementing a formal telework program. This assessment credit is capped at \$20,000 per employer. The aggregate amount of tax credits that will be issued is capped at \$1 million annually for taxable years 2011 and 2012.

**HB 164: Protective orders; GPS devices.** Authorizes a judicial officer to require that a protective order respondent be subject to GPS monitoring.

**HB 123: Virginia Nanotechnology Authority; established.** Establishes the Virginia Nanotechnology Authority to promote development of nanotechnology in Virginia. The Authority will be responsible for administering a fund to be used to provide industry and institutions of higher education with discovery grants, collaboration grants, and prototype grants. The Authority will be governed by a board of directors and managed by a president at the direction of the Board. The president is responsible for creating a virtual Virginia Nanotechnology Users Network to facilitate research and development of nanotechnology at the Commonwealth's institutions of higher education.

**HB 607: Technology, Nanotechnology and Biotechnology Investment Fund created.** Creates the Technology, Nanotechnology, and Biotechnology Investment Fund to attract technology or biotechnology companies to, or assist those companies located in, the Commonwealth. Moneys in the Fund shall only be applied to qualified research expenses and basic research payments (as defined by § 41 of the Internal Revenue Code) for research conducted in the Commonwealth. Qualified research expenses are defined as in-house expenses or contract research expenses, paid by a technology or biotechnology company. Basic research payments are defined as payments made to companies and nonprofit research institutions and organizations located in the Commonwealth for research in technology and biotechnology. No grant to a company from the Fund is to exceed \$500,000 per year. The Innovation and Entrepreneurship Investment Authority shall administer this fund.

**HB 656: Protective orders; GPS devices.** Authorizes a judicial officer to require that a protective order respondent be subject to GPS monitoring that notifies the person to be protected and law enforcement when the monitored person is in violation of the order. The cost of the monitoring is to be paid by the monitored person.

**HB 998: Income tax; corporate; renewable energy products tax credit.** Provides an income tax credit for taxable years beginning on and after January 1, 2011, but before

January 1, 2016, for the production and export of renewable energy products. The credit ranges from \$0.20 to \$0.40 per ton of renewable energy products, depending on the current year export volume. The total amount of credits allowed annually is \$6 million.

**HB 1015: Secretary of Administration; telecommuting and alternative work schedules for state employees; effectiveness.** Provides that the Secretary of Administration, in cooperation with the Secretary of Technology, shall measure the effectiveness of the comprehensive statewide telecommuting and alternative work schedule policy. The bill provides that the head of each agency shall report annually to the Secretary on the status of any programs or policies developed and implemented pursuant to this section. Any agency head failing to comply with the requirements of this section shall forfeit one percent of the moneys appropriated for the operation of the agency as provided in the appropriation act. The Secretary shall so notify the Comptroller, who shall take such moneys and deposit them into the Literary Fund. The bill also requires the Department of Human Resource Management to notify state employees by email, or other method deemed appropriate by the Department, of the statewide telecommuting and alternative work schedule policy.

**HB 1037: Clean Energy Manufacturing Incentive Grant Program.** Repeals the Solar Photovoltaic Manufacturing Incentive Grant Program and creates a program to provide financial incentives to companies that manufacture or assemble equipment, systems, or products used to produce renewable energy, nuclear energy, or energy efficiency products. To be eligible for a grant, the manufacturer must make a capital investment greater than \$50 million and create at least 200 full-time jobs. The program would be managed by the Director of the Department of Mines, Minerals and Energy.

**HB 1144: State employee telecommuting and alternative work schedule goals.** Increases the target for eligible state employee participation in telecommuting and alternative work schedules to 40 percent in each respective program by January 1, 2012.

**HB 1207: Computer trespass; penalty.** Expands the crime of computer trespass to include the use of video and image capture software or hardware (screenshots) in addition to keystroke loggers. The provision does not apply to certain Internet, software, and hardware providers that provide network and data security services, technical assistance, or network management.

**HB 1259: Criminal records maintained by the clerk of the court; social security numbers.** Provides that the clerk of each district court shall ensure that all nonconfidential court records regarding a person's conviction for a criminal offense or a traffic infraction shall contain the last four digits of the person's social security number. The clerk of each circuit court must also comply with the requirement for such records that are made available via remote access.

**HB 1341: Income tax credits; electric energy facility producing electricity primarily from agricultural livestock waste nutrients.** Establishes individual and corporate income tax credits for energy property under § 48 (a) of the U.S. Internal Revenue Code

of 1986, as amended, that is (i) placed in service on or January 1, 2010, in any county or city that has a current five-year annual average unemployment rate of at least 11 percent, and (ii) part of an electric energy facility producing electricity primarily from agricultural livestock waste nutrients in such county or city.

The amount of the credit would be equal to the amount of the energy credit allowed for the taxable year under § 48 of the U.S. Internal Revenue Code of 1986, as amended, for placing such energy property in service.

**SB 129: Clean Energy Manufacturing Incentive Grant Program.** Repeals the Solar Photovoltaic Manufacturing Incentive Grant Program and creates a program to provide financial incentives to companies that manufacture or assemble equipment, systems, or products used to produce renewable or nuclear energy, or products used for energy conservation, storage, or grid efficiency purposes. To be eligible for a grant, the manufacturer must make a capital investment greater than \$50 million and create at least 200 full-time jobs that pay at least the prevailing wage. The program would be managed by the Director of the Department of Mines, Minerals and Energy.

**SB 581: State Law Library; access; database.** Requires the Supreme Court to require and oversee the State Law Library's creation of the Commonwealth Law Library Database (the database). The database shall include a list of resources contained in the law libraries located at the George Mason University School of Law, the Marshall-Wythe School of Law of the College of William and Mary, and the University of Virginia, and all other public law libraries located in the Commonwealth. The bill requires that the database be maintained on the website of the Supreme Court and be accessible to the public. The librarian of the State Law Library or his designee shall be the administrator of the database and shall update the database quarterly. The bill also grants access right to the State Law Library to the staff of members of the General Assembly.

**SB 599: Electronic tracking devices in motor vehicles.** Provides that any person who, with the intent to electronically track the location of a motor vehicle, knowingly installs or places an electronic tracking device, or causes an electronic tracking device to be installed or placed, in or on a motor vehicle without the consent of the owner or lessee, is guilty of a Class 4 misdemeanor. This provision does not apply to the original manufacturer of the motor vehicle, law enforcement officers, judicial officers, probation and parole officers, bail bondsmen, and bail enforcement agents.

**SB 678: Income tax credits; electric energy facility producing electricity primarily from agricultural livestock waste nutrients.** Establishes individual and corporate income tax credits for energy property under § 48 (a) of the U.S. Internal Revenue Code of 1986, as amended, that is (i) placed in service in the Commonwealth on or after January 1, 2010, and (ii) part of an electric energy facility producing electricity primarily from agricultural livestock waste nutrients.

The amount of the credit would be equal to the amount of the energy credit allowed for the taxable year under § 48 of the U.S. Internal Revenue Code of 1986, as amended, for placing such energy property in service.