

**DIGEST OF THE ACTS
OF THE
GENERAL ASSEMBLY OF VIRGINIA
AT THE
2017 SESSION**

which commenced at the Capitol in the City of Richmond on January 11, 2017,
and adjourned sine die April 5, 2017.



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Introduction

This publication, prepared by the Division of Legislative Services and the Division of Legislative Automated Systems, presents an overview of the legislation enacted by the General Assembly of Virginia during its Regular and Reconvened Sessions. Unless otherwise designated in a particular act, the 2017 Acts of Assembly will become effective on July 1, 2017. Complete information on specific chapters of the 2017 Acts of Assembly may be found on the Virginia Legislative Information System (<http://lis.virginia.gov>).

The Digest begins with a list of all Code sections amended, added, or repealed by the General Assembly during the 2017 Session, arranged in numeric order by Code title and section number. Each Code section is followed by a parenthetical list of all bills affecting that section and the corresponding chapters of the 2017 Acts of Assembly. Each bill is linked to the summary and legislative history of the bill on the General Assembly's Legislative Information System.

The section numbers that appear in this publication were assigned to bills at the time of drafting and consideration by the General Assembly. Some of these numbers will change: In order to resolve conflicts with numbers already assigned or to effect a more logical placement, the Virginia Code Commission is authorized to change section numbers during its process of codification of the Acts of Assembly. The permanent section number assignments will be published in the 2017 supplement to the "Table of Acts Codified Subsequent to 1948" in Volume 10 of the Code of Virginia, in online versions of the Code updated on July 1, 2017, and in the supplement to each volume of the printed Code.

Beginning on page 41, this Digest provides a summary of each bill that was enacted by the Virginia General Assembly in its 2017 Regular and Reconvened Sessions. These summaries point out the major provisions of new measures or principal changes to existing law. Most bills amend at least one Code title. Each such bill is listed under the Code title it predominantly affects. Bills that do not amend the Code of Virginia but are related to the subject matter of a title are listed with that Code title. Noncodified appropriation, bond, claims, and constitutional amendment measures and charters are listed in a separate section.

Finally, the indexes of House and Senate Bills list and direct users to the summary page of every 2017 bill passed during the current session and enacted into law by virtue of being signed by the Governor. Bills passed by the General Assembly but vetoed by the Governor are not included here.

The summaries presented in this Digest, which also appear on the Legislative Information System, were written by the legislative staff of the Virginia Division of Legislative Services.

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Amended, Added, and Repealed Code Sections

CODE OF VIRGINIA

***Click on bill number to view summary and legislative history**

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§ 2.2-115, amending. (**HB 2347** (Chapter 663))

§ 2.2-203.2:3, adding. (**HB 2425** (Chapter 358); **SB 1530** (Chapter 371))

§ 2.2-204, amending. (**HB 2151** (Chapter 30); **SB 1042** (Chapter 31))

§ 2.2-211, amending. (**HB 2151** (Chapter 30); **SB 1042** (Chapter 31))

§ 2.2-212, amending. (**HB 2457** (Chapter 467))

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§ 2.2-222.3, amending. (**HB 1998** (Chapter 512))

§ 2.2-229, amending. (**HB 2241** (Chapter 273); **SB 1331** (Chapter 166))

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§ 2.2-435.7, amending. (**SB 1539** (Chapter 740))

§ 2.2-436, amending. (**SB 916** (Chapter 488))

§ 2.2-437, amending. (**HB 2285** (Chapter 395))

§ 2.2-507, amending. (**SB 1360** (Chapter 690))

§ 2.2-515.2, amending. (**HB 2217** (Chapter 498))

§ 2.2-603, amending. (**HB 1555** (Chapter 527))

§ 2.2-1136, amending. (**SB 1265** (Chapter 706))

§ 2.2-1147, amending. (**SB 1265** (Chapter 706))

§ 2.2-1149, amending. (**HB 1952** (Chapter 348))

§ 2.2-1153, amending. (**SB 1265** (Chapter 706))

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§ 2.2-1505, amending. (**HB 1547** (Chapter 270))

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§ 2.2-1611, amending. (**HB 1969** (Chapter 264))

§ 2.2-1615, amending. (**HB 1969** (Chapter 264))

§ 2.2-1616, amending. (**HB 1968** (Chapter 383))

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§ 2.2-2203.1, Repealing. (**SB 1202** (Chapter 633))
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§ 2.2-2221, amending. (**HB 2245** (Chapter 796); **SB 1371** (Chapter 816))
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§ 2.2-2718, amending. (**HB 2148** (Chapter 622); **SB 1075** (Chapter 505))
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§ 46.2-2099.49, amending. (**HB 2327** (Chapter 623))

§ 46.2-2099.50, amending. (**SB 1366** (Chapter 708))

§ 46.2-2099.48, amending. (**SB 1494** (Chapter 635))

§ 46.2-2099.17, amending. (**SB 1494** (Chapter 635))

§ 46.2-2099.19, amending. (**SB 1494** (Chapter 635))

§ 46.2-2099.18, amending. (**SB 1494** (Chapter 635))

§ 46.2-2100, amending. (**HB 2026** (Chapter 790); **SB 1364** (Chapter 815))

§ 46.2-2101, amending. (**HB 2016** (Chapter 788); **HB 2026** (Chapter 790); **SB 1207** (Chapter 251); **SB 1364** (Chapter 815))

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§ 46.2-2108.2, amending. (**HB 2026** (Chapter 790); **SB 1364** (Chapter 815))

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§ 46.2-2115, amending. (**HB 2026** (Chapter 790); **SB 1364** (Chapter 815))
§ 46.2-2118, amending. (**HB 2026** (Chapter 790); **SB 1364** (Chapter 815))
§ 46.2-2120, amending. (**HB 2026** (Chapter 790); **SB 1364** (Chapter 815))
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§ 62.1-44.15:27, amending. (**HB 2009** (Chapter 349))
§ 62.1-44.15:28, amending. (**HB 2076** (Chapter 10); **SB 1127** (Chapter 163))
§ 62.1-79.2, Repealing. (**SB 1270** (Chapter 128))
§ 62.1-79.1, Repealing. (**SB 1270** (Chapter 128))
§ 62.1-129, amending. (**HB 2367** (Chapter 801); **SB 1415** (Chapter 818))
§ 63.2-100, amending. (**HB 1945** (Chapter 195))
§ 63.2-501, amending. (**HB 1567** (Chapter 106))
§ 63.2-501.1, amending. (**SB 1122** (Chapter 472))
§ 63.2-900, amending. (**HB 1795** (Chapter 193); **HB 2216** (Chapter 200))
§ 63.2-901.1, amending. (**HB 1942** (Chapter 194); **SB 1008** (Chapter 809))
§ 63.2-904, amending. (**HB 1795** (Chapter 193))
§ 63.2-905.4, adding. (**SB 1461** (Chapter 203))
§ 63.2-910.2, adding. (**HB 1604** (Chapter 190))
§ 63.2-1201, amending. (**HB 2216** (Chapter 200))

§ 63.2-1202, amending. (**HB 2216** (Chapter 200))
§ 63.2-1222, amending. (**HB 2216** (Chapter 200))
§ 63.2-1224, amending. (**HB 2216** (Chapter 200))
§ 63.2-1231, amending. (**HB 1795** (Chapter 193))
§ 63.2-1232, amending. (**HB 1795** (Chapter 193))
§ 63.2-1233, amending. (**HB 2216** (Chapter 200))
§ 63.2-1249, amending. (**HB 2216** (Chapter 200))
§ 63.2-1250, amending. (**HB 2216** (Chapter 200))
§ 63.2-1252, amending. (**HB 2216** (Chapter 200))
§ 63.2-1253, amending. (**HB 2216** (Chapter 200))
§§ 63.2-1300 through 63.2-1303, amending. (**HB 2215** (Chapter 199))
§ 63.2-1503, amending. (**HB 2279** (Chapter 142); **SB 1164** (Chapter 88))
§ 63.2-1505, amending. (**HB 1786** (Chapter 176); **SB 1086** (Chapter 428))
§ 63.2-1506, amending. (**HB 1786** (Chapter 176); **SB 1086** (Chapter 428))
§ 63.2-1509, amending. (**HB 1786** (Chapter 176); **SB 1086** (Chapter 428))
§ 63.2-1601.1, amending. (**SB 1008** (Chapter 809))
§ 63.2-1605, amending. (**HB 1922** (Chapter 459); **SB 1462** (Chapter 473))
§ 63.2-1606, amending. (**HB 1945** (Chapter 195))
§ 63.2-1701, amending. (**HB 2156** (Chapter 196))
§ 63.2-1709.2, amending. (**HB 1919** (Chapter 283); **SB 1191** (Chapter 138))
§ 63.2-1715, amending. (**HB 1837** (Chapter 748))
§ 63.2-1717, amending. (**HB 1837** (Chapter 748); **SB 1008** (Chapter 809))
§ 63.2-1719, amending. (**SB 1008** (Chapter 809))
§§ 63.2-1720 through 63.2-1721.1, amending. (**HB 1568** (Chapter 189); **SB 897** (Chapter 751))
§ 63.2-1720.1, amending. (**SB 1008** (Chapter 809))
§ 63.2-1720, amending. (**SB 1008** (Chapter 809); **SB 1434** (Chapter 201))
§ 63.2-1721, amending. (**SB 1008** (Chapter 809))
§ 63.2-1721.1, amending. (**SB 1008** (Chapter 809))
§ 63.2-1722, amending. (**HB 1568** (Chapter 189); **SB 897** (Chapter 751))
§§ 63.2-1722 through 63.2-1726, amending. (**SB 1008** (Chapter 809))
§ 63.2-1724, amending. (**HB 1568** (Chapter 189); **SB 897** (Chapter 751))
§ 63.2-1725, amending. (**HB 1568** (Chapter 189); **SB 897** (Chapter 751))
§§ 64.2-109 through 64.2-115, Repealing. (**HB 1608** (Chapter 33); **SB 903** (Chapter 80))
§§ 64.2-116 through 64.2-132, adding. (**HB 1608** (Chapter 33); **SB 903** (Chapter 80))
§ 64.2-311, amending. (**HB 1516** (Chapter 32); **SB 1177** (Chapter 82))
§ 64.2-510, amending. (**HB 1515** (Chapter 42))
§ 64.2-520.1, adding. (**HB 1617** (Chapter 43); **SB 1140** (Chapter 93))
§ 64.2-520, amending. (**HB 1617** (Chapter 43); **SB 1140** (Chapter 93))
§ 64.2-528, amending. (**SB 815** (Chapter 591))
§ 64.2-531, amending. (**HB 1618** (Chapter 34); **SB 1176** (Chapter 139))

§ 64.2-701, amending. (**SB 913** (Chapter 592))
§ 64.2-778.1, Repealing. (**SB 913** (Chapter 592))
§§ 64.2-779.1 through 64.2-779.25, adding. (**SB 913** (Chapter 592))
§ 64.2-1314, amending. (**HB 1654** (Chapter 638))
§ 64.2-1622, amending. (**HB 1608** (Chapter 33); **SB 903** (Chapter 80))
§ 65.2-309, amending. (**HB 1659** (Chapter 288); **SB 1175** (Chapter 81))
§ 65.2-603, amending. (**SB 1201** (Chapter 491))
§ 65.2-605, amending. (**HB 1571** (Chapter 478))
§ 66-20, amending. (**HB 1775** (Chapter 458))
§ 67-1500, amending. (**SB 1258** (Chapter 813))
§ 67-1501, amending. (**SB 1258** (Chapter 813))
§ 67-1502, amending. (**SB 1258** (Chapter 813))
§ 67-1505, amending. (**SB 1258** (Chapter 813))
§ 67-1508, amending. (**SB 1258** (Chapter 813))

Bills by Title

Title 1 - General Provisions

HB1927 Official emblems and designations; "Song of the Mountains"; state television series. Designates "Song of the Mountains" as the state television series. This bill is identical to SB 1332.

Patron - Campbell

SB1261 Official emblems and designations; George Washington's rye whiskey; state spirit. Designates George Washington's rye whiskey produced at Mount Vernon, Virginia, as the state spirit.

Patron - Ebbin

SB1332 Official emblems and designations; "Song of the Mountains;" state television series. Designates "Song of the Mountains" as the state television series. This bill is identical to HB 1927.

Patron - Carrico

Title 2.2 - Administration of Government

HB1472 State and Local Government Conflict of Interests Act; prohibited contracts; exceptions for certain contracts entered into by an officer or employee of a soil and water conservation district. Provides an exception to the prohibition against contracts between employing agencies and their officers or employees for contracts by an officer or employee of a soil and water conservation district or an immediate family member of such officer or employee to participate in a cost-share program for the installation of best management practices to improve water quality. The exception does not apply to subcontracts or other agreements entered into to provide services for implementation of a cost-share contract established under such program. The bill provides that the exception applies to all contracts entered into on and after July 1, 2017, and to any contract entered into by an officer or employee or an immediate family member of such officer or employee with a soil and water conservation district to participate in a cost-share program for the installation of best management practices to improve water quality prior to July 1, 2017. This bill is identical to SB 965.

Patron - Lingamfelter

HB1490 School board members who engage in war service or are called to active duty in the Armed Forces of the United States; appointment of acting school board members. Requires each school board member who is relieved from the duties of his office by reason of engaging in the war service of the United States when called forth by the Governor or being called to active duty in the Armed Forces of the United States to submit to the school board a list of names of suitable persons to perform the duties of such office as acting school board member during the period in which the regular school board member is engaged in such war service or active duty, in which case the school board is required to consider appointing and may appoint an acting school board member from such list of names. If the school board does not make an appointment from such list, the school board shall notify the

submitting member in writing of the rationale for its decision. The bill provides that during such period, the acting school board member shall be vested with all the powers, authority, rights, and duties of the regular school board member for whom he is acting.

Patron - Marshall, R.G.

HB1539 Virginia Freedom of Information Act (FOIA); public access to records of public bodies. Clarifies the definition of public record. The bill also (i) defines "personal contact information" that is excluded from FOIA's mandatory disclosure provisions in certain cases; (ii) clarifies that a requester has the right to inspect records or receive copies at his option; (iii) clarifies language in certain record exclusions under FOIA that certain records may be disclosed at the discretion of the custodian; (iv) consolidates the personnel record exclusion with the limitation on the application of that exclusion, and specifically clarifies that the name, in addition to position, job classification, and salary, of a public employee is public information as per opinions of the Attorney General and the FOIA Council; (v) eliminates, effective July 1, 2018, the exclusion for the Alcoholic Beverage Control Authority relating to operating and marketing strategies; (vi) eliminates the exclusion for correspondence of local officials as unnecessary; (vii) consolidates various public safety exclusions relating to building plans and drawings and critical infrastructure into a single exclusion; (viii) eliminates the exclusion for administrative investigations of the Department of Human Resource Management, as the exclusion is already covered under the personnel records exclusion; (ix) expands the exclusion for personal information provided to the Virginia College Savings Plan to cover qualified beneficiaries, designated survivors, and authorized individuals, which terms are defined in the bill; (x) consolidates the various record exclusions for the Department of Health Professions and the Department of Health into single exclusions for each Department; (xi) clarifies certain Department of Social Services exclusions; (xii) provides an exclusion for local finance boards that provide postemployment benefits other than pensions; and (xiii) eliminates the record exclusion for Virginia Wildlife Magazine. The bill also limits the application of the working papers exemption by stating that information publicly available or not otherwise subject to an exclusion under FOIA or other provision of law that has been aggregated, combined, or changed in format without substantive analysis or revision shall not be deemed working papers. The bill contains numerous technical amendments. This bill is a recommendation of the Freedom of Information Advisory Council pursuant to the HJR 96 FOIA study (2014-2016).

Patron - LeMunyon

HB1540 Virginia Freedom of Information Act (FOIA); public access to meetings of public bodies. Revises FOIA's various open meeting exemptions relating to legal matters, litigation, certain museums, and the Virginia Commonwealth University Health System Authority. The bill also (i) clarifies where meeting notices and minutes are to be posted, (ii) requires copies of proposed agendas to be made available, (iii) eliminates reporting to the Joint Commission on Science and Technology when a state public body convenes an electronic communication meeting, and (iv) makes technical corrections to several open meeting exemptions to provide context for those meeting exemptions that currently only cross-reference corollary records exemptions. The bill also clarifies closed meeting procedures. The bill contains numerous technical corrections. This bill is a recommendation of the Freedom

of Information Advisory Council pursuant to the HJR 96 FOIA study (2014-2016).

Patron - LeMunyon

HB1555 Agency directors; human resources training and succession planning. Directs the Department of Human Resource Management (the Department) to administer training programs to familiarize agency directors with state human resource policies, such as compensation management, benefits administration, and resources available at the Department. The bill requires (i) the Department to offer training programs at least twice per year, (ii) each agency director to attend a training program with the agency chief human resource officer within six months after the director's appointment and thereafter at least once every four years, (iii) the agency chief human resource officer to provide subsequent training on agency-specific human resource policies, and (iv) each agency director to develop and submit annually to the Department an agency succession plan for key personnel, executive positions, and employees nearing retirement. The bill also requires public institutions of higher education to prepare a succession plan for presentation to the board of visitors with a copy to the Department.

Patron - Ware

HB1587 Uniform Statewide Building Code; security of certain records. Provides that information contained in engineering and construction drawings and plans for any single-family residential dwelling submitted for the purpose of complying with the Uniform Statewide Building Code (§ 36-97 et seq.) or the Statewide Fire Prevention Code (§ 27-94 et seq.) shall be confidential and shall not be subject to disclosure under the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), except to the applicant or the owner of the property upon the applicant's or owner's request.

Patron - Campbell

HB1591 Virginia Economic Development Partnership Authority; site and building assessment program; minimum size of industrial sites. Lowers the minimum size of industrial sites that may be included in the Authority's site and building assessment program from 250 acres to 100 acres. The bill contains a technical amendment. This bill is identical to SB 976.

Patron - James

HB1693 Virginia Public Procurement Act; contracts for architectural and engineering services relating to multiple construction projects; maximum fee for any single project. Increases the maximum permissible fee for any single project encompassed in a contract for architectural or professional engineering services relating to multiple construction projects from \$100,000 to \$150,000.

Patron - Collins

HB1720 Flag at half staff or mast; public safety personnel. Expands the category of flags required to be flown at half staff or mast when a service member, police officer, firefighter, or emergency medical services provider is killed in the line of duty to include flags flown at any building owned and operated by any political subdivision of the Commonwealth. In addition, the bill adds state correctional officers to the list of public safety personnel for whom such flags are flown at half staff or mast.

Patron - Anderson

HB1727 State and Local Government Conflict of Interests Act; school boards and school board employees. Provides that school divisions located in Planning District 17, Northern Neck, are not subject to the prohibition against hiring a school division employee who is related to a member of the school board under certain circumstances.

Patron - Ransone

HB1731 Joint Commission on Administrative Rules; periodic review of exemptions from the Administrative Process Act. Requires the Joint Commission on Administrative Rules, beginning November 1, 2017, on a schedule to be established by the Commission, to conduct a review of the exemptions authorized by the Administrative Process Act (APA). The bill also requires agencies having APA exemptions, other than the courts, any agency of the Supreme Court, and any agency that by the Constitution of Virginia is expressly granted any of the powers of a court of record, beginning August 1, 2017, to submit a written report to the Joint Commission on Administrative Rules, which report includes the date the exemption was enacted, a summary of the necessity for the exemption, and a summary of any rule or regulation adopted pursuant to the exemption in the immediately preceding two fiscal years. The bill provides that in the event that an agency having an exemption fails to submit the report required, the Joint Commission on Administrative Rules shall recommend to the Governor and the General Assembly that such agency's exemption be discontinued. The bill also requires general notice of the provisions of this requirement to be posted on the Virginia Regulatory Town Hall and published in the Virginia Register of Regulations by the Joint Commission on Administrative Rules to advise agencies of their obligations under the bill.

Patron - Ransone

HB1734 Virginia Parole Board; exceptions to the Virginia Freedom of Information Act (FOIA). Requires guidance documents of the Virginia Parole Board to be available as public records under FOIA.

Patron - Hope

HB1854 Lobbyist reporting, the State and Local Government Conflict of Interests Act, and the General Assembly Conflicts of Interests Act; filing of required disclosures; registration of lobbyists; candidate filings; judges; definition of gift; informal advice; civil penalties; technical amendments. Makes numerous changes to the laws governing lobbyist reporting, the conflict of interest acts, and the Virginia Conflict of Interest and Ethics Advisory Council (the Council), including (i) allowing the Secretary of the Commonwealth to suspend any penalty that could be assessed against a lobbyist's principal for failing to file the required disclosure if such failure is beyond the control of the principal; (ii) clarifying the procedures for terminating the services of a lobbyist; (iii) requiring that lobbyist registration forms be filed electronically; (iv) eliminating the requirement that a lobbyist list the names, addresses, and telephone numbers of all other lobbyists representing the same principal; (v) creating a separate statement for a lobbyist's principal to waive the principal signature requirement on the lobbyist disclosure form; (vi) granting the clerk of the local governing body or school board the same power as the Council to redact from any disclosure form released to the public any residential address, personal telephone number, or signature; (vii) eliminating the minimum duration of the mandatory refresher ethics orientation session for General Assembly members; (viii) allowing written informal advice from the Council to confer immunity from prosecution upon individuals acting in accordance with such advice;

(ix) clarifying the Council's authority to grant extensions from the filing deadline and imposing a \$250 civil penalty on agency heads or local clerks who fail to provide the disclosure forms to filers in a timely manner; (x) requiring lobbyists to provide a report of gifts made during a regular session of the General Assembly no later than three weeks after adjournment to legislators and certain executive branch officials who are required to file a session gift report; and (xi) directing that candidates for statewide office and the General Assembly are required to file a disclosure form with the State Board of Elections and candidates for a constitutional office are required to file a disclosure form with the local general registrar. The bill also extends the filing deadline for disclosure forms from January 15 to February 1 and clarifies the reporting period covered by the disclosure forms. The bill eliminates events open to individuals who share a common interest from the definition of a "widely attended event," attendance at which is not subject to the gift cap. The bill also exempts from the definition of a "gift" (a) gifts from a person's child-in-law; (b) gifts related to a person's volunteer service; (c) meals provided for attendance at an official meeting of the Commonwealth, its political subdivisions, or certain other entities; and (d) attendance at a reception or similar function. The bill also exempts members of the judiciary from certain provisions governing prohibited gifts and prohibited personal interests in a transaction where such members are already subject to similar or greater prohibitions under the Canons of Judicial Conduct for the State of Virginia. The bill also clarifies that a legislator may have a personal interest in a contract with a government agency, not including a legislative branch agency, when the Virginia Public Procurement Act allows the award of such contract without competition. The bill further clarifies the exceptions that allow state and local officers and employees who have a personal interest in a transaction to participate in the transaction. Finally, the bill contains technical amendments. The bill contains an emergency clause that applies to the changes described in clauses (x) and (xi). This bill is identical to SB 1312.

Patron - Gilbert

HB1858 Department of Small Business and Supplier Diversity; certification of small, women-owned, and minority-owned businesses. Authorizes the Director of the Department of Small Business and Supplier Diversity to adopt regulations that mandate certification without any additional paperwork of any small, women-owned, or minority-owned business that has obtained certification under any federal small, women-owned, and minority-owned business certification program.

Patron - Lopez

HB1876 Virginia Freedom of Information Act; public access to library records of minors. Excludes from mandatory disclosure library records that can be used to identify any library patron under the age of 18 years. The bill provides that access shall not be denied to the parent, including a non-custodial parent, or guardian of such library patron.

Patron - Pogge

HB1940 Virginia Public Procurement Act; exemptions; Department of Juvenile Justice; pre-release and post-commitment services. Exempts from the Virginia Public Procurement Act the selection of pre-release and post-commitment services by the Department of Juvenile Justice.

Patron - Carr

HB1943 Administrative Process Act; economic impact analysis; opportunity for comment by affected businesses or other entities. Requires the Department of Planning

and Budget to revise and reissue its economic impact analysis within the time limits set forth for the Department's review of regulations at the final stage pursuant to the Governor's executive order for executive branch review if one of the following conditions is present and would materially change the Department's analysis: (i) public comment timely received at the proposed stage indicates significant errors in the economic impact analysis or (ii) there is a significant or material difference between the agency's proposed economic impact analysis and the anticipated negative economic impacts to the business community as indicated by public comment. The bill provides that the determination as to whether either such condition is present shall be made by the Department and shall not be subject to judicial review. The bill contains an emergency clause. This bill is identical to SB 1431.

Patron - Peace

HB1944 Department of Medical Assistance Services and Department of Behavioral Health and Developmental Services; certain regulations. Requires the Department of Planning and Budget to revise and reissue its economic impact analysis on proposed regulations of any agency subject to the Administrative Process Act within the time limits set forth in the Department's review of regulations at the final stage pursuant to the Governor's executive order for executive branch review if certain conditions are present that would materially change the Department's analysis. The bill also establishes certain requirements related to notice to stakeholders and opportunity for comment when the Department of Medical Assistance Services or the Department of Behavioral Health and Developmental Services posts a new regulation or final stage of a regulation to the Virginia Regulatory Town Hall, proposes a change to a provider manual, or proposes a change to guidance documents related to licensure requirements.

Patron - Peace

HB1952 Department of General Services; review of proposed acquisitions of real property; exceptions. Provides an exception to the requirement that before any agency of the state acquires real property, it must follow the guidelines adopted by the Department of General Services and obtain the prior approval of the Governor. The bill grants this exception in cases of the acquisition of real property to be held in trust for the benefit of a state-recognized Indian tribe, provided that such property is (i) annexed into the existing reservation of such tribe and (ii) located within a one-mile radius of the boundary of such reservation. The bill provides, however, that these acquisitions of real estate shall be subject to the review of the Office of the Attorney General and approval by the Governor.

Patron - Peace

HB1968 Virginia Small Business Financing Authority; administration of Small Business Investment Grant Fund. Makes changes to the Small Business Investment Grant Fund to make it easier for investor applicants to qualify for grants and provide more benefits for investor applicants. The bill (i) allows as a qualified investment any cash equity investment in a qualified business from an individual investor or from an investor who has received compensation; (ii) amends the definition of "small business" to increase the amount of equity capital for a qualifying business from \$3 million to \$5 million; (iii) moves the start date for eligible investments from July 1, 2012, to July 1, 2016; and (iv) increases the amount of the grant from 10 percent of the investment to 50 percent of the investment or \$50,000, whichever is less. The bill maintains the total grant allocation cap of \$250,000 for each eligible investor.

Patron - Landes

HB1969 Small Business Jobs Grant Fund Program. Reduces from 50 percent to 35 percent the minimum percentage of revenues that a small business must derive from out-of-state sources in order to be eligible for grants from the Small Business Jobs Grant Fund Program. The bill reduces from \$100,000 to \$50,000 the minimum new capital investment that a company is required to make to be eligible for assistance under the Program. Finally, the bill changes the definition of small business for purposes of the Program from a company that has 250 or fewer employees to one that has 50 or fewer employees in its base year and average annual gross receipts of \$3 million or less averaged over the previous 24-month period.

Patron - Landes

HB1971 Virginia Freedom of Information Act; record and meeting exclusions for multidisciplinary child abuse teams. Excludes the records of a multidisciplinary team as they relate to individual child abuse or neglect cases or sex offenses involving a child from mandatory disclosure under the Virginia Freedom of Information Act. The bill also provides an exemption from open meeting requirements to such teams and sexual assault response teams.

Patron - Massie

HB1998 Secure Commonwealth Panel; membership and duties. Revises the membership of the Secure Commonwealth Panel, renamed the Secure and Resilient Commonwealth Panel, and requires the Panel to create an Emergency Management Awareness Group consisting of the Secretary of Public Safety and Homeland Security, the Lieutenant Governor, the Attorney General, the Executive Secretary of the Supreme Court of Virginia, and the Chairmen of the House Committee on Militia, Police and Public Safety and the Senate Committee on General Laws and Technology. The bill requires the Group to meet during a state of emergency to review critical information concerning such situation to facilitate communication between the executive, legislative, and judicial branches of state government. The bill dissolves the Virginia Emergency Response Council and transfers its duties to the Panel. The bill contains technical amendments.

Patron - Lingamfelter

HB2017 Virginia Public Procurement Act; bid, performance, and payment bonds; waiver by localities. Authorizes a locality, where the bid, performance, and payment bond requirements are waived, to waive the requirement for prequalification for a bidder or contractor with a current Class A contractor license for nontransportation-related construction contracts in excess of \$100,000 but less than \$300,000 upon a written determination made in advance by the local governing body that waiving the requirement is in the best interests of the locality. The bill prohibits localities from entering into more than 10 such contracts per year in which the bidder or contractor's prequalification requirement has been waived. The bill contains technical amendments.

Patron - Villanueva

HB2096 Procurement; exemption for Virginia Industries for the Blind. Exempts from the requirements of the Public Procurement Act (§ 2.2-4300 et seq.) the Virginia Industries for the Blind when procuring components, materials, supplies, or services for use in commodities and services furnished to the federal government in connection with its operation as an AbilityOne Program-qualified nonprofit agency for the blind.

Patron - Price

HB2105 Investment of Public Funds Act; investment of funds in qualified investment pools. Authorizes a treasurer to act on behalf of his locality to become a participating political subdivision in qualified investment pools without an ordinance adopted by the locality. The bill defines a qualified investment pool as a jointly administered trust fund that has a professional investment manager. Investments in qualified investment pools pursuant to the bill are required to comply with the requirements of the Investment of Public Funds Act (§ 2.2-4500 et seq.) applicable to municipal corporations and other political subdivisions. The bill states that none of its provisions shall be construed to diminish existing legal authority of treasurers related to the investment of public funds. This bill is identical to SB 1416.

Patron - Byron

HB2106 Virginia Board of Workforce Development. Revises the composition of the Virginia Board of Workforce Development (Board) to conform to requirements of the federal Workforce Innovation and Opportunity Act (WIOA). One member shall be a representative of a private career college. The measure also (i) specifies that funding for a full-time Executive Director position shall be provided by Title I of the WIOA and (ii) replaces a requirement that industry credentials that align with high-demand occupations shall include the Career Readiness Certificate with the requirement that such industry credentials include a credential that determines career readiness. The measure shall not become effective if prior to July 1, 2017, the U.S. Department of Labor grants a waiver of the State Board membership composition requirements under the federal Workforce Innovation and Opportunity Act that permits the Board to continue with its current composition.

Patron - Byron

HB2143 Virginia Freedom of Information Act (FOIA); training provided by the Virginia Freedom of Information Advisory Council. Requires the Freedom of Information Advisory Council to maintain on its website a listing of all FOIA officers, including name, contact information, and the name of the public body such FOIA officers serve. The bill requires the name and contact information of FOIA officers trained by legal counsel of a public body to be submitted to the Council by July 1 of each year on a form developed by the Council for that purpose and to be updated in a timely manner in the event of any changes to such information. The bill also provides that training through an online course offered by the Council shall satisfy the annual training requirement for FOIA officers.

Patron - LeMunyon

HB2144 Virginia Freedom of Information Advisory Council; membership; effect of missing meetings. Increases the Virginia Freedom of Information Advisory Council from 12 members to 14 members by adding one additional member from the House of Delegates and one additional member from the Senate. The bill also provides that if any nonlegislative citizen member of the Council fails to attend a majority of meetings of the Council in a calendar year, the Council shall notify the member's appointing authority, who may, upon receipt of such notification, remove the member and appoint a successor as soon as practicable.

Patron - LeMunyon

HB2146 Virginia Freedom of Information Act (FOIA); Freedom of Information Advisory Council; online public comment form. Requires the Freedom of Information Advisory Council to develop an online public comment form to be posted on its official public government website to enable

any requester to comment on the quality of assistance provided to the requester by a public body. The bill also requires all state public bodies subject to the provisions of FOIA and any county or city, and any town with a population of more than 250, to post a link on its official public government website to the online public comment form.

Patron - LeMunyon

HB2148 Veterans Services Foundation; powers and duties; appointment of Executive Director; report. Requires the Veterans Services Foundation to provide an annual report on its funding levels and services to the General Assembly. The bill also (i) authorizes the board of trustees of the Foundation to appoint an Executive Director, (ii) clarifies that the Foundation may make direct requests for appropriations from the General Assembly, (iii) clarifies that only the unrestricted portion of the Veterans Services Fund may be used for Foundation expenses, (iv) requires the Department of Veterans Services to provide qualified finance and development personnel to perform the duties of the treasurer and secretary of the Foundation, and (iv) provides that expenditures and disbursements from the Fund shall be made upon written authorization of the Executive Director with the approval of the board of trustees. The bill requires that allocations and expenditures of donated restricted funds be in accordance with cited provisions of the Uniform Prudent Management of Institutional Funds Act relating to the standard of conduct in managing and investing institutional funds.

Patron - Knight

HB2151 Virginia Resources Authority. Transfers the responsibility for the Virginia Resources Authority from the Secretary of Commerce and Trade to the Secretary of Finance. This bill is identical to SB 1042.

Patron - Aird

HB2178 Virginia Freedom of Information Act (FOIA); proprietary records and trade secrets; charitable gaming supplies. Expands the existing FOIA record exclusion for information of a proprietary nature furnished by a supplier of charitable gaming supplies to the Virginia Department of Agriculture and Consumer Services to include such information submitted by manufacturers of charitable gaming supplies. The bill also expands the exclusion to include information submitted by suppliers and manufacturers of charitable gaming supplies pursuant to regulations promulgated by the Charitable Gaming Board related to approval of electronic and mechanical equipment.

Patron - Hodges

HB2206 Virginia Veteran and Family Support program; report. Updates the purposes and priorities of the Virginia Veteran and Family Support program to, in a cost-effective manner, refer veterans to mental health, physical rehabilitation, and other services as needed to help them achieve individually identified goals and to monitor their progress toward achieving those goals. The program is available to veterans and members of the Virginia National Guard in the Commonwealth, residents of the Commonwealth in the Armed Forces Reserves who are not in active federal service, and family members of covered military members who have been affected by the covered military members' service and deployments and who are located in the Commonwealth. The bill requires an annual report on the program be sent to the Governor and the General Assembly.

Patron - Cox

HB2217 Address confidentiality program; victims of sexual violence and human trafficking. Expands the types of crimes victims of which are eligible to apply for the address confidentiality program to include sexual violence. The bill provides that such programs may also include specialized services for victims of human trafficking. Current law permits victims of domestic violence and stalking to apply to this program. The bill requires that sexual or domestic violence programs be accredited by the Virginia Sexual and Domestic Violence Program Professional Standards Committee to accept applications and authorizes crime victim and witness assistance programs to accept applications. The bill increases program participants' certification period from one to three years. The bill contains technical amendments.

Patron - Toscano

HB2237 Office of the State Inspector General; extension of jurisdiction to local departments of social services. Extends the jurisdiction of the Office of the State Inspector General by amending the definition of "state agency" to include any local department of social services.

Patron - Cline

HB2245 Virginia Research Investment Committee. Expands the role of the Virginia Research Investment Committee (the Committee) to include, in addition to awarding grants and loans from the Virginia Research Investment Fund, providing guidance and coordination in the use of public funds to support research and commercialization efforts throughout the Commonwealth. Effective January 1, 2018, the bill moves responsibility for the development of the Commonwealth Research and Technology Strategic Roadmap (the Roadmap) from the Center for Innovative Technology to the State Council of Higher Education for Virginia (the Council), which shall submit the plan to the Committee for approval. The Council would consult with public institutions of higher education, make recommendations on the industry sectors in which the Commonwealth should focus its research and development efforts, and establish a process for maintaining an inventory of the Commonwealth's current research and development efforts. Before implementation, the Council would submit the Roadmap to the Governor for final approval. The Roadmap would be used to determine areas of focus for awards from the Virginia Research Investment Fund and the Commonwealth Research Commercialization Fund. The bill also clarifies that the exemption from mandatory disclosure of records under the Freedom of Information Act by applicants for grants and loans from the Committee applies to certain financial records, trade secrets, and research-related information. The bill requires an applicant seeking to invoke the protections of the exemption to submit a written request to the Committee identifying the records or data for which protection is sought and stating the reason why protection is necessary. Under the bill, the exemption also applies to documents prepared exclusively for the application review by the Committee, its staff, or a reviewing entity conducting a scientific review at the request of the Committee. The closed meeting exemption is also amended to include interviews of applicants by the Committee or a reviewing entity conducting a scientific review. The bill contains technical amendments. This bill is identical to SB 1371.

Patron - Jones

HB2278 Virginia Tourism Authority; Cooperative Marketing Fund; eligibility. Provides that proposals for existing programs that have a measurable return on investment are eligible for matching grant funds under the Cooperative Marketing Fund. The bill also (i) removes the requirement that only private funds be matched and (ii) provides that guidelines

established for the Fund may include a preference for proposals submitted by state agencies. This bill is identical to SB 1483.

Patron - Hester

HB2285 Gubernatorial appointments to boards; membership and terms. Clarifies and corrects the statutory requirements for the membership and terms of several boards. The bill also standardizes the term dates for several appointments to the Latino Advisory Board, the Board of Agriculture and Consumer Services, the Board of Education, and the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals so that all terms begin on July 1 and end on June 30.

Patron - Cole

HB2302 Board of Veterans Services; membership; duties. Removes requirements regarding specific areas of expertise for members appointed to the Board of Veterans Services (the Board) by the Governor. The bill also (i) extends the number of consecutive terms for legislative members from four to six two-year terms for members of the House of Delegates and from two to three four-year terms for members of the Senate; (ii) removes the requirement that the Board be organized into at least three standing committees; and (iii) makes other changes to the administration of the Board and the eligibility for reappointment of nonlegislative citizen members of the Board. This bill is identical to SB 1182.

Patron - Anderson

HB2319 National Flood Insurance Program; participation by localities; report. Requires the Secretary of Natural Resources to issue a report by November 1, 2018, listing any locality not participating in the Community Rating System of the National Flood Insurance Program and recommending any legislation necessary to encourage participation.

Patron - Miyares

HB2347 Commonwealth's Development Opportunity Fund; limitation on use of moneys from the Fund. Provides that unless an exception has been granted by the Secretary of Commerce and Trade, moneys in the Commonwealth's Development Opportunity Fund shall not be used for any economic development project involving a business that relocates or expands its operations in one or more Virginia localities while simultaneously closing its operations or substantially reducing the number of its employees in another Virginia locality. Under current law, this limitation on the use of the Fund is stated as a general policy rather than as a requirement. The bill also requires the Secretary of Commerce and Trade to provide written notice to the Chairmen of the Senate Finance and House Appropriations Committees at least 48 hours prior to the final approval of the grant or loan. Currently, the notice must be provided promptly, and a time frame is not specified.

Patron - Byron

HB2354 State and Local Government Conflict of Interests Act; school boards and school board employees. Provides that school divisions located in Planning District 4, New River Valley, are not subject to the prohibition against hiring a school division employee who is related to a member of the school board under certain circumstances.

Patron - Rush

HB2356 Fort Monroe Authority Board of Trustees; membership; terms. Adds three nonlegislative citizen mem-

bers to the Fort Monroe Authority Board of Trustees, to be appointed by the Governor. The bill also changes the Secretary of Commerce and Trade and the Secretary of Natural Resources from voting to nonvoting ex officio members and removes the Lieutenant Governor from membership. This bill is identical to SB 1001.

Patron - Helsel

HB2360 Virginia Information Technologies Agency; procurement of information technology; compliance with federal laws and regulations pertaining to information security and privacy. Requires the Chief Information Officer of the Virginia Information Technologies Agency to develop policies, standards, and guidelines that require that any contract for information technology entered into by the Commonwealth's executive, legislative, and judicial branches and independent agencies require compliance with applicable federal laws and regulations pertaining to information security and privacy. The bill applies to contracts for information technology entered into on or after July 1, 2017.

Patron - Albo

HB2366 Public procurement; requirements for use of construction management and design-build contracts. Establishes requirements for the procurement of construction using the construction management and design-build procurement methods by state and local public bodies and covered institutions of higher education, as defined in the bill, and the conditions under which such methods may be used. Public bodies must comply with procedures adopted by the Secretary of Administration for construction management or design-build projects. State public bodies and covered institutions must adopt procedures that include, among other things, a requirement that the state public body or covered institution make a written determination in advance that competitive sealed bidding is not practicable or fiscally advantageous and document the basis for the determination to use the construction management or design-build procurement method. The bill requires the Department of General Services (DGS) to evaluate the proposed procurement method of state public bodies and covered institutions and provide a recommendation regarding the procurement method within five days of receipt of the written determination. If a state public body or covered institution elects to proceed with the project using a construction management or design-build contract despite a DGS recommendation to the contrary, the state public body or covered institution must provide to DGS in writing its reasons for doing so. For local public bodies, construction management contracts may be used for projects whose cost is expected to be less than \$10 million, provided that the project is a complex project and the project procurement method is approved by the local governing body. The bill also requires DGS to report to the Governor and certain General Assembly committees annually by December 1 information pertaining to (i) the agency's evaluation of projects submitted by state public bodies and covered institutions and (ii) all completed capital projects in excess of \$2 million. This bill is identical to SB 1129.

Patron - Albo

HB2391 Department of Human Resources Management; criminal background checks; state agency positions designated as sensitive; agencies to report to the Department. Requires each state agency to continue to record in the Personnel Management Information System (PMIS) positions that it has designated as sensitive to ensure that the Department of Human Resources Management has a list of all such positions. The bill clarifies who would be subject to a criminal background investigation in a sensitive position. The bill expands the definition of sensitive position to include those

positions (i) responsible for the health, safety, and welfare of citizens or the protection of critical infrastructures; (ii) that have access to sensitive information, including access to Federal Tax Information in approved exchange agreements with the Internal Revenue Service or Social Security Administration; and (iii) that are otherwise required by state or federal law to be designated as sensitive. The bill contains an emergency clause. This bill is identical to SB 1293.

Patron - Holcomb

HB2396 Virginia Public Procurement Act; SWaM program; participation of employment service organizations. Provides that contracts and subcontracts awarded to employment services organizations shall be credited toward the small business, women-owned, and minority-owned business contracting and subcontracting goals of state agencies as well as state contractors. This bill is identical to SB 1538.

Patron - Hope

HB2425 Policy of the Commonwealth regarding the employment of individuals with disabilities; responsibilities of state agencies; report. Provides that it is the policy of the Commonwealth to promote and increase the employment of individuals with disabilities. To further this policy, the bill establishes a goal to increase by five percent the level of individuals with disabilities employed by state government by fiscal year 2023. The bill designates the Secretary of Administration to coordinate efforts to achieve the goal and requires the Secretary to establish a reporting system for tracking and reporting the progress of state agencies toward meeting the employment goals and to report annually on the number of individuals with disabilities employed by the state. The bill requires each state agency to submit a plan to increase employment opportunities for individuals with disabilities to the Secretary no later than December 31, 2017, and each July 1 thereafter. This bill is identical to SB 1530.

Patron - Anderson

HB2428 Workforce Transition Act; eligibility. Provides that employees of the Virginia College Savings Plan are eligible for transitional severance benefits conferred by the Workforce Transition Act.

Patron - Robinson

HB2457 Health and Human Resources Secretariat; single state agency for data collection and sharing; report. Requires that, as requested by the Secretary of Health and Human Resources and to the extent authorized by federal law, the agencies of the Secretariat of Health and Human Resources shall share data, records, and information about applicants for and recipients of services from the agencies of the Secretariat, including individually identifiable health information for the purposes of (i) streamlining administrative processes and reducing administrative burdens on the agencies, (ii) reducing paperwork and administrative burdens on the applicants and recipients, and (iii) improving access to and quality of services provided by the agencies. The bill requires the Secretary of Health and Human Resources to report on the implementation of the provisions of the bill by October 1, 2017.

Patron - Garrett

HB2471 Virginia Economic Development Partnership Authority; membership; powers and duties. Restructures the membership of the board of directors (the Board) of the Virginia Economic Development Partnership Authority (the Authority), designates the Board as a supervisory board within the statutory definition of "supervisory," sets out the minimum qualifications for appointments to the Board, and

sets out additional powers and duties required of the Board, including development of a strategic plan for economic development, a marketing plan, and an operational plan. The bill also establishes a Division of Incentives within the Authority to track, manage, and coordinate economic development incentives. Under the bill, the Division is required to obtain certification from the Attorney General prior to certifying that an approved project has met the investment and job creation requirements and the review of the Attorney General prior to seeking the repayment of any public funds from an approved project due to a failure of the project to meet the investment and job creation requirements set forth in the contract or memorandum of understanding. The bill establishes a position of internal auditor and two advisory committees and requires (i) each commissioner of the revenue to provide certain tax information and (ii) the Virginia Employment Commission to provide certain employment information to the Authority as may be necessary to facilitate the administration and enforcement by the Authority of performance agreements with businesses that have received incentive awards. The bill contains an emergency clause. This bill is identical to SB 1574.

Patron - Jones

SB916 Virginia Register Act; guidance documents; duty to file with the Registrar. Consolidates provisions relating to the availability of guidance documents in a single section in the Virginia Register Act. In addition, the bill requires agencies that do not have regulatory authority to annually file with the Virginia Registrar of Regulations for publication in the Virginia Register of Regulations a list of any guidance documents upon which such agencies currently rely. Under current law, the requirement for filing guidance documents applies only to agencies with regulatory authority. As introduced, the bill is a recommendation of the Administrative Law Advisory Committee.

Patron - Edwards

SB965 State and Local Government Conflict of Interests Act; prohibited contracts; exceptions for certain contracts entered into by an officer or employee of a soil and water conservation district. Provides an exception to the prohibition against contracts between employing agencies and their officers or employees for contracts by an officer or employee of a soil and water conservation district or an immediate family member of such officer or employee to participate in a cost-share program for the installation of best management practices to improve water quality. The exception does not apply to subcontracts or other agreements entered into to provide services for implementation of a cost-share contract established under such program. This bill is identical to HB 1472.

Patron - Hanger

SB976 Virginia Economic Development Partnership Authority; site and building assessment program; minimum size of industrial sites. Lowers the minimum size of industrial sites that may be included in the Authority's site and building assessment program from 250 acres to 100 acres. The bill contains a technical amendment. This bill is identical to HB 1591.

Patron - Hanger

SB1001 Fort Monroe Authority Board of Trustees; membership; terms. Adds three nonlegislative citizen members to the Fort Monroe Authority Board of Trustees, to be appointed by the Governor. The bill also changes the Secretary of Commerce and Trade and the Secretary of Natural Resources from voting to nonvoting ex officio members and

removes the Lieutenant Governor from membership. This bill is identical to HB 2356.

Patron - Locke

SB1040 Virginia Freedom of Information Act (FOIA); record exclusion for personal contact information; limitation. Provides that personal contact information provided to a public body for the purpose of receiving electronic mail from the public body is excluded from the mandatory disclosure provisions of FOIA, provided that the electronic mail recipient has requested that the public body not disclose such information. The bill defines "personal contact information" as the home or business (i) address, (ii) email address, or (iii) telephone number or comparable number assigned to any other electronic communication device. Current law excludes "personal information," which is defined as including a broader range of information than the limited definition of personal contact information in the bill.

Patron - Hanger

SB1042 Virginia Resources Authority. Transfers the responsibility for the Virginia Resources Authority from the Secretary of Commerce and Trade to the Secretary of Finance. This bill is identical to HB 2151.

Patron - Dance

SB1061 Government Data Collection and Dissemination Practices Act; exemption for sheriff's departments. Adds an exemption to the Government Data Collection and Dissemination Practices Act (§ 2.2-3800 et seq.) for personal information systems maintained by sheriff's departments of counties and cities that deal with investigations and intelligence gathering relating to criminal activity and limits the existing exemptions for personal information systems maintained by the Department of State Police, police departments of localities and of the Chesapeake Bay Bridge and Tunnel Commission, and sheriff's departments to those personal information systems that deal with investigations and intelligence gathering related to criminal activity. The bill contains technical amendments. The bill contains an emergency clause.

Patron - Black

SB1075 Veterans Services Foundation; powers and duties; appointment of Executive Director; report. Requires the Veterans Services Foundation to provide an annual report on its funding levels and services to the General Assembly. The bill also (i) authorizes the board of trustees of the Foundation to appoint an Executive Director and exercise personnel authority over the position, (ii) clarifies that the Foundation may make direct request for appropriations from the General Assembly, (iii) clarifies that only the unrestricted portion of the Veterans Services Fund may be used for Foundation expenses, (iv) requires the Department of Veterans Services to provide qualified finance and development personnel to perform the duties of the treasurer and secretary of the Foundation, and (iv) provides that expenditures and disbursements from the Fund shall be made upon written authorization of the Executive Director with the approval of the board of trustees. The bill requires that allocations and expenditures of donated restricted funds be in accordance with cited provisions of the Uniform Prudent Management of Institutional Funds Act relating to the standard of conduct in managing and investing institutional funds.

Patron - Ruff

SB1102 Virginia Freedom of Information Act; completed unattended death investigations; mandatory disclosure. Requires that records of completed unattended death

investigations be released to the parent or spouse of the decedent or, if there is no living parent or spouse, to the most immediate family member of the decedent, provided the person is not a person of interest or a suspect. The bill also defines "unattended death" and "immediate family member."

Patron - Surovell

SB1129 Public procurement; requirements for use of construction management and design-build procurement methods. Establishes requirements for the procurement of construction using the construction management and design-build procurement methods by state and local public bodies and covered institutions of higher education, as defined in the bill, and the conditions under which such methods may be used. Public bodies must comply with procedures adopted by the Secretary of Administration for construction management or design-build projects. State public bodies and covered institutions must adopt procedures that include, among other things, a requirement that the state public body or covered institution make a written determination in advance that competitive sealed bidding is not practicable or fiscally advantageous and document the basis for the determination to use the construction management or design-build procurement method. The bill requires the Department of General Services (DGS) to evaluate the proposed procurement method of state public bodies and covered institutions and provide a recommendation regarding the procurement method within five days of receipt of the written determination. If a state public body or covered institution elects to proceed with the project using a construction management or design-build contract despite a DGS recommendation to the contrary, the state public body or covered institution must provide to DGS in writing its reasons for doing so. For local public bodies, construction management contracts may be used for projects whose cost is expected to be less than \$10 million, provided that the project is a complex project and the project procurement method is approved by the local governing body. The bill also requires DGS to report to the Governor and certain General Assembly committees annually by December 1 information pertaining to (i) the agency's evaluation of projects submitted by state public bodies and covered institutions and (ii) all completed capital projects in excess of \$2 million. This bill is identical to HB 2366.

Patron - Ruff

SB1182 Board of Veterans Services; membership; duties. Removes requirements regarding specific areas of expertise for members appointed to the Board of Veterans Services (the Board) by the Governor. The bill also (i) extends the number of consecutive terms for legislative members from four to six two-year terms for members of the House of Delegates and from two to three four-year terms for members of the Senate; (ii) removes the requirement that the Board be organized into at least three standing committees; and (iii) makes other changes to the administration of the Board and the eligibility for reappointment of nonlegislative citizen members of the Board. This bill incorporates SB 1212 and is identical to HB 2302.

Patron - Reeves

SB1192 Department of Small Business and Supplier Diversity; powers of the Director; out-of-state applicants for certification as a small, women-owned, or minority-owned business. Requires, as a prerequisite for approval, that any out-of-state business applying with the Department of Small Business and Supplier Diversity for certification in Virginia as a small, women-owned, or minority-owned business possess the equivalent certification in the business's state of origin. The bill exempts an out-of-state business located in a

state that does not have a small, women-owned, or minority-owned business certification program.

Patron - Reeves

SB1202 Commercial Space Flight Authority. Requires the Executive Director of the Commercial Space Flight Authority (the Authority) to develop and present to the Authority's board of directors (the Board) every four years a six-year strategic plan for its adoption and eliminates the requirement that a strategic plan be submitted to the Governor and General Assembly every four years. The bill also clarifies that the public purpose of the Authority is to promote (i) industrial and economic development and (ii) scientific and technological research and development for the commercial space flight industry. The bill provides that the Executive Director of the Authority also serves as the Chief Executive Officer; specifies that the Governor's appointments to the Board have experience in the aerospace industry, the financial industry, higher education, or the marketing industry or in scientific research and development; and eliminates the requirement that the Board form a nonvoting advisory committee.

Patron - Lewis

SB1226 Virginia Freedom of Information Act; record exclusion for proprietary records and trade secrets; solar energy agreements. Excludes from the mandatory disclosure provisions of FOIA proprietary information, voluntarily provided by a private business under a promise of confidentiality from a public body, used by the public body for a solar services agreement. The bill requires the private business to specify the records for which protection is sought before submitting them to the public body and to state the reasons why protection is necessary. The bill also (i) allows a solar services agreement contractor or provider to designate specific provisions in a solar services agreement as proprietary information not subject to disclosure and (ii) authorizes a city to withhold from disclosure such information provided by a private entity in connection with a franchise, lease, or use under a solar services agreement.

Patron - Edwards

SB1265 Department of General Services; maintenance of property records; notification when deed, lease, or other agreement to terminate. Requires the Department of General Services to maintain records relating to all property interests held by the Commonwealth and under the control of or occupied by any of its departments, agencies, or institutions, with the exception of records relating to (i) real estate or rights-of-way acquired by the Department of Transportation for the construction of highways; (ii) ungranted shores of the sea, marsh, and meadowlands as defined in § 28.2-1500; or (iii) real estate or rights-of-way acquired by the Department of Rail and Public Transportation for the construction of railway lines or rail or public transportation facilities or the retention of rail corridors for public purposes. The bill also provides for the Department to submit a quarterly report, in electronic form, to the General Assembly that includes renewal and termination dates for inventoried property pursuant to the lease, license, permit, or other agreement administered by the Department. The information will include property that serves as a branch office of a state agency and all renewals and terminations scheduled to occur within 90 days of the report date.

Patron - Chafin

SB1293 Department of Human Resources Management; criminal background checks; state agency positions designated as sensitive; agencies to report to the Department. Requires each state agency to continue to record in the

Personnel Management Information System (PMIS) positions that it has designated as sensitive to ensure that the Department of Human Resources Management has a list of all such positions. The bill clarifies who would be subject to a criminal background investigation in a sensitive position. The bill expands the definition of sensitive position to include those positions (i) responsible for the health, safety, and welfare of citizens or the protection of critical infrastructures; (ii) that have access to sensitive information, including access to Federal Tax Information in approved exchange agreements with the Internal Revenue Service or Social Security Administration; and (iii) that are otherwise required by state or federal law to be designated as sensitive. The bill contains an emergency clause. This bill is identical to HB 2391.

Patron - McDougle

SB1312 Lobbyist reporting, the State and Local Government Conflict of Interests Act, and the General Assembly Conflicts of Interests Act; filing of required disclosures; registration of lobbyists; candidate filings; judges; definition of gift; informal advice; civil penalties; technical amendments. Makes numerous changes to the laws governing lobbyist reporting, the conflict of interest acts, and the Virginia Conflict of Interest and Ethics Advisory Council (the Council), including (i) allowing the Secretary of the Commonwealth to suspend any penalty that could be assessed against a lobbyist's principal for failing to file the required disclosure if such failure is beyond the control of the principal; (ii) clarifying the procedures for terminating the services of a lobbyist; (iii) requiring that lobbyist registration forms be filed electronically; (iv) eliminating the requirement that a lobbyist list the names, addresses, and telephone numbers of all other lobbyists representing the same principal; (v) creating a separate statement for a lobbyist's principal to waive the principal signature requirement on the lobbyist disclosure form; (vi) granting the clerk of the local governing body or school board the same power as the Council to redact from any disclosure form released to the public any residential address, personal telephone number, or signature; (vii) eliminating the minimum duration of the mandatory refresher ethics orientation session for General Assembly members; (viii) allowing written informal advice from the Council to confer immunity from prosecution upon individuals acting in accordance with such advice; (ix) clarifying the Council's authority to grant extensions from the filing deadline and imposing a \$250 civil penalty on agency heads or local clerks who fail to provide the disclosure forms to filers in a timely manner; (x) requiring lobbyists to provide a report of gifts made during a regular session of the General Assembly no later than three weeks after adjournment to legislators and certain executive branch officials who are required to file a session gift report; and (xi) directing that candidates for statewide office and the General Assembly are required to file a disclosure form with the State Board of Elections and candidates for a constitutional office are required to file a disclosure form with the local general registrar. The bill also extends the filing deadline for disclosure forms from January 15 to February 1 and clarifies the reporting period covered by the disclosure forms. The bill eliminates events open to individuals who share a common interest from the definition of a "widely attended event," attendance at which is not subject to the gift cap. The bill also exempts from the definition of a "gift" (a) gifts from a person's child-in-law; (b) gifts related to a person's volunteer service; (c) meals provided for attendance at an official meeting of the Commonwealth, its political subdivisions, or certain other entities; and (d) attendance at a reception or similar function. The bill also exempts members of the judiciary from certain provisions governing prohibited gifts and prohibited personal interests in a transaction where such members are already subject to similar or greater prohibitions

under the Canons of Judicial Conduct for the State of Virginia. The bill also clarifies that a legislator may have a personal interest in a contract with a government agency, not including a legislative branch agency, when the Virginia Public Procurement Act allows the award of such contract without competition. The bill further clarifies the exceptions that allow state and local officers and employees who have a personal interest in a transaction to participate in the transaction. Finally, the bill contains technical amendments. The bill contains an emergency clause that applies to the changes described in clauses (x) and (xi). This bill is identical to HB 1854.

Patron - Norment

SB1334 Virginia Public Procurement Act; small business enhancement program; limitations. Provides that any enhancement or remedial measure authorized by the Governor for state public bodies may allow for small businesses certified by the Department of Small Business and Supplier Diversity or a subcategory of small businesses established as a part of the enhancement program to have a price preference over noncertified businesses competing for the same contract award, provided that the certified small business or the business in such subcategory of small businesses does not exceed the low bid by more than five percent.

Patron - Ruff

SB1341 Digital certification of government records. Provides for the Secretary of the Commonwealth, in cooperation with the Virginia Information Technologies Agency, to develop standards for the use of digital signatures by government agencies on electronic records generated by such agencies. The bill further provides that such agencies may provide copies of digital records, via a website or upon request, and may charge a fee of \$5 for each digitally certified copy of an electronic record. Any digitally certified record submitted to a court in the Commonwealth shall be deemed to be authenticated by the custodian of the record. The bill defines "agency" to include all state agencies and local government entities, including constitutional officers, except circuit court clerks.

Patron - Surovell

SB1363 Secretary of Transportation to convene a task force to study the feasibility of establishing a statewide one-stop online portal for address changes; report. Requires the Secretary of Transportation or his designee to convene a task force to study the feasibility of establishing a one-stop online portal for citizen address changes in order to develop a single statewide address database for utilization by state entities. The task force shall submit to the Governor and the General Assembly a report on its findings and recommendations by November 1, 2017. The bill has an expiration date of July 1, 2018.

Patron - Obenshain

SB1374 Board for Contractors; membership. Adds a professional engineer to the membership of the Board for Contractors.

Patron - DeSteph

SB1412 Parental leave benefits. Creates a new program of parental leave benefits for full-time state employees with one or more years of continuous employment with the Commonwealth who (i) adopt an infant under one year of age or (ii) are the natural father of an infant under one year of age. The amount of leave would be equivalent to the amount of paid leave awarded to an employee pursuant to short-term disability for maternity leave. The bill specifies that the parental leave coverage shall apply only to eligible state employees who take

custody of an infant in the course of an adoption on or after July 1, 2018, or, for a natural father, for an infant born on or after July 1, 2018. The Department of Human Resource Management is directed to develop guidelines and policies for implementing the parental leave benefits. The bill also directs the Joint Legislative Audit and Review Commission to analyze parental leave benefits for state employees in other states and the costs of providing such benefits to the employees of the Commonwealth. The bill has a reenactment clause that applies to all provisions of the bill except the JLARC study, which is effective July 1, 2017.

Patron - Suetterlein

SB1416 Investment of Public Funds Act; investment of funds in qualified investment pools. Authorizes a treasurer to act on behalf of his locality to become a participating political subdivision in qualified investment pools without an ordinance adopted by the locality. The bill defines a qualified investment pool as a jointly administered trust fund that has a professional investment manager. Investments in qualified investment pools pursuant to the bill are required to comply with the requirements of the Investment of Public Funds Act (§ 2.2-4500 et seq.) applicable to municipal corporations and other political subdivisions. The bill states that none of its provisions shall be construed to diminish existing legal authority of treasurers related to the investment of public funds. This bill is identical to HB 2105.

Patron - Newman

SB1431 Administrative Process Act; economic impact analysis; opportunity for comment by affected businesses or other entities. Requires the Department of Planning and Budget to revise and reissue its economic impact analysis within the time limits set forth for the Department's review of regulations at the final stage pursuant to the Governor's executive order for executive branch review if one of the following conditions is present and would materially change the Department's analysis: (i) public comment timely received at the proposed stage indicates significant errors in the economic impact analysis or (ii) there is a significant or material difference between the agency's proposed economic impact analysis and the anticipated negative economic impacts to the business community as indicated by public comment. The bill provides that the determination as to whether either such condition is present shall be made by the Department and shall not be subject to judicial review. The bill contains an emergency clause. This bill is identical to HB 1943.

Patron - Reeves

SB1483 Virginia Tourism Authority; Cooperative Marketing Fund; eligibility. Provides that proposals for existing programs that have a measurable return on investment are eligible for matching grant funds under the Cooperative Marketing Fund. The bill also (i) removes the requirement that only private funds be matched and (ii) provides that guidelines established for the Fund may include a preference for proposals submitted by state agencies. This bill is identical to HB 2278.

Patron - Hanger

SB1508 Virginia Public Procurement Act; architectural and professional engineering term contracting; limitations on project fees; certain school divisions. Includes a school division in a locality with a population in excess of 78,000 under the exception from (i) the \$100,000 single-project fee limit for architectural and professional engineering term contracts and (ii) the \$1 million annual aggregate total of all such projects. Under the bill, such school divisions may pay a

single-project fee of up to \$2.5 million and an annual aggregate of \$6 million.

Patron - Cosgrove

SB1512 Charitable gaming; conduct of games; special permits. Authorizes the Charitable Gaming Board to grant special permits to qualified organizations to replace (i) an approved game that falls on a legal holiday or (ii) an approved game that has been canceled by the qualified organization on account of severe weather conditions in the locality in which the approved game was scheduled to occur, provided that the qualified organization notifies the Department within 24 hours of the canceled approved game and the Department is satisfied that the severe weather conditions warranted cancellation. The special permit shall designate a date for the replacement game to occur within 90 days before or after the legal holiday or within 90 days after the date of the canceled approved game for which the special permit is requested. The bill also allows a qualified organization to reimburse volunteers who are non-members of the qualified organization up to \$50 per game session for reasonable travel expenses.

Patron - Surovell

SB1530 Policy of the Commonwealth regarding the employment of individuals with disabilities; responsibilities of state agencies; report. Provides that it is the policy of the Commonwealth to promote and increase the employment of individuals with disabilities. To further this policy, the bill establishes a goal to increase by five percent the level of individuals with disabilities employed by state government by fiscal year 2023. The bill designates the Secretary of Administration to coordinate efforts to achieve the goal and requires the Secretary to establish a reporting system for tracking and reporting the progress of state agencies toward meeting the employment and contracting goals and to report annually on the number of individuals with disabilities employed by the state. The bill requires each state agency to submit a plan to increase employment opportunities for individuals with disabilities to the Secretary no later than December 31, 2017, and each July 1 thereafter. This bill is identical to HB 2425.

Patron - Vogel

SB1538 Virginia Public Procurement Act; SWaM program; participation of employment services organizations. Provides that contracts and subcontracts awarded to employment services organizations shall be credited toward the small business, women-owned, and minority-owned business contracting and subcontracting goals of state agencies as well as state contractors. The bill is identical to HB 2396.

Patron - Hanger

SB1539 Chief Workforce Development Advisor; responsibilities. Clarifies that the Chief Workforce Development Advisor shall report directly to the Governor and shall not serve in any other capacity. The bill has a delayed effective date of January 15, 2018.

Patron - Ruff

SB1548 Virginia Public Procurement Act; cooperative procurement; Virginia Sheriffs' Association. Provides that a public body may purchase from the contract of the Virginia Sheriffs' Association.

Patron - Reeves

SB1574 Virginia Economic Development Partnership Authority; membership; powers and duties. Restructures the membership of the board of directors (the Board) of the

Virginia Economic Development Partnership Authority (the Authority), designates the Board as a supervisory board within the statutory definition of "supervisory," sets out the minimum qualifications for appointments to the Board, and sets out additional powers and duties required of the Board, including development of a strategic plan for economic development, a marketing plan, and an operational plan. The bill also establishes a Division of Incentives within the Authority to track, manage, and coordinate economic development incentives. Under the bill, the Division is required to obtain certification from the Attorney General prior to certifying that an approved project has met the investment and job creation requirements and the review of the Attorney General prior to seeking the repayment of any public funds from an approved project due to a failure of the project to meet the investment and job creation requirements set forth in the contract or memorandum of understanding. The bill establishes a position of internal auditor and two advisory committees and requires (i) each commissioner of the revenue to provide certain tax information and (ii) the Virginia Employment Commission to provide certain employment information to the Authority as may be necessary to facilitate the administration and enforcement by the Authority of performance agreements with businesses that have received incentive awards. The bill contains an emergency clause. This bill incorporates SB 1238 and is identical to HB 2471.

Patron - Ruff

Title 3.2 - Agriculture, Animal Care, and Food

HB1477 Cats and dogs; lifetime licenses. Authorizes the governing body of a county or city to provide for a lifetime dog or cat license. The bill removes the minimum annual tax for a dog or cat, sets the maximum tax for a lifetime license at \$50, and limits the fee for a duplicate dog or cat tag to \$1. This bill is identical to SB 856.

Patron - Orrock

HB1781 Farmers markets; farm and forest land conversion; plans. Removes the requirements that certain agencies analyze the impact of regulations on the conversion of farm and forest lands and that the Commissioner of Agriculture and Consumer Services summarize the reports of the operators of state-owned farmers markets to the General Assembly.

Patron - Plum

HB2254 Tobacco Board; composition; assessment. Alters the member nomination process, tax rate, and other functions of the Tobacco Board (the Board). The bill removes the 90-day deadline for submission of industry nominees for a seat on the Board, as well as the requirement that there be two or more nominations for each seat. The bill removes from the Board the power to appoint a secretary and other employees. Finally, the bill raises the excise tax on tobacco from 20 cents to 40 cents per 100 pounds of tobacco harvested and renames it an assessment; authorizes the Board, at its discretion, to waive interest on the assessment when it is paid late or is left unpaid; and provides criteria for such waiver. This bill is identical to SB 948.

Patron - Edmunds

HB2381 Dangerous dogs. Removes the requirement that a law-enforcement officer or animal control officer apply for a summons requiring a dog owner to appear before a gen-

eral district court when the officer has reason to believe that the dog is dangerous. In the case of a dog that has bitten a cat or dog, the bill requires investigation by an officer for certain exemptions from the definition of "dangerous dog" to apply and removes an exemption for good cause as determined by a court. In the case of a dog that has bitten a person, the bill creates an exemption when an investigating officer finds that the injury is minor. The bill allows a court to use good cause as a reason to determine that a dog is not dangerous. The bill also reduces from 45 days to 30 days the period within which (i) an owner of a dog found to be dangerous is required to obtain a dangerous dog registration certificate and (ii) a convicted owner of a dangerous dog is required to comply with certain provisions. The bill contains technical amendments.

Patron - Fariss

SB852 Pet shops; procurement of dogs from unlicensed dealers. Prohibits any companion animal dealer who is not licensed or exempted from licensure by the U.S. Department of Agriculture (USDA) from selling any dog to a pet shop. The bill prohibits a pet shop from procuring a dog from a person who has received citations for one critical violation or three or more noncritical violations from the USDA in the two years prior to receiving the dog. The bill prohibits a pet shop from selling a dog procured from someone who knowingly obtained the dog directly or indirectly from a person with such citations.

Patron - Stanley

SB856 Cats and dogs; lifetime licenses. Authorizes the governing body of a county or city to provide for a lifetime dog or cat license. The bill also removes the minimum annual tax for a dog or cat, sets the maximum tax for a lifetime license at \$50, and limits the fee for a duplicate dog or cat tag to \$1. This bill is identical to HB 1477.

Patron - Hanger

SB948 Tobacco Board; composition; assessment. Alters the member nomination process, tax rate, and other functions of the Tobacco Board (the Board). The bill removes the 90-day deadline for submission of industry nominees for a seat on the Board, as well as the requirement that there be two or more nominations for each seat. The bill removes from the Board the power to appoint a secretary and other employees. Finally, the bill raises the excise tax on tobacco from 20 cents to 40 cents per 100 pounds of tobacco harvested and renames it an assessment; authorizes the Board, at its discretion, to waive interest on the assessment when it is paid late or is left unpaid; and provides criteria for such waiver. This bill is identical to HB 2254.

Patron - Ruff

SB1195 Produce safety; farm inspections; civil penalty. Prohibits certain farms from violating the federal regulations that set minimum standards for the safe growing, harvesting, packing, and holding of fruits and vegetables. The bill authorizes the Board of Agriculture and Consumer Services to adopt regulations to carry out the purposes of the law and gives the Commissioner of Agriculture and Consumer Services free access at reasonable hours to certain farms to inspect the farms and take samples. The Commissioner also is authorized to seize certain produce if he believes it is being grown, kept, or exposed for sale or held in violation of federal regulations or state law, and the bill provides a court process by which the seizure may be contested. The bill authorizes the Board to levy a civil penalty of up to \$1,000 per violation, to be deposited in the Virginia Natural Resources Commitment Fund. The bill includes provisions that would cause it to expire

upon the repeal of the relevant federal law, the granting of an exemption under such federal law, or the cessation of federal funding.

Patron - Stuart

SB1463 Virginia Tobacco Region Revolving Fund; definition of project. Defines "equity" under the Virginia Tobacco Region Revolving Fund to mean any contribution to a project other than debt financing, including a federal, state, or local grant, except that the grant shall not be a Virginia Tobacco Region Revitalization Commission grant. The bill includes in the definition of "project" any other proposal recommended for evaluation and disbursement by the Commission and credit approved by the Virginia Resources Authority, subject to such conditions and policies as agreed to by the Commission and the Authority. Projects other than those defined in § 62.1-199 shall be eligible to borrow from the Fund only in the event that other funding for the project equal to 25 percent of the total cost of the project is available through equity.

Patron - Ruff

Title 4.1 - Alcoholic Beverage Control Act

HB1694 Alcoholic beverage control; nonprofit banquet licensees; sale of wine for off-premises consumption. Provides that banquet licensees that are nonprofit corporations or associations conducting fundraisers (i) shall also be authorized to sell wine, as part of any fundraising activity, in closed containers for off-premises consumption to persons to whom wine may be lawfully sold and (ii) shall be limited to no more than one such fundraiser per year.

Patron - Marshall, D.W.

HB1743 Alcoholic beverage control; retail on-premises license for nonprofit historic cinema houses. Creates a new retail on-premises wine and beer license for nonprofit historic cinema houses. The bill defines "historic cinema house" and sets out the privileges of the license and imposes a \$200 annual state license tax and a \$20 annual local license tax.

Patron - Rush

HB1744 Alcoholic beverage control; disposable containers. Includes a single original metal can in the list of allowable disposable containers that a beer licensee, a wine and beer licensee, and certain mixed beverage licensees may use to sell alcoholic beverages. This bill is identical to SB 1469.

Patron - Rush

HB1801 Alcoholic beverage control (ABC); delivery privileges of persons holding a wine and beer license. Provides that notwithstanding any provision of law to the contrary, persons granted a wine and beer license may deliver such wine or beer in closed containers for off-premises consumption (i) to a person's vehicle if located in a designated parking area of the retailer's premises where such person has electronically ordered wine or beer in advance of the delivery or (ii) if the licensee holds a delivery permit issued by the ABC Board, to such other locations as may be permitted by Board regulation. The bill contains technical amendments.

Patron - Knight

HB1842 Alcoholic beverage control; neutral grain spirits or alcohol sold at government stores; proof.

Increases from 101 to 151 the proof of neutral grain spirits or alcohol that is without distinctive character, aroma, taste, or color that may be sold at government stores. The bill has an expiration date of July 1, 2022.

Patron - Knight

HB1926 Alcoholic beverage control (ABC); definition of municipal golf course; food sales requirements for mixed beverage restaurant licensees located on the premises of and operated by municipal golf courses. Defines "municipal golf course" and provides that for mixed beverage restaurant licensees located on the premises of and operated by municipal golf courses, the ABC Board shall recognize the seasonal nature of the business and waive any applicable monthly food sales requirements for those months when weather conditions may reduce patronage of the golf course, provided that prepared food, including meals, is available to patrons during the same months. The bill provides that the gross receipts from the sale of food cooked, or prepared, and consumed on the premises and nonalcoholic beverages served on the premises, after the issuance of such license, shall amount to at least 45 percent of the gross receipts from the sale of mixed beverages and food on an annualized basis.

Patron - Campbell

HB1987 Alcoholic beverage control; new license for certain commercial lifestyle centers. Defines "commercial lifestyle center" and creates a new nonretail license for commercial lifestyle centers. The bill sets out the privileges of the license and imposes a \$300 annual state tax and a \$60 annual local tax on the license. The bill contains technical amendments. This bill is identical to SB 1391.

Patron - Greason

HB2029 Alcoholic beverage control; privileges of licensed distillers appointed as agents of the Alcoholic Beverage Control Board. Allows a licensed distiller who has been appointed by the Alcoholic Beverage Control Board as an agent to sell spirits manufactured by the distiller at a site of an event licensed by the Board and conducted for the purpose of featuring and educating the consuming public about spirits products. This bill is identical to SB 1448.

Patron - Freitas

HB2078 Alcoholic beverage control; annual mixed beverage performing arts facility license. Authorizes the Alcoholic Beverage Control Board to grant an annual mixed beverage performing arts facility license to persons operating food concessions at any performing arts facility located in the arts and cultural district of the City of Harrisonburg, provided that the performing arts facility (i) is occupied under a bona fide long-term lease or concession agreement, the original term of which was more than five years; (ii) has been rehabilitated in accordance with historic preservation standards; (iii) has monthly gross receipts from the sale of food cooked, or prepared, and consumed on the premises and nonalcoholic beverages served on the premises that meet or exceed the monthly minimum established by Board regulations for mixed beverage restaurants; and (iv) has a total capacity in excess of 900 patrons. Such license shall authorize the sale, on the dates of performances or private or special events, of alcoholic beverages for on-premises consumption in areas upon the licensed premises approved by the Board.

Patron - Wilt

HB2185 Alcoholic beverage control; granting of certain mixed beverage licenses. Provides that, notwithstanding the requirement for a referendum for liquor by the drink, the

Alcoholic Beverage Control Board may issue a mixed beverage license to establishments located on property (i) 2,135 feet north of the intersection of State Routes 1223 and 661 (Meadows Golf and Swim Club); (ii) on State Route 685 approximately 1,128 feet west of the intersection of State Routes 652 and 685; and (iii) adjacent to State Route 697 and operated as a country club in the Powell Valley section of Wise County.

Patron - Yost

HB2247 Virginia Alcoholic Beverage Control Authority; eligibility of employees for Workforce Transition Act. Eliminates the eligibility of employees of the Alcoholic Beverage Control Board who elect not to become employees of the Alcoholic Beverage Control Authority for severance benefits under the Workforce Transition Act. Such severance benefits would remain available for a Board employee who is not offered a position with the Authority, is not offered a position for which the employee is qualified, or is offered a position that would require relocation or a reduction in salary. The bill has a delayed effective date of July 1, 2018.

Patron - Jones

HB2359 Virginia Alcoholic Beverage Control (ABC) Authority. Changes the effective date for the creation of the ABC Authority from July 1, 2018, to January 15, 2018. The bill creates a transition period from January 15, 2018, until December 31, 2018, during which time the current Department of Alcoholic Beverage Control will coexist with the ABC Authority to facilitate an orderly and efficient transition and to ensure the continuation of operations during the transition. The bill provides that during the transition period the current ABC Board will be the Board of Directors of the ABC Authority. The bill grants to the ABC Authority the authority to implement and maintain independent payroll and nonpayroll disbursement systems, which are subject to review and approval by the State Comptroller and which include travel reimbursements, revenue refunds, disbursements for vendor payments, petty cash, and interagency payments. The bill also (i) streamlines the suspension and revocation process to encourage settlement of cases before reaching the appeal level to the Board of Directors, (ii) exempts the ABC Authority from mandatory procurement provisions, and (iii) authorizes the Board of Directors to delegate or assign to any officer or employee of the ABC Authority any duties or tasks required to be performed by the ABC Authority but provides that the Board of Directors remains responsible for the performance of any such duties or tasks. The bill contains numerous technical amendments.

Patron - Albo

HB2418 Alcoholic beverage control; banquet licenses for wineries and breweries. Increases from four to eight the number of banquet licenses a brewery or winery may obtain for events in any one-year period, provided that the event for which a banquet license is obtained is (i) at a place approved by the Board and (ii) conducted for the purposes of featuring and educating the consuming public about beer or wine products, respectively. The bill also specifically provides that such wine or beer manufacturer is limited to eight banquet licenses for such events per year without regard to the number of wineries or breweries, respectively, owned or operated by such manufacturer or by any parent, subsidiary, or company under common control with such manufacturer. The bill contains a technical amendment.

Patron - Robinson

HB2433 Alcoholic beverage control (ABC); cider. Provides that cider shall be treated as wine for all purposes of

alcoholic beverage control law, except where otherwise provided in ABC law or Board regulations. The bill contains technical amendments.

Patron - Bulova

SB1108 Alcoholic beverage control; culinary walking tour permit. Creates a new permit that allows tour companies guiding individuals for compensation on a culinary walking tour to licensed on-premises retail establishments to collect as one fee from tour participants (i) the licensee's fee for the food and alcoholic beverages served as part of the tour and (ii) a fee for the culinary walking tour service. The bill requires the tour company to remit to the licensee any fee collected for the food and alcoholic beverages served as part of the tour. The bill provides that food cooked or prepared on the premises of such licensed on-premises retail establishments shall be served at each such establishment on the tour.

Patron - Sturtevant

SB1150 Alcoholic beverage control; bar bystander training. Directs the Alcoholic Beverage Control Board to promulgate regulations that establish and make available to all retail on-premises licensees and permittees for which on-premises consumption of alcoholic beverages is allowed and employees of such licensees and permittees who serve as a bartender or otherwise sell, serve, or dispense alcoholic beverages for on-premises consumption a bar bystander training module, which shall include (i) information that enables licensees, permittees, and their employees to recognize situations that may lead to sexual assault and (ii) intervention strategies to prevent such situations from culminating in sexual assault.

Patron - Favola

SB1216 Alcoholic beverage control; availability of food when spirits served. Directs the Alcoholic Beverage Control Board to promulgate regulations that require mixed beverage licensees to have food, cooked or prepared on the licensed premises, available for on-premises consumption until at least 30 minutes prior to an establishment's closing. The bill requires that such food be available in all areas of the licensed premises in which spirits are sold or served.

Patron - DeSteph

SB1287 Virginia Alcoholic Beverage Control (ABC) Authority. Changes the effective date for the creation of the ABC Authority from July 1, 2018, to January 15, 2018. The bill creates a transition period from January 15, 2018, until December 31, 2018, during which time the current Department of Alcoholic Beverage Control will coexist with the ABC Authority to facilitate an orderly and efficient transition and to ensure the continuation of operations during the transition. The bill provides that during the transition period the current ABC Board will be the Board of Directors of the ABC Authority. The bill grants to the ABC Authority the authority to implement and maintain independent payroll and nonpayroll disbursement systems, which are subject to review and approval by the State Comptroller and which include travel reimbursements, revenue refunds, disbursements for vendor payments, petty cash, and interagency payments. The bill also (i) streamlines the suspension and revocation process to encourage settlement of cases before reaching the appeal level to the Board of Directors, (ii) exempts the ABC Authority from mandatory procurement provisions, and (iii) authorizes the Board of Directors to delegate or assign to any officer or employee of the ABC Authority any duties or tasks required to be performed by the ABC Authority but provides that the Board of Directors remains responsible for the performance of any such

duties or tasks. The bill contains numerous technical amendments.

Patron - McDougale

SB1325 Alcoholic beverage control; mixed beverage licenses for certain properties. Increases from 1,500 feet to 3,000 feet the distance from Interstate 81 within which the Alcoholic Beverage Control Board may grant mixed beverage licenses to establishments located on property on either frontage road between mile markers 75 and 86 in the County of Wythe.

Patron - Carrico

SB1382 Alcoholic beverage control; applications for retail license; health permit or inspection. Requires applicants for retail licenses for establishments that serve food or are otherwise required to obtain a food establishment permit from the Department of Health or an inspection by the Department of Agriculture and Consumer Services to provide a copy of such permit, proof of inspection, or proof of a pending request for such permit or inspection. The bill provides that if the applicant provides such documentation, a license may be issued to the applicant, which shall authorize the licensee to purchase alcoholic beverages; however, if the license was granted on the basis of a pending request for a permit or inspection, the licensee shall not sell or serve alcoholic beverages until a permit is issued or an inspection is completed.

Patron - Ebbin

SB1391 Alcoholic beverage control; new license for certain commercial lifestyle centers. Defines "commercial lifestyle center" and creates a new nonretail license for commercial lifestyle centers. The bill sets out the privileges of the license and imposes a \$300 annual state tax and a \$60 annual local tax on the license. The bill contains technical amendments. This bill is identical to HB 1987.

Patron - DeSteph

SB1448 Alcoholic beverage control; privileges of licensed distillers appointed as agents of the Alcoholic Beverage Control Board. Allows a licensed distiller who has been appointed by the Alcoholic Beverage Control Board as an agent to sell spirits manufactured by the distiller at a site of an event licensed by the Board and conducted for the purpose of featuring and educating the consuming public about spirits products. This bill is identical to HB 2029.

Patron - Deeds

SB1469 Alcoholic beverage control; disposable containers. Includes a single original metal can in the list of allowable disposable containers that a beer licensee, a wine and beer licensee, and certain mixed beverage licensees may use to sell alcoholic beverages. This bill is identical to HB 1744.

Patron - Chafin

SB1587 Alcoholic beverage control; wine and beer licenses. Includes Alleghany County in the list of wine and beer licenses that may be granted to persons operating food concessions at any outdoor performing arts amphitheater, arena, or similar facility that has seating for more than 20,000 persons.

Patron - Deeds

Title 5.1 - Aviation

HB2149 Registration of aircraft. Updates terminology by changing "license" to "registration" to better reflect the responsibility of the Department of Aviation to locate and count aircraft. The bill removes from the Virginia Aviation Board the power and duty to promulgate rules for air traffic, construction and inspection of aircraft, qualifications and licensing of airmen, and stunt flying to better reflect the current regulatory responsibilities.

Patron - Knight

SB1417 Commercial air service plan. Requires the Virginia Aviation Board to develop and review every five years a commercial air service plan for commercial air service airports in the Commonwealth and, prior to allocation of funds from the Commonwealth Airport Fund by the Board, ensure that requested funds are consistent with the plan. The bill requires the Board to report to the Governor and the General Assembly annually on the use of Commercial Airport Fund revenues for the previous fiscal year. The bill prohibits the use of Commercial Airport Fund revenues for (i) operating costs, unless otherwise approved by the Board, or (ii) purposes related to supporting the operation of an airline, either directly or indirectly, through grants, credit enhancements, or other related means.

Patron - Newman

Title 6.2 - Financial Institutions and Services

SB1136 Money transmitters; investments. Permits the aggregate dollar amount of the outstanding stored value products of a licensed money transmitter to be calculated in accordance with generally accepted accounting principles. Such licensees are required to maintain permissible investments that have a market value of not less than the aggregate dollar amount of all of their outstanding money transmission transactions, which by definition includes selling or issuing stored value.

Patron - Mason

Title 8.01 - Civil Remedies and Procedure

HB1590 Duty of care to law-enforcement officers and firefighters; fireman's rule. Provides that the common-law doctrine known as the fireman's rule, as described in the bill, shall not be a defense to certain claims. The fireman's rule is based on assumption of the usual risks of injury in such employment, whether caused by a negligent or a nonnegligent act of the defendant.

Patron - Campbell

HB1609 Nurse practitioner as expert witness; scope of activities. References the specific Code section outlining the scope of a nurse practitioner's activities in the context of the current provision that authorizes a nurse practitioner to testify as an expert witness within the scope of his activities.

Patron - Leftwich

HB1641 Disclosure of insurance policy limits; homeowners or personal injury liability insurance; personal injury and wrongful death actions. Allows an injured person, the personal representative of a decedent, or an attorney representing either to request the disclosure of the liability limits of a homeowners insurance policy or personal injury liability insurance policy prior to filing a civil action for personal injuries or wrongful death from injuries sustained at the residence of another person. The party requesting this information shall provide the insurer with (i) the date the injury was sustained; (ii) the address of the residence at which the injury was sustained; (iii) the name of the owner of the residence; (iv) the claim number, if available; (v) for personal injury actions, the injured person's medical records, medical bills, and wage-loss documentation pertaining to the injury; and (vi) for wrongful death actions, (a) the decedent's death certificate; (b) the certificate of qualification of the personal representative of the decedent's estate; (c) the names and relationships of the statutory beneficiaries of the decedent; (d) medical bills, if any; and (e) a description of the source, amount, and payment history of the claimed income loss for each beneficiary. The bill provides that in personal injury actions, the insurer only has to disclose liability limits if the amount of the injured person's medical bills and wage losses equals or exceeds \$12,500. The bill also provides that disclosure of a policy's limits shall not constitute an admission that the alleged injury is subject to the policy. This bill is a recommendation of the Boyd-Graves Conference.

Patron - Loupassi

HB1646 Form of garnishment summons; maximum portion of disposable earnings subject to garnishment. Provides that the form of garnishment summons will state that an employee who makes the minimum wage or less for his week's earnings will ordinarily get to keep 40 times the minimum hourly wage when such earnings are subject to a garnishment, not 30 times as stated in Title 8.01, Civil Remedies and Procedures. The bill is intended to reflect the current statutory requirement for exemptions in Title 34, Homestead and Other Exemptions, and is technical in nature. The bill further directs the Office of the Executive Secretary of the Supreme Court to update the form of garnishment summons accordingly. This bill is identical to SB 1333.

Patron - Loupassi

HB1689 Requests for medical records or papers; fee limits; penalty for failure to provide. Provides that the requestor of medical records or papers has the option of specifying in which format the records or papers are to be produced. The bill allows a health care provider to produce such records or papers in paper or other hard copy format if the items are requested to be produced in electronic format, but the health care provider does not maintain such items in an electronic format or have the capability to produce items in an electronic format. The bill increases from 15 to 30 days the time allowed for health care providers to comply with a request received for records or papers. The bill imposes maximum charges for the production of requested medical records or papers, which vary depending on the format in which the records are produced. The bill sets a maximum total fee of \$150 for requests made on or after July 1, 2017, but before July 1, 2021, and \$160 for requests made on or after July 1, 2021. The bill directs a provider to comply with a subpoena duces tecum by returning the specified records or papers either on the return date on the subpoena, or five days after receipt of a certification sent by the issuing party, whichever is later. If a court finds that such records or papers are not produced (i) for a reason other than compliance with privacy requirements or (ii) due to an inability to retrieve or access such records or papers, the subpoenaing party shall be entitled to a rebuttable presumption that

expenses and attorney fees related to the failure to produce such records shall be awarded by the court.

Patron - Habeeb

HB1811 Initial hearings on a summons for unlawful detainer; amendments of amount requested on summons for unlawful detainer; immediate issuance of writs of possession in certain case judgments; written notice of satisfaction rendered in a court not of record. Provides that, at the initial hearing on a summons for unlawful detainer, upon request of the plaintiff, the court shall bifurcate the unlawful detainer case and set a continuance date no later than 120 days from the date of the initial hearing to determine final rent and damages. The bill requires the court, on such continuance date, to permit amendment of the amount requested on a summons for unlawful detainer in accordance with the notice of hearing, evidence presented to the court, and the amounts contracted for in the rental agreement. The bill further clarifies types of judgments for which a writ of possession may be immediately executed but specifies that an eviction pursuant to such a writ shall not be executed (i) until the expiration of a tenant's 10-day appeal period or (ii) if a tenant perfects an appeal. The bill removes certain requirements for a written notice of satisfaction of judgment rendered in a court not of record.

Patron - Loupassi

HB1816 Demurrers; amended pleadings. Requires that an amended pleading filed after a demurrer to an earlier pleading has been sustained incorporate or refer to the earlier pleading being amended in order to preserve the right to stand on the earlier pleading. This bill is a recommendation of the Boyd-Graves Conference.

Patron - Minchew

HB1941 Immunity of persons; defamation; statements regarding matters of public concern communicated to a third party; statements made at a public hearing. Adds defamation to the causes of action from which a citizen shall be immune when making statements (i) regarding matters of public concern to a third party or (ii) at a public hearing before the governing body of any locality or other political subdivision, or the boards, commissions, agencies, and authorities thereof, and other governing bodies of any local governmental entity. The bill further provides that the immunity does not apply to any statements made with actual or constructive knowledge that they are false, or with reckless disregard for whether they are false. This bill is identical to SB 1413.

Patron - Kilgore

SB867 Lien against person whose negligence causes injury; emergency medical services agency. Clarifies that whenever any person sustains personal injuries caused by the alleged negligence of another and receives emergency medical services and transportation provided by an emergency medical services vehicle, the emergency medical services provider or agency shall have a lien for the amount of a just and reasonable charge for the services rendered, not to exceed \$200 for each emergency medical services provider or agency, on the claim of such injured person or of his personal representative against the person, firm, or corporation whose negligence is alleged to have caused such injuries.

Patron - Stuart

SB1210 Civil action for unlawful creation of image of another or unlawful dissemination or sale of images of another. Creates a civil cause of action against an individual who knowingly and intentionally (i) creates any videographic or still image of any nonconsenting person who is nude, clad in

undergarments, or in a state of undress or (ii) captures an image of a person's intimate parts or undergarments when those captured parts or undergarments would not otherwise be visible to the general public. The bill also creates a civil cause of action against an individual who maliciously disseminates or sells any videographic or still image that depicts another person who is nude or in a state of undress where such person knows that he is not licensed or authorized to disseminate or sell such videographic or still image. The bill provides that compensatory damages, punitive damages, and reasonable attorney fees and costs may be awarded.

Patron - Wexton

SB1333 Form of garnishment summons; maximum portion of disposable earnings subject to garnishment. Provides that the form of garnishment summons will state that an employee who makes the minimum wage or less for his week's earnings will ordinarily get to keep 40 times the minimum hourly wage when such earnings are subject to a garnishment, not 30 times as stated in Title 8.01, Civil Remedies and Procedures. The bill is intended to reflect the current statutory requirement for exemptions in Title 34, Homestead and Other Exemptions, and is technical in nature. The bill further directs the Office of the Executive Secretary of the Supreme Court to update the form of garnishment summons accordingly. This bill is identical to HB 1646.

Patron - McDougale

SB1413 Immunity of persons; defamation; statements regarding matters of public concern communicated to a third party; statements made at a public hearing. Adds defamation to the causes of action from which a citizen shall be immune when making statements (i) regarding matters of public concern to a third party or (ii) at a public hearing before the governing body of any locality or other political subdivision, or the boards, commissions, agencies, and authorities thereof, and other governing bodies of any local governmental entity. The bill further provides that the immunity does not apply to any statements made with actual or constructive knowledge that they are false, or with reckless disregard for whether they are false. This bill is identical to HB 1941.

Patron - Sturtevant

SB1498 Punitive damages for persons injured by intoxicated drivers; evidence. Extends to blood tests performed by the Department of Forensic Science pursuant to a search warrant the rebuttable presumption in civil cases for punitive damages for injuries caused by intoxicated drivers that provides that a person's blood alcohol level demonstrated by a test performed pursuant to the implied consent statute is at least as high as the driver's blood alcohol level at the time of the accident. The bill further establishes a rebuttable presumption applicable in a civil case for punitive damages for injuries caused by an intoxicated driver that a person who has consumed alcohol knew or should have known that his ability to drive was or would be impaired by such consumption.

Patron - Surovell

Title 8.3A - Commercial Code - Negotiable Instruments

HB1832 Negotiable instruments; statute of limitations. Provides that the provisions of the Uniform Commercial Code establishing a six-year limitations period on actions to enforce the obligation of a party to pay the instrument apply to

negotiable and non-negotiable certificates of deposit. This bill is identical to SB 1217.

Patron - Kilgore

SB1217 Negotiable instruments; statute of limitations. Provides that the provisions of the Uniform Commercial Code establishing a six-year limitations period on actions to enforce the obligation of a party to pay the instrument apply to negotiable and non-negotiable certificates of deposit. This bill is identical to HB 1832.

Patron - Chafin

Title 9.1 - Commonwealth Public Safety

HB1524 Special conservators of the peace; liability insurance. Requires that each person registered as or seeking registration as a special conservator of the peace be covered by a policy of (i) personal injury liability insurance, (ii) property damage liability insurance, and (iii) miscellaneous casualty insurance that includes professional liability insurance that provides coverage for any activity within the scope of the duties of a special conservator of the peace, in an amount and with coverage for each as fixed by the Criminal Justice Services Board.

Patron - Lingamfelter

HB1537 Active duty service; contract termination. Authorizes any member of the United States Armed Forces or Virginia National Guard who receives military orders to relocate for a period of service of at least 90 days, his spouse, or his dependent, at any time prior to the conclusion of his period of service, to terminate contracts for certain services. The bill provides that violation of these provisions is a violation of the Virginia Consumer Protection Act.

Patron - Cole

HB1628 Private security; compliance agent experience; surety bond. Removes the requirement that a compliance agent for a private security services business have either five years of experience or three years of managerial or supervisory experience in a private security services business, a state or local law-enforcement agency, or a related field. The bill also removes the option for a private security services business or a private security services training school to be covered by a bond in lieu of liability insurance. The bill provides that it will not become effective unless reenacted by the 2018 Session of the General Assembly.

Patron - Fowler

HB1629 Business advertising material; private security services businesses. Expands the definition of business advertising material as it relates to private security services businesses to include any electronic medium, including the Internet, social media, and digital advertising.

Patron - Fowler

HB1951 Criminal Justice Services Board. Adds to both the Criminal Justice Services Board (the Board) and its Training Committee one citizen member representing community interests. The bill also replaces the member of the Board representing the Virginia Crime Prevention Association, which is no longer in existence, with a member representing the Virginia Association of Campus Law Enforcement Administrators. The bill also directs the Secretary of Public Safety and

Homeland Security, in consultation with the Governor, to review the current composition of the Board and develop a plan for restructuring the Board in order to improve its efficiency in carrying out its duties and to submit the plan by December 1, 2017, to the Chairmen of the House and Senate Committees for Courts of Justice.

Patron - Peace

HB2243 Line of Duty Act. Clarifies provisions of the Line of Duty Act, including clarifying that suspension or reinstatement of health insurance benefits begins and ends at the beginning of a health insurance plan year rather than in the middle of a plan year and recognizing current practice that the Line of Duty Act administrator provides materials for training. The bill codifies certain provisions of the Line of Duty Act that currently are in the appropriation act. The bill modifies the provision that would have disqualified, effective July 1, 2017, the surviving spouse of a deceased member who remarried from receiving health insurance benefits, by restricting the disqualification to surviving spouses who remarry on or after July 1, 2017. The bill contains an emergency clause.

Patron - Jones

SB1118 Line of Duty Act; firefighter trainees. Includes under the Line of Duty Act a person with a recognized membership status with a fire company or department who is enrolled in a Fire Service Training course offered by the Virginia Department of Fire Programs or required to become a certified firefighter.

Patron - McPike

Title 10.1 - Conservation

HB1454 James River State Scenic River designation. Extends the scenic river designation of a portion of the James River located in Botetourt and Rockbridge Counties from 14 miles to 59 miles. This bill is identical to SB 1196.

Patron - Austin

HB1520 Reformulated gasoline; sale for farm use. Directs the Department of Environmental Quality to seek an exemption from the federal reformulated gasoline (RFG) program for conventional, ethanol-free gasoline sold and delivered for use in farm motor vehicles. This bill is identical to SB 899.

Patron - Knight

HB1547 Historical African American cemeteries and graves. Directs the distribution of funds appropriated for such purpose to qualifying charitable organizations that preserve historical African American cemeteries established before 1900. The funding formula is \$5, or the average actual cost of routine maintenance, multiplied by the number of graves, monuments, and markers of African Americans who lived at any time between 1800 and 1900 and are interred in the cemetery. The bill lists two cemeteries, East End Cemetery in Henrico County and Evergreen Cemetery in the City of Richmond, that are to receive any funds appropriated for a total of 6,975 gravesites.

Patron - McQuinn

HB1562 Dam Safety, Flood Prevention and Protection Assistance Fund. Authorizes the Director of the Department of Conservation and Recreation to disburse moneys from the Dam Safety, Flood Prevention and Protection Assistance Fund in the form of grants or loans to a local government that

owns a dam, to a local government for a dam located within the locality, or to a private entity that owns a dam in order to protect public safety and welfare. The grants can be used for the design, repair, and safety modifications of dams identified in safety reports.

Patron - Cole

HB1600 Sanitary landfill; gas collection and control system. Directs the Department of Environmental Quality and the Region 2000 Services Authority (the Authority) to continue to reduce the odor issues at the landfill operated by the Authority in Campbell County and to report on their efforts to the Chairman of the House Committee on Agriculture, Chesapeake and Natural Resources by November 1, 2017. The bill also requires the Authority to connect certain parts of its landfill gas collection system to the existing collection system when its engineers advise it that the connections will operate efficiently.

Patron - Fariss

HB1691 Property conveyance; Department of Conservation and Recreation; Widewater Beach Subdivision. Authorizes the Department of Conservation and Recreation to convey certain real property in Stafford County to the Widewater Beach Subdivision Citizens Association, Inc.

Patron - Dudenhefer

HB1793 Burn ban; exception for freeze protection of orchard or vineyard. Adds an exception to the ban on fires from February 15 through April 30 of each year for fire set for the prevention of damage to orchards or vineyards by frost or freezing temperatures.

Patron - Fariss

HB2311 Nutrient Offset Fund; sale of credits. Requires the Director of the Department of Environmental Quality (DEQ) to use certain funds to purchase nutrient credits for point or nonpoint sources that achieve reductions beyond the requirements of state or federal law or the Chesapeake Bay Watershed Implementation Plan. The bill directs DEQ to establish procedures for distributing moneys from the Nutrient Offset Fund with certain requirements. The bill requires the Director of DEQ to consider the recommendations of the Secretary of Commerce and Trade and the requirements of the State Water Control Law (§ 62.1-44.2 et seq.) in the sale of nutrient credits to new or expanding private facilities. The bill also removes the priority given to nutrient offsets produced from facilities that generate electricity from animal waste. The bill renames nutrient offsets as nutrient credits.

Patron - Cox

SB899 Reformulated gasoline; sale for farm use. Directs the Department of Environmental Quality to seek an exemption from the federal reformulated gasoline (RFG) program for conventional, ethanol-free gasoline sold and delivered for use in farm motor vehicles. This bill is identical to HB 1520.

Patron - DeSteph

SB1196 James River State Scenic River designation. Extends the scenic river designation of a portion of the James River located in Botetourt and Rockbridge Counties from 14 miles to 59 miles. This bill is identical to HB 1454.

Patron - Deeds

SB1395 Small renewable energy projects; permits by rule. Provides that certain small renewable energy projects proposed, developed, constructed, or purchased by (i) a public

utility if the project's costs are not recovered from Virginia jurisdictional customers under base rates, a fuel factor charge, or a rate adjustment clause or (ii) a utility aggregation cooperative, are eligible for a permit by rule and are exempt from environmental review and permitting by the State Corporation Commission. The measure specifies that a small renewable energy project shall be eligible for permit by rule if it is proposed, developed, constructed, or purchased by a person that is not a regulated utility. The measure exempts a small renewable energy project for which the Department of Environmental Quality has issued a permit by rule from the requirement that it obtain a certificate of public convenience and necessity for the construction or operation of the project. Finally, the measure increases the maximum rated capacity of solar and wind facilities that qualify as small renewable energy projects from 100 megawatts to 150 megawatts.

Patron - Wagner

SB1398 Coal combustion residuals unit; closure permit; assessments required. Requires the owner or operator of a coal combustion residuals unit (CCR unit) to identify water pollution and address corrective measures to resolve it, evaluate the clean closure of the CCR unit by recycling the ash for use in cement or moving it to a landfill, and demonstrate the long-term safety of the CCR unit. The bill requires the owner or operator of each CCR unit to transmit its assessment to the Department of Environmental Quality (DEQ) and other agencies or legislative committees by December 1, 2017. The bill requires the Director of DEQ to delay the issuance of a permit to close any CCR unit until May 1, 2018, or the effective date of any legislation adopted during the 2018 Regular Session of the General Assembly that addresses the closure of CCR units, whichever occurs later.

Patron - Surovell

Title 11 - Contracts

HB1712 Procurement; energy performance-based contracting. Authorizes a public body, defined as a contracting entity, to purchase energy conservation or operational efficiency measures from an energy performance-based contract entered into by another contracting entity pursuant to the Energy and Operational Efficiency Performance-Based Contracting Act even if the entity did not participate in the request for proposals if the request for proposals specified that the procurement was being conducted on behalf of other contracting entities. The measure permits the use of cooperative procurement for energy conservation or operational efficiency measures in such instances. The bill provides, however, that energy conservation or operational efficiency measures shall not include roof replacement projects.

Patron - Minchew

Title 12.1 - State Corporation Commission

HB2111 State Corporation Commission; charges for copies. Clarifies that the State Corporation Commission (Commission) may absorb some or all of the convenience fees paid by users of a Commission online filing system. The measure also grants the Commission the discretion not to charge a fee for providing certain copies.

Patron - Keam

Title 13.1 - Corporations

HB1754 Securities Act; regulation of federal covered securities. Authorizes the State Corporation Commission (SCC) to require the issuer of a security that is a federal covered security under federal crowdfunding rules to file a notice and consent to service of process when (i) the principal place of business of the issuer is in the Commonwealth or (ii) purchasers of 50 percent or more of the securities sold by the issuer pursuant to an offering made in reliance on such rule are residents of the Commonwealth. The measure allows the SCC to assess a filing fee not to exceed \$100 in connection with such a filing.

Patron - Davis

HB2230 Stock corporations; shareholders' meetings. Authorizes the board of directors of a stock corporation to determine that any meeting of shareholders not be held at any place and instead be held by means of remote communication, if the articles of incorporation or bylaws do not require the meeting to be held at a place. The measure also limits the provision that currently authorizes the holders of at least 20 percent of the votes entitled to be cast on an issue to call a special meeting of shareholders of a corporation that has 35 or fewer shareholders by requiring that the corporation not be a public corporation.

Patron - Cline

Title 15.2 - Counties, Cities and Towns

HB1457 Part-time deputies; compensation. Includes like rank and experience as a factor in setting the maximum allowable hourly equivalent compensation paid to part-time deputy sheriffs performing like duties of full-time deputy sheriffs.

Patron - Cole

HB1486 Arts and cultural districts. Provides that arts and cultural districts may be created jointly by two or more localities. This bill is identical to SB 1225.

Patron - Albo

HB1570 Local industrial development authority; Louisa County airports. Authorizes Louisa County, by ordinance, to empower a local industrial development authority to acquire, own, operate, and regulate the use of airports and related facilities. The bill authorizes Louisa County to appoint members of the board of directors of the local industrial development authority to serve for terms coincident with the term of its supervisors.

Patron - Farrell

HB1686 Planning district commissions; Indian tribes; membership. Permits certain Indian tribes recognized by the federal government to join planning district commissions as members and to negotiate the terms of such membership.

Patron - Hodges

HB1697 Extension of approvals to address housing crisis. Extends the sunset date for several measures related to various land use approvals from July 1, 2017, to July 1, 2020.

The bill also expands the scope of such measures that will be subject to the extension to include those measures approved by January 1, 2017.

Patron - Marshall, D.W.

HB1729 Charter; Town of Port Royal. Provides that the terms for council and mayor shall begin in January so as to reflect the town's change to November municipal elections.

Patron - Ransone

HB1740 Sanitary districts; creation by board of supervisors. Transfers authority to create or enlarge sanitary districts from the circuit court with jurisdiction over the locality in which the district is located to the governing body of the county in which the district is located. The bill requires the governing body, at a hearing for the creation or enlargement of a sanitary district, to make a finding of fact of whether the action is necessary, practical, fiscally responsible, and supported by at least 50 percent of persons who own real property in (i) the proposed district or (ii) in the case of enlargement, the area proposed to be included in the existing district. The bill also requires a minimum standard regarding timeliness for hearings.

Patron - Minchew

HB1797 Amendment of proffers; notice. Provides that when any landowner applies to the governing body for amendments to proffered conditions, direct mail notice shall be given to those directly affected by the amendment.

Patron - Stolle

HB1820 Real property tax; board of equalization in certain counties. Requires that the board of equalization of real estate assessments in any county having the county manager plan of government (Arlington County) be composed of an odd number of not less than three nor more than 11 members, as determined by the local governing body. The circuit court of the county shall appoint a number of members equal to the lowest number that constitutes a majority of members, and the governing body shall appoint the remainder.

Patron - Hope

HB1936 Derelict and blighted buildings; land banks; receivership. Authorizes a locality to petition the circuit court to appoint a land bank entity to act as a receiver in certain limited circumstances to repair derelict and blighted buildings that contain residential dwelling units.

Patron - Carr

HB1970 Creation of economic revitalization zones in counties. Grants counties authority to create economic revitalization zones. The zones shall be for the purpose of providing incentives to private entities to purchase real property and interests in real property to assemble parcels suitable for economic development. Each county establishing an economic revitalization zone may grant incentives and provide regulatory flexibility. This authority currently exists for cities.

Patron - Landes

HB1992 Lien priority. Inserts "real estate" in several places related to the priority of tax liens so that the operative language now reads "on a parity with liens for unpaid local real estate taxes." This bill is identical to SB 920.

Patron - Habeeb

HB1994 Board of zoning appeals. Clarifies that provisions that currently state that appeal costs may not be awarded

against the locality unless it appears to the court that the locality acted in bad faith also apply to the governing body.

Patron - Habeeb

HB2003 Comparative report of local government revenues and expenditures. Provides that the submittal of the comparative report by a locality to the Auditor of Public Accounts shall include a notarized statement from the chief elected official and the chief administrative officer of the locality that the locality's audited financial report has been presented to the local governing body.

Patron - Poindexter

HB2055 Rural Coastal Virginia Community Enhancement Authority. Establishes the Rural Coastal Virginia Community Enhancement Authority, consisting of the 12 counties within the Northern Neck, Middle Peninsula, and Accomack-Norhampton planning districts, if approved by the respective governing bodies. The Authority is created for the purpose of serving as a regional economic development body and represents a partnership of the Commonwealth, the planning districts, and the 12 counties of the coastal region. The Authority shall be governed by a board of up to 15 members. The Authority may seek and approve loans and solicit donations, grants, and any other funding from the Commonwealth, the federal government, and regional, local government, and private entities to carry out its purposes, powers, and duties. Also, the Authority will (i) assist the region in obtaining necessary job training or employment-related education, leadership and civic development, and business development, especially entrepreneurship for the coastal region; (ii) provide special assistance to distressed and underdeveloped counties within the coastal region; and (iii) fund demonstration projects, and conduct research, evaluations, and assessments of the coastal region's assets and needs.

Patron - Hodges

HB2067 Decertification of law-enforcement officers; notification. Requires persons obligated to notify the Criminal Justice Services Board when a law-enforcement officer or jail officer has committed an act or been convicted of a crime that requires decertification to notify the Criminal Justice Services Board within 48 hours of becoming aware of such act or conviction. The bill requires that, upon such notification, decertification be immediate. Any conviction of a misdemeanor that has been appealed to a court of record shall not be considered a conviction unless a final order of conviction is entered.

Patron - Mullin

HB2138 State and local transportation planning. Provides that prior to the adoption of or amendment to any comprehensive plan that substantially affects transportation on state-controlled highways in Planning District 8 (Northern Virginia), the Department of Transportation shall specify by name and location any transportation facility having a functional classification of minor arterial or higher for which an increase in traffic volume is expected to exceed the capacity of such facility as a result of the proposed plan or amendment.

Patron - LeMunyon

HB2154 Running bamboo; cutting by localities; ordinance prohibiting spread; designation of certain plants as noxious weeds; civil penalties. Authorizes any locality to adopt an ordinance requiring proper upkeep of running bamboo and prohibiting the spread of running bamboo from a landowner's property, with violations punishable by a civil penalty not to exceed \$50 for a first violation and not to exceed \$200 for a subsequent violation within 12 months. The bill includes

running bamboo in the "other foreign growth" category that current law allows localities to regulate and in some cases to cut. The bill also directs the Department of Conservation and Recreation (DCR) and the Virginia Department of Agriculture and Consumer Services (VDACS) to develop a model running bamboo ordinance and, with the Department of Forestry, to enter into a Memorandum of Understanding that clarifies the roles of the VDACS noxious weeds regulations and the work of the Virginia Invasive Species Working Group. Finally, the bill directs VDACS and DCR to examine the eligibility of certain plants for designation as noxious weeds. This bill is identical to SB 964.

Patron - Rasoul

HB2168 Virginia Coal Train Heritage Authority. Creates the Virginia Coal Train Heritage Authority (the Authority) with rights and powers to be exercised by a 25-member board, which will consist of three representatives from the governing body of each of the Counties of Dickenson, Russell, and Wise; two citizen members from each of those three counties; one citizen member from each of the Towns of Clinchco, Haysi, and St. Paul; three commissioners of the Breaks Interstate Park Commission; two citizen members with experience in the excursion train business; and two members of the General Assembly. The Authority's powers are similar to those that other authorities possess. The bill authorizes the Authority to cooperate with any private or governmental entity in the state of West Virginia, Kentucky, Tennessee, or North Carolina in the development of a tourist train and exempts any train operator that has entered into a public-private partnership contract with the Authority from liability for personal injury or wrongful death except in the case of gross negligence or an intentional tort. Notice of such immunity must be posted at the time of ticketing and at all train entrances.

Patron - Pillion

HB2313 Removal of courthouse. Provides that in the case of the removal of a county courthouse that is not located in a city or town, and is not being relocated to a city or town, such removal shall not require a petition or approval by the voters.

Patron - Ransone

HB2449 Term limits; certain public bodies in City of Chesapeake. Provides that members of the Chesapeake Economic Development Authority, Chesapeake Redevelopment and Housing Authority, Chesapeake Airport Authority, and Chesapeake Hospital Authority shall be limited to two terms. The bill provides that members of such authorities serve at the pleasure of the city council and that no member shall work for an authority within one year of serving as a member of that authority. This bill is identical to SB 1553.

Patron - Knight

HB2464 Charter; City of Petersburg. Updates and reorganizes the city's charter. Obsolete provisions are either repealed or updated, and numerous technical amendments are made. This bill is identical to SB 1580.

Patron - Aird

HB2469 Zoning; delinquent charges. Provides that the local treasurer may give authorization in an instance where a land use applicant is required to first provide satisfactory evidence that various taxes or charges have been paid.

Patron - Jones

HB2474 Virginia Coalfields Expressway Authority; report. Creates the Virginia Coalfields Expressway Authority to improve the transportation into, from, within, and through Southwest Virginia; assist in regional economic development; and generally enhance highway safety in the affected localities through development of a proposed Coalfields Expressway. The bill regulates the membership and duties of the Authority.
Patron - Pillion

SB919 Removal of blight; building collapse. Allows a locality to charge owners of property the cost the locality incurred in removing or repairing a building or structure on such property if permitted under the Virginia Uniform Statewide Building Code in the event of an emergency.
Patron - Edwards

SB920 Lien priority. Inserts "real estate" in several places related to the priority of tax liens so that the operative language now reads "on a parity with liens for unpaid local real estate taxes." This bill is identical to HB 1992.
Patron - Edwards

SB926 Noise violations; civil penalties. Allows localities to authorize the chief law-enforcement officer in the locality to enforce a uniform schedule of civil penalties for violation of that locality's noise ordinance.
Patron - Petersen

SB932 Conveyance of utility easements; transportation. Exempts from the public hearing requirement prior to disposal of real property by a locality the conveyance of utility easements related to transportation projects. This bill incorporates SB 1259.
Patron - Favola

SB936 Employees of constitutional officers; local leave benefits. Authorizes constitutional officers who have contracted with a county or city to grant vacation and sick leave to their employees under the locality's benefits leave policy instead of the state-required leave policy as long as the leave amounts are not less than the state-required policy.
Patron - Favola

SB964 Running bamboo; cutting by localities; ordinance prohibiting spread; designation of certain plants as noxious weeds; civil penalties. Authorizes any locality to adopt an ordinance requiring proper upkeep of running bamboo and prohibiting the spread of running bamboo from a land-owner's property, with violations punishable by a civil penalty not to exceed \$50 for a first violation and not to exceed \$200 for a subsequent violation within 12 months. The bill includes running bamboo in the "other foreign growth" category that current law allows localities to regulate and in some cases to cut. The bill also directs the Department of Conservation and Recreation (DCR) and the Virginia Department of Agriculture and Consumer Services (VDACS) to develop a model running bamboo ordinance and, with the Department of Forestry, to enter into a Memorandum of Understanding that clarifies the roles of the VDACS noxious weeds regulations and the work of the Virginia Invasive Species Working Group. Finally, the bill directs VDACS and DCR to examine the eligibility of certain plants for designation as noxious weeds. This bill is identical to HB 2154.
Patron - Hanger

SB967 Chesapeake Port Authority; Chesapeake Economic Development Authority; transfer of powers. Permits

the City Council of Chesapeake to transfer the powers of the Chesapeake Port Authority to the Chesapeake Economic Development Authority. Such transfer has the effect of dissolving the Chesapeake Port Authority.
Patron - Cosgrove

SB1173 Vested property rights. Provides that if a structure is one that requires no permit, and an authorized local government official informs the property owner that the structure will comply with the zoning ordinance, and the improvement was thereafter constructed, a zoning ordinance may provide that the structure is nonconforming but shall not provide that such structure is illegal and subject to removal solely due to such nonconformity. The bill provides that in any proceeding when the authorized local government official is deceased or is otherwise unavailable to testify, uncorroborated testimony of the oral statement of such official shall not be sufficient evidence to prove that the authorized local government official made such statement. The provisions of the bill are declared to not be deemed retroactive.
Patron - Obenshain

SB1189 Water and sewer services; liens; owners, lessees, or tenants. Separates Code provisions regarding water and sewer services provided to lessees or tenants of real property from Code provisions regarding water and sewer services provided to owners of real property. The bill removes a locality's authority to waive a required written authorization by an owner for water or sewer services provided by a locality to a lessee or tenant. A copy of the lease between the lessee or tenant and the owner is acceptable authorization.

The bill provides that no lien can be placed on the property of an owner when a lessee or tenant has delinquent fees for water or sewer charges until the locality has made reasonable collection efforts and practices, including (i) applying the security deposit to the payment of the outstanding balance and (ii) either filing for the Setoff Debt Collection Program (§ 58.1-520 et seq.) or placing the account with a debt collection service. A lien against the lessee or tenant shall rank on a parity with a lien for unpaid taxes. When a locality does not require a security deposit from a lessee or tenant to obtain water and sewer services, the locality shall waive its lien rights against the property owner.

The bill also authorizes the locality or authority to provide a partial credit where excessive water and sewer charges result from an intentional cause. A locality or authority cannot deny service to a new lessee or tenant when there are unpaid fees for services to a previous lessee or tenant unless a lien against the property owner is placed on the property.
Patron - Edwards

SB1203 Working waterfront development areas; establishment. Authorizes localities, by ordinance, to establish a working waterfront development area and grant certain incentives and regulatory flexibility to private entities for the development of working waterfronts in such area.
Patron - Lewis

SB1225 Arts and cultural districts. Provides that arts and cultural districts may be created jointly by two or more localities. This bill is identical to HB 1486.
Patron - Barker

SB1282 Wireless communications infrastructure. Provides a uniform procedure for the way in which small cell facilities on existing structures are approved by localities and

approved and installed in public rights-of-way. The measure includes provisions that establish requirements applicable to the location of micro-wireless facilities. The measure also addresses restrictions by localities and the Department of Transportation regarding the use of public rights-of-way or easements and specifies when a permittee may be required to relocate wireless support structures.

Patron - McDougale

SB1311 Hampton Roads Sanitation District; adding territory. Adds the County of Surry, excluding the Town of Claremont, to the Hampton Roads Sanitation District territory. The bill also adds a resident of Surry County as a potential appointee for the Hampton Roads Sanitation District Commission member who under current law must be a resident of the City of Suffolk or Isle of Wight County.

Patron - Norment

SB1553 Term limits; certain public bodies in City of Chesapeake. Provides that members of the Chesapeake Economic Development Authority, Chesapeake Redevelopment and Housing Authority, Chesapeake Airport Authority, and Chesapeake Hospital Authority shall be limited to two terms. The bill provides that members of such authorities serve at the pleasure of the city council and that no member shall work for an authority within one year of serving as a member of that authority. This bill is identical to HB 2449.

Patron - Cosgrove

SB1558 Blanket surety bonds; proof of coverage of local officer. Allows a local officer required to give bond to provide confirmation from the Division of Risk Management that such officer is included in a blanket surety bond. Current law requires the officer to provide an extract of the master surety bond as proof of coverage.

Patron - Petersen

SB1559 Board of zoning appeals. Requires that the recipient of certain notices from the board of zoning appeals receive notice via registered mail to the last known address or usual place of abode of the property owner or its registered agent, if any, prior to the commencement of the 30-day appeal period.

Patron - Petersen

SB1578 Short-term rental of property. Authorizes a locality to adopt an ordinance requiring the registration of persons offering property for short-term rental. The bill defines "short-term rental" as the provision of a room or space suitable for sleeping or lodging for less than 30 consecutive days in exchange for a charge for the occupancy. Persons and entities already licensed or registered related to the rental or management of property by the Department of Health, the Real Estate Board, the Virginia Real Estate Time-Share Act, or a locality would not be required to register. The bill authorizes localities to impose penalties not to exceed \$500 per violation on persons who violate the registry ordinance. The bill amends the Alcoholic Beverage Control (ABC) Act to clarify that certain property rented on a short-term basis is considered a bed and breakfast establishment for purposes of ABC licensing and that the exception from ABC licensing for serving alcoholic beverages to guests in a residence does not apply if the guest is a short-term lessee of the residence. This bill incorporates SB 1579.

Patron - Norment

SB1580 Charter; City of Petersburg. Updates and reorganizes the city's charter. Obsolete provisions are either repealed or updated, and numerous technical amendments are made. This bill is identical to HB 2464.

Patron - Dance

Title 16.1 - Courts Not of Record

HB1652 City of Richmond general district court; concurrent criminal jurisdiction. Provides that the separate division of the City of Richmond general district court that is operated south of the James River shall have concurrent jurisdiction over criminal matters arising in that part of the city, not exclusive jurisdiction over such matters. This bill is identical to SB 1273.

Patron - Loupassi

HB2287 Confidentiality of Department of Juvenile Justice records; gang task forces. Permits the Department of Juvenile Justice to disclose, at its discretion, the social reports and records of children who are committed to the Department to a gang task force, provided that its membership (i) consists of only representatives of state or local government or (ii) includes a law-enforcement officer who is present at the time of the disclosure. This bill is identical to SB 1288.

Patron - Collins

SB1273 City of Richmond general district court; concurrent criminal jurisdiction. Provides that the separate division of the City of Richmond general district court that is operated south of the James River shall have concurrent jurisdiction over criminal matters arising in that part of the city, not exclusive jurisdiction over such matters. This bill is identical to HB 1652.

Patron - McDougale

SB1288 Confidentiality of Department of Juvenile Justice records; gang task forces. Permits the Department of Juvenile Justice to disclose, at its discretion, the social reports and records of children who are committed to the Department to a gang task force, provided that its membership (i) consists of only representatives of state or local government or (ii) includes a law-enforcement officer who is present at the time of the disclosure. This bill is identical to HB 2287.

Patron - McDougale

SB1342 District courts; attorney fees. Provides that the jurisdictional limit for general district courts does not include any attorney fees. The bill requires that the amount of an appeal bond required for appeals from a district court include any amount awarded for attorney fees in the case.

Patron - Surovell

SB1343 Reimbursement for cost of guardian ad litem. Codifies the requirement that, for cases in which a guardian ad litem has been appointed to represent a child, a judge shall order a parent, or other party with a legitimate interest who has filed a petition in such case, to reimburse the Commonwealth for the costs of the guardian. The bill provides that if a party is unable to pay, the judge may reduce or eliminate the reimbursement. The bill further provides that the Executive Secretary of the Supreme Court shall administer the guardian ad litem program and report semiannually to the money commit-

tees the amounts paid and the amounts reimbursed under the program. This bill incorporates SB 1488.

Patron - Surovell

SB1360 Department of Military Affairs; civil actions. Authorizes certain employees of the Department of Military Affairs to prepare, execute, file, and have served certain civil documents without the intervention of an attorney. The bill provides that its provisions do not authorize a nonattorney to file any legal document not specifically set forth in the bill.

Patron - Reeves

Title 17.1 - Courts of Record

HB1630 Report of money kept by clerk; money held recorded in civil law book; recording in the order book. Requires the clerk to make available to the Auditor of Public Accounts a copy of the annual report that the clerk is currently required to provide to the court regarding the receipt of money by the clerk. The bill further directs the clerk to record (i) trust fund orders and (ii) the annual trust fund report regarding the receipt of money in the civil order book. The bill removes the requirement that such recordings are in addition to, but not in lieu of, any other required recording.

Patron - Habeeb

HB1713 Online access to nonconfidential court records; date of birth verification. Provides that the Supreme Court and any other court clerk may provide online access to subscribers who have entered into an agreement with the clerk to have secure remote access to court records of nonconfidential criminal case information to confirm the complete date of birth of a defendant. This bill is identical to SB 1044.

Patron - Minchew

HB2035 Electronic filing of land records; fee for paper filing. Provides that a clerk of a circuit court that has established an electronic filing system for land records may charge a fee not to exceed \$5 per instrument for every land record filed by paper. This bill is identical to SB 870.

Patron - Miller

HB2324 Payment of jurors; prepaid debit card or card account. Adds payment by credit to a prepaid debit card or card account to the methods by which a juror may be paid. The bill requires that, where such method is used, such card or card account permit the juror to withdraw or transfer funds without incurring a fee.

Patron - Yost

HB2328 Inability to pay fees or costs on account of poverty; guidelines. Requires the court to use the guidelines for determining indigency for the appointment of counsel in determining a person's inability to pay fees or costs on account of poverty in a civil action. This bill is identical to SB 1305.

Patron - Collins

SB870 Electronic filing of land records; fee for paper filing. Provides that a clerk of a circuit court that has established an electronic filing system for land records may charge a fee not to exceed \$5 per instrument for every land record filed by paper. This bill is identical to HB 2035.

Patron - Stuart

SB928 Substitute judges. Removes the prohibition against substitute judges sitting in the courts in which they regularly practice.

Patron - Petersen

SB946 Appeal to Supreme Court; time frame for filing of petition. Expresses the time frame within which petitions for appeal from a final judgment of a trial court or the State Corporation Commission to the Supreme Court shall be filed, currently expressed in months, in an equivalent number of days. As introduced, the bill is a recommendation of the Judicial Council.

Patron - Obenshain

SB947 Petition for appeal to Supreme Court; time period within which petition must be presented. Authorizes the Supreme Court of Virginia to grant a 30-day extension of the deadline for presentation of the petition for appeal in all cases for good cause shown. Under current law, the Court may grant an extension in criminal cases only. The bill also expresses time periods, currently expressed as months, in an equivalent number of days to reduce ambiguity. This bill is a recommendation of the Judicial Council of Virginia.

Patron - Obenshain

SB1044 Online access to nonconfidential court records; date of birth verification. Provides that the Supreme Court and any other court clerk may provide online access to subscribers who have entered into an agreement with the clerk to have secure remote access to court records of nonconfidential criminal case information to confirm the complete date of birth of a defendant. This bill is identical to HB 1713.

Patron - Obenshain

SB1305 Inability to pay fees or costs on account of poverty; guidelines. Requires the court to use the guidelines for determining indigency for the appointment of counsel in determining a person's inability to pay fees or costs on account of poverty in a civil action. This bill is identical to HB 2328.

Patron - Vogel

Title 18.2 - Crimes and Offenses

Generally

HB1404 Activation of fire alarms; reimbursement of expenses; penalty. Removes the condition that a building must be for public use in order for the Class 1 misdemeanor for maliciously activating a building's fire alarm to apply. The bill authorizes any locality to provide by ordinance that a person convicted of maliciously activating a fire alarm shall be liable for the reasonable expense in responding to such a fire alarm. Current law allows such an ordinance to impose liability for the reasonable expense of an emergency response to an imitation version of a weapon of terrorism, fire bomb, other explosive device, bomb threat, or incitement of a bomb threat. The bill increases the maximum amount that a locality or volunteer emergency medical services agency may recover under such an ordinance from \$1,000 to \$2,500. This bill is identical to SB 1054.

Patron - Cole

HB1466 Renewal of concealed handgun permits; notice. Provides that if a clerk has an electronic system for the application for and issuance of concealed handgun permits and

such system has the capability of sending electronic notices to a permit holder, the clerk shall send the permit holder an electronic email notice that the permit will expire at least 90 days prior to such expiration. The bill provides that such notice shall be sent only if the applicant provides his email or other electronic address on his permit application, which shall request but not require this information. The bill provides further that any failure to send or receive such notice does not extend the validity of the existing permit beyond its expiration date.

Patron - Fowler

HB1485 Sex offenses prohibiting proximity to children; penalty. Includes in the list of certain sex offenses that prohibit a person convicted of such offenses from being or residing in proximity to schools and certain other property where children congregate or from working on school property any offense similar to such offenses under the laws of any foreign country or political subdivision thereof or the United States or any political subdivision thereof. The prohibition regarding residing in proximity to a school that is predicated upon an offense similar to any offense under the laws of any foreign country or any political subdivision thereof, or the United States or any political subdivision thereof, only applies to residences established on and after July 1, 2017.

Patron - Bell, Richard P.

HB1493 Definition of sales draft; credit card offenses; penalty. Includes within the definition of "sales draft," with regard to offenses relating to credit cards, the electronic form evidencing a purchase of goods, services, or a thing of value. A person convicted of forgery of such a sales draft is guilty of a Class 5 felony.

Patron - Hope

HB1580 Possession of child pornography by employees of the Department of Social Services. Provides that an employee of the Department of Social Services or a local department of social services may, in the course of conducting his professional duties, lawfully possess child pornography for a bona fide purpose.

Patron - Campbell

HB1815 Computer trespass; government computers and computers used for public utilities; penalty. Increases the Class 1 misdemeanor computer trespass crimes to a Class 6 felony if the computer affected is one that is exclusively for the use of, or used by or for, the Commonwealth, a local government within the Commonwealth, or certain public utilities.

Patron - Yancey

HB1849 Concealed handgun permit; permit requirements. Provides that a concealed handgun permit shall be of a size comparable to a Virginia driver's license and may be laminated or use a similar process to protect the permit. Current law requires that the permit be no larger than two inches wide by three and one-fourth inches long.

Patron - Gilbert

HB1851 Assault and battery against a family or household member; deferred disposition; waiver of appeal. Provides that a person charged with a first offense of assault against a family or household member who consents to probation and a deferred disposition of the charge has no right of appeal if he is subsequently found guilty of the original charge for a violation of the terms of his probation. The bill provides that a person may file a motion to withdraw his consent within 10 days of entry of the order deferring proceedings and the

court shall schedule a hearing within 30 days of receipt of the motion. The bill provides further that if the person appears at the hearing and requests to withdraw his consent, the court shall grant the request, enter a final order adjudicating guilt, and sentence the person accordingly. If the person fails to appear at the hearing, the court shall deny the motion.

Patron - Gilbert

HB1921 Assault and battery; health care providers; penalty. Expands the penalty for battery against a health care provider who is engaged in the performance of his duties to apply in hospitals or in emergency rooms on the premises of any clinic or other facility rendering emergency care. Under current law, the penalties only apply to a battery against an emergency health care provider. The bill requires the Department of Health to work with stakeholder groups to develop guidelines regarding the publication of penalties for battery on a health care provider and for the training of health care professionals and providers in violence prevention programs. This bill is identical to SB 973.

Patron - Robinson

HB1931 Fare enforcement inspectors. Provides for the appointment of fare enforcement inspectors to enforce payment of fares for use of mass transit facilities operated anywhere in the Commonwealth. Currently, fare enforcement inspectors may be appointed only in Planning District 8 (Northern Virginia). Under current law, failure of a transit user to pay the fare or produce proof of fare payment to such fare enforcement inspectors carries a civil penalty of not more than \$100. This bill is identical to SB 1172.

Patron - Carr

HB2051 Driver's license; marijuana possession. Revises the existing provision that a person loses his driver's license for six months when convicted of or placed on deferred disposition for a drug offense to provide that the provision does not apply to deferred disposition of simple possession of marijuana. The exception applies only to adults; juveniles will still be subject to license suspension. The bill provides that a court retains the discretion to suspend or revoke the driver's license of a person placed on deferred disposition for simple possession of marijuana and must suspend or revoke for six months the driver's license of such person who was operating a motor vehicle at the time of the offense. The bill also requires that such a person whose driver's license is not suspended or revoked perform 50 hours of community service in addition to any community service ordered as part of the deferred disposition. The provisions of the bill are contingent upon written assurance from the U.S. Department of Transportation that Virginia will not lose any federal funds as a result of implementation of the bill. This bill is identical to SB 1091.

Patron - Adams

HB2064 Assault and battery against a family or household member; eligibility for first offender status. Precludes a person who has been convicted of any felony defined as an act of violence from being eligible for first offender status for assault and battery against a family or household member unless the attorney for the Commonwealth does not object to the person being placed on first offender status. Under current law, only prior convictions for assault and battery against a family or household member serve as a disqualifier.

Patron - Mullin

HB2177 Charitable Gaming Board; exempt rulemaking for certain regulations. Provides that Charitable Gaming Board regulations relating to charitable gaming development,

including game variations for the conduct of raffles, bingo, network bingo, and instant bingo games, shall be exempt from the Administrative Process Act, provided that (i) such variations result in games that are consistent with the provisions of charitable gaming law and Board regulations, (ii) such regulations are published and posted, and (iii) the Board files a copy of any such regulations with the Registrar of Regulations. This bill is identical to SB 1509.

Patron - Hodges

HB2231 Ignition interlock; duration; installation.

Provides that the period of time during which a person is (i) prohibited from operating a motor vehicle that is not equipped with an ignition interlock system or (ii) required to have an ignition interlock system installed on each motor vehicle owned by or registered to him is calculated from the date the court issues him a restricted license. The bill further provides that this period of time is tolled upon the expiration of the restricted license issued by the court until such time as the person is issued a restricted license by the Department of Motor Vehicles.

Patron - Miller

HB2308 Carrying a concealed handgun; retired conservation officers. Adds conservation officers retired from the Department of Conservation and Recreation to the list of retired persons eligible to carry a concealed handgun without a permit. This bill is identical to SB 1465.

Patron - Wright

HB2325 Application for a concealed handgun permit; photo identification. Requires applicants for a concealed handgun permit to present one valid form of government-issued photo identification issued by a governmental agency of the Commonwealth or by the U.S. Department of Defense or U.S. State Department (passport). The bill removes the requirement that the application be made under oath before a notary.

Patron - Fariss

HB2327 DUI; implied consent; refusal of blood or breath tests. Eliminates the criminal penalties for refusing to submit to a blood test to determine the alcohol or drug content of a defendant's blood upon arrest for a DUI-related offense under the law on implied consent. The bill also increases to a Class 1 misdemeanor the criminal penalty for refusing to submit to a breath test under the law on implied consent for an offense committed within 10 years of a prior offense of refusal or of another DUI-related offense. The bill also extends to blood tests performed by the Department of Forensic Science pursuant to a search warrant the rebuttable presumption that a person is intoxicated based on the person's blood alcohol level demonstrated by such tests. The bill also provides that an application for a search warrant to perform a blood test on a person suspected of committing a DUI-related offense shall be given priority over other matters pending before the judge or magistrate. Finally, the bill establishes a rebuttable presumption applicable in a civil case for punitive damages for injuries caused by an intoxicated driver that a person who has consumed alcohol knew or should have known that his ability to drive was or would be impaired by such consumption. This bill is in response to the U.S. Supreme Court decision in *Birchfield v. North Dakota*, 136 S. Ct. 2160 (2016). The bill contains an emergency clause.

Patron - Collins

HB2350 Use of electronic device to trespass; peeping into dwelling or occupied building; penalty. Punishes as a Class 1 misdemeanor the use of an electronic device to enter

the property of another to secretly or furtively peep or spy or attempt to peep or spy into a dwelling or occupied building located on such property, unless such use occurs pursuant to a lawful criminal investigation.

Patron - Minchew

HB2369 Concealed handgun permit; change of address. Replaces the requirement that a concealed carry permit holder present proof of a new address with a requirement that the permit holder present written notice of the change of address on a form provided by the Department of State Police for a court to issue a replacement concealed handgun permit due to a change of address.

Patron - Pogge

HB2374 Charitable gaming; conduct of raffles.

Increases from one to three the number of times per calendar year that a qualified organization qualified as a tax-exempt organization pursuant to § 501(c) of the Internal Revenue Code may conduct a raffle for a prize consisting of a lot improved by a residential dwelling where 100 percent of the moneys received from such a raffle, less deductions for the fair market value for the cost of acquisition of the land and materials, are donated to lawful religious, charitable, community, or educational organizations specifically chartered or organized under the laws of the Commonwealth and qualified as a § 501(c) tax-exempt organization. The bill also provides that no more than one such raffle shall be conducted in any one geographical region of the Commonwealth.

Patron - Knight

HB2410 Providing support to terrorist organizations; penalty. Provides that any person who knowingly provides any material support to an individual or organization whose primary objective is to commit an act of terrorism and does so with the intent to further such objective is guilty of a Class 3 felony. If the provision of such material support results in the death of any person, the penalty is increased to a Class 2 felony. The bill also expands the definition of an act of terrorism to include an act committed outside the Commonwealth that would meet the definition of an act of violence if such act was committed within the Commonwealth.

Patron - Gilbert

HB2424 Carrying concealed weapons; former attorneys for the Commonwealth and assistant attorneys for the Commonwealth. Exempts from the prohibition on carrying a concealed handgun a retired or resigned attorney for the Commonwealth or assistant attorney for the Commonwealth who (i) was not terminated for cause and served at least 10 years prior to his retirement or resignation; (ii) during the most recent 12-month period, has met, at his own expense, the standards for qualification in firearms training for active law-enforcement officers in the Commonwealth; (iii) carries with him written proof of consultation with and favorable review of the need to carry a concealed handgun issued by the attorney for the Commonwealth from whose office he retired or resigned; and (iv) meets the requirements of a "qualified retired law enforcement officer" pursuant to the federal Law Enforcement Officers Safety Act of 2004 (18 U.S.C. § 926C). The bill provides that a retired or resigned attorney for the Commonwealth or assistant attorney for the Commonwealth who has received such proof of consultation and favorable review shall have the opportunity to annually participate, at his expense, in the same training and testing to carry firearms as is required of active law-enforcement officers in the Commonwealth.

Patron - Miller

HB2429 Purchase, possession, or transportation of firearms; petition to restore right. Provides that any person who is not a resident of the Commonwealth and who is prohibited from purchasing, possessing, or transporting any firearm in the Commonwealth due to an acquittal by reason of insanity, being adjudicated mentally incompetent or incapacitated, or being involuntarily admitted or ordered to outpatient treatment may petition for the restoration of such rights in the general district court of the city or county in which the most recent of such proceedings occurred. Current law provides that a person so prohibited may petition for the restoration of such rights in the general district court of the city or county in which he resides.

Patron - O'Quinn

SB817 Restricted driver's license; purposes. Adds travel to and from a job interview to the list of purposes for the issuance of a restricted driver's license. The bill provides that a person issued a restricted driver's license for this purpose is required to maintain on his person written proof from the prospective employer of the date, time, and location of the job interview.

Patron - Surovell

SB889 Concealed handgun permit fees; exemptions; retired probation and parole officers. Exempts retired probation and parole officers who have completed 15 years of service from concealed handgun permit application fees.

Patron - Chafin

SB904 Carrying weapon into courthouse; Workers' Compensation commissioner or deputy commissioner exempt. Provides an exception from the prohibition against carrying a weapon into courthouses in the Commonwealth for a commissioner or deputy commissioner of the Workers' Compensation Commission while in the conduct of official duties.

Patron - Obenshain

SB906 Introduction of snakehead fish; penalty. Prohibits the introduction of snakehead fish from any location into state waters. Current law only prohibits the introduction of snakehead fish from outside the Commonwealth.

Patron - Surovell

SB973 Assault and battery; health care providers; penalty. Expands the penalty for battery against a health care provider who is engaged in the performance of his duties to apply in hospitals or in emergency rooms on the premises of any clinic or other facility rendering emergency care. Under current law, the penalties only apply to a battery against an emergency health care provider. The bill requires the Department of Health to work with stakeholder groups to develop guidelines regarding the publication of penalties for battery on a health care provider and for the training of health care professionals and providers in violence prevention programs. This bill is identical to HB 1921.

Patrons - Sturtevant and Dunnavant

SB1054 Activation of fire alarms; reimbursement of expenses; penalty. Removes the condition that a building must be for public use in order for the Class 1 misdemeanor for maliciously activating a building's fire alarm to apply. The bill authorizes any locality to provide by ordinance that a person convicted of maliciously activating a fire alarm shall be liable for the reasonable expense in responding to such a fire alarm. Current law allows such an ordinance to impose liability for the reasonable expense of an emergency response to an imita-

tion version of a weapon of terrorism, fire bomb, other explosive device, bomb threat, or incitement of a bomb threat. The bill increases the maximum amount that a locality or volunteer emergency medical services agency may recover under such an ordinance from \$1,000 to \$2,500. This bill is identical to HB 1404.

Patron - Stuart

SB1091 Driver's license; marijuana possession. Revises the existing provision that a person loses his driver's license for six months when convicted of or placed on deferred disposition for a drug offense to provide that the provision does not apply to deferred disposition of simple possession of marijuana. The exception applies only to adults; juveniles will still be subject to license suspension. The bill provides that a court retains the discretion to suspend or revoke the driver's license of a person placed on deferred disposition for simple possession of marijuana and must suspend or revoke for six months the driver's license of such person who was operating a motor vehicle at the time of the offense. The bill also requires that such a person whose driver's license is not suspended or revoked perform 50 hours of community service in addition to any community service ordered as part of the deferred disposition. The provisions of the bill are contingent upon written assurance from the U.S. Department of Transportation that Virginia will not lose any federal funds as a result of implementation of the bill. This bill is identical to HB 2051.

Patrons - Ebbin and Stanley

SB1154 Providing support to terrorist organizations; penalty. Provides that any person who knowingly provides any material support to an individual or organization whose primary objective is to commit an act of terrorism and does so with the intent to further such objective is guilty of a Class 3 felony. If the provision of such material support results in the death of any person, the penalty is increased to a Class 2 felony. The bill also expands the definition of an act of terrorism to include an act committed outside the Commonwealth that would meet the definition of an act of violence if such act were committed within the Commonwealth. This bill incorporates SB 1052.

Patron - Reeves

SB1172 Fare enforcement inspectors. Provides for the appointment of fare enforcement inspectors to enforce payment of fares for use of mass transit facilities operated anywhere in the Commonwealth. Currently, fare enforcement inspectors may be appointed only in Planning District 8 (Northern Virginia). Under current law, failure of a transit user to pay the fare or produce proof of fare payment to such fare enforcement inspectors carries a civil penalty of not more than \$100. This bill is identical to HB 1931.

Patron - Dance

SB1465 Carrying a concealed handgun; retired conservation officers. Adds conservation officers retired from the Department of Conservation and Recreation to the list of retired persons eligible to carry a concealed handgun without a permit. This bill is identical to HB 2308.

Patron - Carrico

SB1509 Charitable Gaming Board; exempt rulemaking for certain regulations. Provides that Charitable Gaming Board regulations relating to the approval and conduct of game variations for raffles, bingo, network bingo, and instant bingo games shall be exempt from the Administrative Process Act, provided that (i) such variations result in games that are consistent with the provisions of charitable gaming law and Board

regulations and (ii) such regulations are published and posted. This bill is identical to HB 2177.

Patron - Cosgrove

SB1533 Possession of antique firearms; nonviolent felons. Permits nonviolent felons to possess, transport, and carry muzzle-loading firearms and black powder in a quantity not exceeding five pounds if it is intended to be used solely for sporting, recreational, or cultural purposes in muzzle-loading firearms.

Patron - Obenshain

Title 19.2 - Criminal Procedure

HB1411 Withdrawal of privately retained counsel. Allows a privately retained counsel in a criminal case to withdraw from representation without leave of court after certification of a charge by a district court by providing written notice within 10 days of the certification to the client, the attorney for the Commonwealth, and the circuit court, provided such withdrawal occurs pursuant to the terms of a written agreement between the attorney and the client. The bill also directs the Judicial Council to review the current process for withdrawal of privately retained counsel in civil cases and submit a report by November 1, 2017, to the Chairmen of the House and Senate Committees for Courts of Justice.

Patron - Albo

HB1545 Delayed appeals in criminal cases; assignment of errors dismissed in part. Provides that an appellant may file a motion for leave to pursue a delayed appeal in a criminal case in the Court of Appeals of Virginia when the appeal was dismissed, in whole or in part, for a failure to (i) initiate the appeal; (ii) adhere to proper form, procedures, or time limits in the perfection of the appeal; or (iii) file the indispensable transcript or written statement of facts, even if other parts of the appeal were refused on the merits. Under current law, an appellant may not pursue a delayed appeal in such a case if part of the appeal was refused on the merits. The bill also provides that an appellant may file a motion for leave to pursue a delayed appeal in a criminal case that is appealed to the Supreme Court of Virginia from the Court of Appeals of Virginia for those assignments of error that were dismissed because they did not adhere to a proper form, even if other assignments of error were refused on the merits. As introduced, this bill was a recommendation of the Judicial Council of Virginia. This bill is identical to SB 853.

Patron - Collins

HB1546 Juror information; confidentiality. Limits to name and home address the personal information of a juror impaneled in a criminal case that the court may only regulate the disclosure of upon a showing of good cause, which includes a likelihood of bribery, tampering, or physical injury to or harassment of a juror. The bill limits the release of any additional personal information, defined in the bill as any information other than a name and home address, of a juror impaneled in a criminal case to the counsel of record in the case or a pro se defendant. The bill also provides that the court may, upon the motion of either party or its own motion, and for good cause shown, authorize the disclosure of such personal information to any other person, subject to any restrictions imposed by the court on further dissemination of such personal information.

Patron - Collins

HB1560 Procedure when aliens convicted of certain felonies; forms. Requires an alienage determination made by a probation or parole officer to be submitted to the Central Criminal Records Exchange of the Department of State Police (Exchange) in a format approved by the Exchange. Current law requires the Exchange to provide reporting forms to the probation and parole officers.

Patron - Krizek

HB1579 Transportation order for defendant held in correctional facility. Requires the court or clerk, upon request of the attorney for the Commonwealth or counsel for the defendant, to issue a transportation order for a defendant to be brought to court from a correctional facility.

Patron - Campbell

HB1647 Presentence report; waiver by defendant. Expands from guilty to guilty or nolo contendere the pleas for which a court is required to direct a probation officer to create a presentence report upon conviction for certain felonies. The bill provides that upon a conviction or plea agreement for such felonies, the defendant and the attorney for the Commonwealth may waive the presentence report.

Patron - Loupassi

HB1855 Restitution; form order, enforcement, non-compliance; etc. Makes numerous changes related to the repayment of court-ordered restitution, including: (i) requiring the court to enter the amount of restitution, the date by which all restitution is to be paid, and the terms and conditions of repayment on a form prescribed by the Office of the Executive Secretary of the Supreme Court; (ii) providing that docketing an order of restitution as a civil judgment does not prohibit the court from enforcing such order by any other available means; and (iii) requiring the clerk of every circuit and district court to submit quarterly reports to the attorney for the Commonwealth and any probation agency serving the locality listing (a) all defendants with outstanding balances of court-ordered restitution and (b) all accounts where more than 90 days have passed since such account was sent to collections and no payments have been made. As introduced, the bill was a recommendation of the Virginia State Crime Commission. This bill is identical to SB 1284.

Patron - Bell, Robert B.

HB1874 Search warrants; customer records from financial institutions. Provides that a search warrant for records pertaining to a customer of a financial institution, money transmitter, commercial business that provides credit reports, or credit card issuer may be executed in the Commonwealth by hand, mail, commercial delivery service, facsimile, or other electronic means. The bill requires the executing officer to file the warrant in the circuit court clerk's office where the warrant was executed within three days after receiving the ordered records. The bill eliminates the requirement that a copy of the warrant be filed where the warrant was issued for all search warrants. The bill provides that the search warrant will be considered executed in the jurisdiction where the entity on which the warrant is served is located. This bill is identical to SB 1310.

Patron - Pogge

HB1882 Capital cases; replacing certain terminology. Replaces the term "mental retardation" in all of its various iterations with a corresponding iteration of the term "intellectual disability" for purposes of the statutes governing capital cases. The U.S. Supreme Court has held in *Hall v. Florida*, 134 S. Ct.

1986 (2014), that the terms describe the identical phenomenon. This bill is a recommendation of the Virginia State Crime Commission. This bill is identical to SB 1352.

Patron - Hope

HB1903 Admissibility of business records; criminal proceedings. Extends to criminal proceedings the existing procedures in civil proceedings for the authentication and foundation necessary for the admission of a business record under the business records exception to the rule against hearsay.

Patron - Heretick

HB1996 Incompetent defendants; psychiatric treatment. Requires that a defendant who is found incompetent to stand trial for a crime and who is ordered to receive treatment to restore his competency at an inpatient hospital be transferred to and accepted by the hospital as soon as practicable, but no later than 10 days, from the receipt of the court order for restoration treatment.

Patron - Hope

HB2066 Criminal history record information; National Crime Prevention and Privacy Compact of 1998. Authorizes Virginia to become a signatory to the National Crime Prevention and Privacy Compact of 1998. The Compact allows member states to exchange criminal history records for noncriminal justice purposes according to the laws of the requesting state.

Patron - Mullin

HB2084 Search warrants; person subject to arrest. Authorizes the issuance of a search warrant to search for and seize any person for whom a warrant or process for arrest has been issued. This bill is a recommendation of the Virginia State Crime Commission. This bill is identical to SB 1260.

Patron - Herring

HB2127 Rights of victims of sexual assault; physical evidence recovery kits. Requires that victims of sexual assault be advised by the investigating law-enforcement agency of their rights regarding physical evidence recovery kits. The bill requires the Division of Consolidated Laboratory Services of the Virginia Department of General Services and law-enforcement agencies to store a physical evidence recovery kit for an additional 10 years following a written objection to its destruction from the victim. The bill requires the law-enforcement agency to notify the victim at least 60 days prior to the intended date of destruction of the kit and provides that no victim of sexual assault shall be charged for the cost of collecting or storing a kit.

Patron - Levine

HB2184 Evaluation of inmate; inpatient psychiatric hospital admission. Requires that if the person having custody of an inmate of a local correctional facility files a petition for inpatient psychiatric hospital admission of the inmate, the person having custody shall ensure that the appropriate community services board or behavioral health authority is advised of the need for a preadmission screening. The bill further requires the person having custody of the inmate to contact the director or other senior management at the community services board or behavioral health authority if such board or authority does not respond to the advisement that a preadmission screening is necessary or fails to complete the preadmission screening.

Patron - Yost

HB2240 Crime victim's right to nondisclosure of certain information; murder. Requires that written consent provided by the victim's next of kin to law enforcement is necessary, if the victim is a minor, before a law-enforcement agency may disclose any information that identifies the victim of a crime that resulted in the victim's death.

Patron - Miller

HB2329 Division of Capitol Police; arrest without warrant. Adds members of the Division of Capitol Police to the list of officers authorized to arrest without a warrant in certain situations.

Patron - Morefield

HB2338 Restitution; priority of payments. Provides that whenever a defendant owes court-ordered restitution payments, any money collected shall be used first to satisfy such restitution order and any collection costs associated with restitution prior to being used to satisfy any other fines or costs owed by the defendant.

Patron - Bell, Robert B.

HB2386 Collection of unpaid court fines, etc. Increases the grace period after which collection activity for unpaid court fines, costs, forfeitures, penalties, and restitution may be commenced from 30 days to 90 days after sentencing or judgment. The bill also establishes the requirements for deferred or installment payment agreements that a court must offer a defendant who is unable to pay court-ordered fines, costs, forfeitures, and penalties. The bill requires that a court take into account a defendant's financial circumstances, including whether the defendant owes fines and costs to other courts, in setting the terms of a payment agreement, but such decision shall not be based solely on the amount of fines and costs owed. The bill fixes the maximum down payments that a court may require as a condition of entering a payment plan and provides that payments made within 10 days of their due date are timely made. The bill precludes a court from denying a defendant the opportunity to enter into a payment agreement solely because of the crime committed, the total amount owed or that such amount has been referred to collections, any previous default by the defendant or failure to establish a payment history, or the defendant's eligibility for a restricted driver's license. The bill allows all costs and fines owed by a defendant to any one court to be incorporated into one payment agreement and allows a defendant to request a modification of the terms of the agreement, which shall be granted upon a good faith showing of need. The bill requires a court to consider a request by a defendant who has defaulted on a payment agreement to enter into a subsequent agreement and requires the court to fix a down payment for subsequent payment agreements. Finally, the bill provides that the payment agreement includes restitution unless the court has entered a separate order regarding the payment of restitution. This bill is identical to SB 854.

Patron - Loupassi

HB2462 Inpatient psychiatric hospital admission; defendant found incompetent. Removes the prohibition on inpatient psychiatric hospital admission for defendants who have already been ordered to receive treatment to restore their competency to stand trial. This bill is identical to SB 935.

Patron - Bell, Robert B.

SB853 Delayed appeals in criminal cases; assignment of errors dismissed in part. Provides that an appellant may file a motion for leave to pursue a delayed appeal in a criminal

case in the Court of Appeals of Virginia when the appeal was dismissed, in whole or in part, for a failure to (i) initiate the appeal; (ii) adhere to proper form, procedures, or time limits in the perfection of the appeal; or (iii) file the indispensable transcript or written statement of facts, even if other parts of the appeal were refused on the merits. Under current law, an appellant may not pursue a delayed appeal in such a case if part of the appeal was refused on the merits. The bill also provides that an appellant may file a motion for leave to pursue a delayed appeal in a criminal case that is appealed to the Supreme Court of Virginia from the Court of Appeals of Virginia for those assignments of error that were dismissed because they did not adhere to a proper form, even if other assignments of error were refused on the merits. As introduced, this bill was a recommendation of the Judicial Council of Virginia. This bill is identical to HB 1545.

Patron - Stanley

SB854 Collection of unpaid court fines, etc. Increases the grace period after which collection activity for unpaid court fines, costs, forfeitures, penalties, and restitution may be commenced from 30 days to 90 days after sentencing or judgment. The bill also establishes the requirements for deferred or installment payment agreements that a court must offer a defendant who is unable to pay court-ordered fines, costs, forfeitures, and penalties. The bill requires that a court take into account a defendant's financial circumstances, including whether the defendant owes fines and costs to other courts, in setting the terms of a payment agreement, but such decision shall not be based solely on the amount of fines and costs owed. The bill fixes the maximum down payments that a court may require as a condition of entering a payment plan and provides that payments made within 10 days of their due date are timely made. The bill precludes a court from denying a defendant the opportunity to enter into a payment agreement solely because of the crime committed, the total amount owed or that such amount has been referred to collections, any previous default by the defendant or failure to establish a payment history, or the defendant's eligibility for a restricted driver's license. The bill allows all costs and fines owed by a defendant to any one court to be incorporated into one payment agreement and allows a defendant to request a modification of the terms of the agreement, which shall be granted upon a good faith showing of need. The bill requires a court to consider a request by a defendant who has defaulted on a payment agreement to enter into a subsequent agreement and requires the court to fix a down payment for subsequent payment agreements. Finally, the bill provides that the payment agreement includes restitution unless the court has entered a separate order regarding the payment of restitution. This bill is identical to HB 2386.

Patron - Stanley

SB935 Inpatient psychiatric hospital admission; defendant found incompetent. Removes the prohibition on inpatient psychiatric hospital admission for defendants who have already been ordered to receive treatment to restore their competency to stand trial. This bill incorporates SB 895 and is identical to HB 2462.

Patron - Lucas

SB1060 Female genital mutilation; criminal penalty and civil action. Makes it a Class 1 misdemeanor for any person to knowingly circumcise, excise, or infibulate the labia major, labia minora, or clitoris of a minor. The bill makes it a Class 1 misdemeanor for any parent, guardian, or other person responsible for the care of a minor to consent to such circumcision, excision, or infibulation. The bill also makes it a Class 1 misdemeanor for any parent, guardian, or other person respon-

sible for the care of a minor to knowingly remove or cause or permit the removal of such minor from the Commonwealth for the purposes of performing such circumcision, excision, or infibulation. The bill also provides a civil cause of action for any person injured by such circumcision, excision, or infibulation. The bill provides that any of these offenses shall be a separate and distinct offense and shall not preclude prosecution under any other statute.

Patron - Black

SB1257 Two-way video testimony; forensic analysis and examination. Provides that any testimony offered by either party in a preliminary hearing or sentencing hearing, or offered by the accused in any hearing other than a trial, from a person who performed an analysis or examination that resulted in a certificate of analysis may be presented by two-way video conferencing. The bill provides that any decision to purchase a two-way electronic video and audio communication system is at the discretion of the locality.

Patron - Chafin

SB1260 Search warrants; person subject to arrest. Authorizes the issuance of a search warrant to search for and seize any person for whom a warrant or process for arrest has been issued. This bill is a recommendation of the Virginia State Crime Commission. This bill is identical to HB 2084.

Patron - Black

SB1284 Restitution; form order, enforcement, non-compliance; etc. Makes numerous changes related to the repayment of court-ordered restitution, including: (i) requiring the court to enter the amount of restitution, the date by which all restitution is to be paid, and the terms and conditions of repayment on a form prescribed by the Office of the Executive Secretary of the Supreme Court; (ii) providing that docketing an order of restitution as a civil judgment does not prohibit the court from enforcing such order by any other available means; and (iii) requiring the clerk of every circuit and district court to submit quarterly reports to the attorney for the Commonwealth and any probation agency serving the locality listing (a) all defendants with outstanding balances of court-ordered restitution and (b) all accounts where more than 90 days have passed since such account was sent to collections and no payments have been made. As introduced, the bill was a recommendation of the Virginia State Crime Commission. This bill is identical to HB 1855.

Patron - Obenshain

SB1310 Search warrants; customer records from financial institutions. Provides that a search warrant for records pertaining to a customer of a financial institution, money transmitter, commercial business that provides credit reports, or credit card issuer may be executed in the Commonwealth by hand, mail, commercial delivery service, facsimile, or other electronic means. The bill requires the executing officer to file the warrant in the circuit court clerk's office where the warrant was executed within three days after receiving the ordered records. The bill eliminates the requirement that a copy of the warrant be filed where the warrant was issued for all search warrants. The bill provides that the search warrant will be considered executed in the jurisdiction where the entity on which the warrant is served is located. The bill is identical to HB 1874.

Patron - Norment

SB1330 Critical incident stress management team and critical stress management team privileged communications. Provides that certain communications regarding a crit-

ical incident to a peer support team member are included in the critical incident stress management team privilege. Under current law, the privilege applies only to members of a critical incident stress management team. The bill specifies that a peer support team shall be headed by a Virginia-licensed clinical psychologist, Virginia-licensed psychiatrist, Virginia-licensed clinical social worker, or Virginia-licensed professional counselor with at least five years of experience as a mental health consultant who works directly with emergency medical services personnel or public safety personnel to meet the accreditation standards. Finally, the bill defines a critical incident as an incident that induces an abnormally high level of negative emotions in response to a perceived loss of control and is often related to a threat to the well-being of emergency medical services personnel or public safety personnel or to the well-being of another individual for whom such personnel has some obligation of personal or professional concern.

Patron - Carrico

SB1352 Capital cases; replacing certain terminology. Replaces the term "mental retardation" in all of its various iterations with a corresponding iteration of the term "intellectual disability" for purposes of the statutes governing capital cases. The U.S. Supreme Court has held in *Hall v. Florida*, 134 S. Ct. 1986 (2014), that the terms describe the identical phenomenon. This bill is a recommendation of the Virginia State Crime Commission. This bill is identical to HB 1882.

Patron - Howell

SB1501 Victim's right to notification of scientific analysis information. Provides that for any physical evidence recovery kit that was received by a law-enforcement agency prior to July 1, 2016, and submitted for analysis, the victim, a parent or guardian of a minor victim, or the next of kin of a deceased victim shall be notified of the completion of the analysis and shall, upon request, receive information regarding the results of any analysis from the law-enforcement agency. The bill provides that law enforcement shall not be required to disclose the results of any analysis to an alleged perpetrator. The bill contains technical amendments.

Patron - Favola

SB1564 DUI; search warrants for blood withdrawals. Provides that an application for a search warrant to perform a blood test on a person suspected of committing a DUI-related offense shall be given priority over pending matters that do not involve an imminent risk to another's health or safety.

Patron - Norment

SB1594 Conservators of the peace; investigator employed by an attorney for the Commonwealth. Designates an investigator who is employed by an attorney for the Commonwealth as a conservator of the peace, provided that such investigator was an active law-enforcement officer within 10 years immediately prior to being employed by the attorney for the Commonwealth and retired or resigned from that position in good standing.

Patron - Vogel

Title 20 - Domestic Relations

HB1456 Custody and visitation orders; parenting time. Provides that the court, in its discretion and as to a parent, may use the phrase "parenting time" to be synonymous with the term "visitation" in a custody or visitation order.

Patron - Albo

HB1492 Child support orders; special needs trust; ABLE savings trust account. Provides that, upon the request of either party, a court may order that support payments be made to a special needs trust or an ABLE savings trust account.

Patron - Hope

HB1586 Court-ordered custody and visitation arrangements; transmission of order to child's school. Provides that, in any custody or visitation case in which an order prohibiting a party from picking a child up from school is entered, the court shall order a party to provide a copy of such order to the child's school within three business days of the receipt of the order. The bill requires that, where a custody determination affects a child's school enrollment, the court order a party to provide a copy of the custody order to the child's new school within three business days of the child's enrollment. The bill further provides that if the court determines that a party is unable to deliver the order to the school, such party shall provide the court with the name of the principal and address of the school, and the court shall cause the order to be mailed to such principal.

Patron - Campbell

HB1737 Personal jurisdiction over a person; domicile and residential requirements for suits for annulment, affirmance, or divorce; civilian employees and foreign service officers. Extends to all civilian employees of the United States, where current law applies to foreign service officers, certain requirements for a court to exercise personal jurisdiction over a person stationed in a territory or foreign country and establishing domicile in the Commonwealth for the purposes of an annulment, affirmance, or divorce. This bill is a recommendation of the Boyd-Graves Conference.

Patron - Collins

HB2289 Award of life insurance upon divorce or dissolution of marriage. Provides that where an order for spousal support or separate maintenance has been entered by the court, the court may order a party to maintain an existing life insurance policy, designate the other party as beneficiary, allocate the premium cost of life insurance between the parties, and order the insured party to facilitate the provision of certain information from the insurer to the beneficiary. The bill sets out factors to be considered by the court when making such an award and provides that any obligation or requirement under any such court order ceases upon the termination of the party's obligation to pay spousal support or separate maintenance. As introduced, this bill was a recommendation of the Boyd-Graves Conference.

Patron - Leftwich

Title 22.1 - Education

HB1392 School security officers; carrying a firearm in performance of duties. Authorizes a school security officer to carry a firearm in the performance of his duties if (i) within 10 years immediately prior to being hired by the local school board he was an active law-enforcement officer in the Commonwealth; (ii) he retired or resigned from his position as a law-enforcement officer in good standing; (iii) he meets the training and qualifications to carry a concealed handgun as a retired law-enforcement officer; (iv) he has met the additional training and certification requirements of the Department of Criminal Justice Services (DCJS); (v) the local school board solicits input from the chief law-enforcement officer of the

locality regarding the qualifications of the school security officer and receives verification from such chief law-enforcement officer that the school security officer is not prohibited by state or federal law from possessing, purchasing, or transporting a firearm; and (vi) the local school board grants him the authority to carry a firearm in the performance of his duties. The bill requires DCJS to establish additional firearms training and certification requirements for school security officers who carry a firearm in the performance of their duties. Existing law requires DCJS to establish minimum training and certification requirements for school security officers.

Patron - Lingamfelter

HB1408 Student vision screenings. Requires (i) the principal of each public elementary school to cause the vision of students in kindergarten and grade two or grade three to be screened unless certain exceptions apply and (ii) the principal of each public middle school and high school to cause the vision of students in grade seven and grade 10 to be screened unless certain exceptions apply and permits any such screening to be conducted by a qualified nonprofit vision health organization that uses a digital photoscreening method pursuant to a comprehensive vision program or other methods that comply with Department of Education requirements. The bill defines "qualified nonprofit vision health organization" and "comprehensive vision program." Under current law, the frequency of such vision screenings is determined by the Board of Education pursuant to regulations. Current law is silent on the method and provider of such vision screenings.

Patron - Ware

HB1414 Standards of Learning assessments; partial credit. Requires the Department of Education to collaborate with the existing educational advisory committees in the Commonwealth that advise on student assessments to review multi-part Standards of Learning assessment questions and determine the feasibility of awarding students partial credit for correct answers on one or more parts of such questions. The bill requires the Department to report its determination to the Chairmen of the House Committee on Education and the Senate Committee on Education and Health by November 1, 2017. The bill prohibits the Department from taking action regarding the awarding of partial credit prior to the 2018 Session of the General Assembly.

Patron - Austin

HB1437 Sight and hearing testing of public school students; exception. Excludes from the requirement that the sight and hearing of public school students be tested any student who has an Individualized Education Program or a Section 504 Plan that documents a defect of vision or hearing or a disease of the eyes or ears when the principal determines that such a test would not identify any previously unknown defect of vision or hearing or disease of the eyes or ears.

Patron - Head

HB1552 Local school boards; student and parent notification; career and technical education programs. Requires each local school board to implement a plan to notify students and their parents of the availability of career and technical education programs and to include annual notice on its website to enrolled high school students and their parents of the opportunity for such students to obtain a nationally recognized career readiness certificate at a local public high school, comprehensive community college, or workforce center.

Patron - Bulova

HB1709 School boards; policies and procedures prohibiting bullying; parental notification. Requires the policies and procedures prohibiting bullying that are contained in each school board's code of student conduct to direct the principal to notify the parent of any student involved in an alleged incident of bullying of the status of any investigation within five school days of the allegation of bullying.

Patron - Filler-Corn

HB1770 Teacher licensure; career and technical education; certain local waivers. Permits each local school board or division superintendent to waive certain enumerated licensure requirements for any individual whom it seeks to employ as a career and technical education teacher and who is also seeking initial licensure or renewal of a license with an endorsement in the area of career and technical education. This bill is identical to SB 1583.

Patron - Freitas

HB1829 Teacher licensure; certification or training in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators; hands-on practice. Specifies that the certification or training in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators that is required of every person seeking initial licensure or renewal of a license as a teacher shall include hands-on practice of the skills necessary to perform cardiopulmonary resuscitation.

Patron - Dudenhefer

HB1924 Public schools; suspensions. Directs the Board of Education to establish guidelines for alternatives to short-term and long-term suspension for consideration by local school boards. This bill is identical to SB 829.

Patron - Bagby

HB1981 School Divisions of Innovation. Requires the Board of Education to promulgate regulations for the designation of School Divisions of Innovation in which the local school board in the local school division or any school therein so designated shall, pursuant to a plan of innovation, be exempted from certain regulatory provisions and be permitted to adopt alternative policies for school administrators, teachers, and staff to meet the diverse needs of students and to improve student learning; educational performance; and college, career, and citizenship readiness skills in the local school division or any school therein.

Patron - Greason

HB1982 Graduation requirements; verified units of credit; satisfactory score on the PreACT or PSAT/NMSQT examination. Requires the Board of Education, in establishing graduation requirements, to provide for the award of verified units of credit for a satisfactory score, as determined by the Board, on the Preliminary ACT (PreACT) or the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT) examination.

Patron - Greason

HB2014 Board of Education; biennial review of the standards of quality; odd-numbered years. Changes from even-numbered years to odd-numbered years the biennial review of the standards of quality that is required of the Board of Education.

Patron - Keam

HB2140 Teacher turnover; exit questionnaire; pilot program. Requires the Department of Education (the Department) to develop and oversee a pilot program to administer across five geographically and demographically diverse school divisions the model exit questionnaire for teachers developed by the Superintendent of Public Instruction, analyze the results of each such questionnaire, and include such results and analysis in the Superintendent's annual report beginning in 2018. The bill requires the Department to (i) administer such questionnaire to each teacher who ceases to be employed by the relevant school board for any reason and (ii) collect, maintain, and report on the results of each such questionnaire in a manner that ensures the confidentiality of each teacher's name and other personally identifying information. This bill is identical to SB 1523.

Patron - LeMunyon

HB2141 Board of Education; report on the condition and needs of public education; local school division reports. Requires the Board of Education's annual report on the condition and needs of public education in the Commonwealth to include an explanation of the need to retain or maintain the frequency of any report that local school divisions are required to submit to the Board of Education or any other state agency; any recommendation for the elimination, reduction in frequency, or consolidation of such reports when such elimination, reduction in frequency, or consolidation would require an amendment to the laws of the Commonwealth; and a description of any other such report that the Board has eliminated, reduced in frequency, or consolidated.

Patron - LeMunyon

HB2174 School boards; pupil/teacher ratios; public report. Requires each school board to annually report to the public the actual pupil/teacher ratios in middle school and high school by school for the current school year.

Patron - Murphy

HB2218 Public charter school applications and charter agreements; findings by the Board of Education. Permits the Board of Education to communicate any Board finding relating to the rationale for the local school board's denial of a public charter school application or revocation of or failure to renew the charter agreement based on documentation submitted by the school board in any school division in which at least half of the schools receive funding pursuant to Title I, Part A of the Elementary and Secondary Education Act of 1965, as amended.

Patron - Miyares

HB2257 High school family life education curricula; elements of effective and evidence-based programs on consent. Provides that any high school family life education curriculum offered by a local school division may incorporate age-appropriate elements of effective and evidence-based programs on the law and meaning of consent.

Patron - Filler-Corn

HB2282 Board of Education; guidelines for training on the prevention of trafficking of children. Requires the Board of Education to develop guidelines for training school counselors, school nurses, and other relevant school staff on the prevention of trafficking of children.

Patron - Leftwich

HB2290 Driver education programs; instruction concerning traffic stops. Requires each driver education program

in the public school system to include instruction concerning traffic stops, including law-enforcement procedures for traffic stops, appropriate actions to be taken by drivers during traffic stops, and appropriate interactions with law-enforcement officers who initiate traffic stops. The bill requires the Board of Education to collaborate with the Department of State Police in implementing the changes to its driver education program.

Patron - Ward

HB2306 Arlington County School Board; maximum salary of members. Removes the \$25,000 cap on the salary of certain members of the Arlington County School Board, thereby permitting each member of such school board to be paid a salary in accordance with the general procedures and limits that are applicable to elected school boards in the Commonwealth.

Patron - Hope

HB2332 Teacher compensation; goal. Defines, for the purpose of the stated goal of the Commonwealth for teacher compensation that its public school teachers be compensated at a rate that is competitive, the term "competitive" as, at a minimum, at or above the national average teacher compensation.

Patron - Tyler

HB2341 Board of Education; membership. Requires at least two of the nine members of the Board of Education to represent business and industry in the private sector in the Commonwealth.

Patron - Landes

HB2352 Teacher licensure by reciprocity; professional teacher's assessments. Exempts from any professional teacher's assessment requirements any individual who has obtained a valid out-of-state license, with full credentials and without deficiencies, that is in force at the time the application for a Virginia license is received by the Department of Education, subject to the approval of the division superintendent or the school board in the school division in which such individual is employed. The bill requires the Department of Education to analyze the current requirements for teacher licensure by reciprocity in the Commonwealth, including the statutory and regulatory requirements for such licensure, and report its findings, including any recommendations for changes to such requirements, to the House Committee on Education and the Senate Committee on Education and Health no later than November 1, 2017.

Patron - Freitas

HB2355 Students receiving home instruction; participation in Advanced Placement and Preliminary SAT/National Merit Scholarship Qualifying Test examinations. Requires school boards to (i) make Advanced Placement (AP), Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT), and PreACT examinations available to students receiving home instruction; (ii) adopt written policies that specify the date by which such students shall register to participate in such examinations; and (iii) notify such students and their parents of such registration deadline and the availability of financial assistance to low-income and needy students to take such examinations. This bill is identical to SB 1414.

Patron - Pogge

HB2395 Public schools; dyslexia advisor. Requires one reading specialist employed by each local school board that employs a reading specialist to have training in the identifica-

tion of and the appropriate interventions, accommodations, and teaching techniques for students with dyslexia or a related disorder and to have an understanding of the definition of dyslexia and a working knowledge of several topics relating to dyslexia. This bill is identical to SB 1516.

Patron - Cline

HB2431 School property; retail fee-based electric vehicle charging stations. Permits any school board to locate and operate retail fee-based electric vehicle charging stations on school property, provided that the use of each such station during the school day is restricted to school board employees, students, and authorized visitors and each such station is accompanied by appropriate signage that provides reasonable notice of such restriction.

Patron - Bulova

HB2432 Licensure of school personnel; investigation of certain complaints; license revocation. Requires the Board of Education to include in its regulations governing the licensure of teachers and other school personnel procedures for the immediate and thorough investigation by the division superintendent or his designee of any complaint alleging that a license holder has engaged in conduct that may form the basis for the revocation of his license, including requirements for (i) the division superintendent to petition for the revocation of the license upon completing such investigation and finding that there is reasonable cause to believe that the license holder has engaged in conduct that forms the basis for revocation of a license; (ii) the school board to proceed to a hearing on such petition for revocation within 90 days of the mailing of a copy of the petition to the license holder, unless the license holder requests the cancellation of his license in accordance with Board regulations; and (iii) the school board to provide a copy of the investigative file and such petition for revocation to the Superintendent of Public Instruction at the time that the hearing is scheduled. The bill clarifies that in the case of a teacher who is or becomes the subject of a founded complaint of child abuse and neglect, such teacher shall be dismissed after all rights to any administrative appeal have been exhausted. Current law does not specify that such appeals are administrative in nature.

Patron - Bulova

SB829 Public schools; suspensions. Directs the Board of Education to establish guidelines for alternatives to short-term and long-term suspension for consideration by local school boards. This bill is identical to HB 1924.

Patron - Wexton

SB951 School service providers; student access to collected personal information. Requires school service providers to provide, either directly to the student or his parent or through the school, access to an electronic copy of such student's personal information in a manner consistent with the functionality of the school service. The bill permits contracts between local school boards and school service providers to require that such electronic copy be in a machine-readable format.

Patron - Ruff

SB1098 Public schools; standards for accreditation. Requires that the regulations establishing standards for accreditation adopted by the Board of Education ensure that the accreditation process is transparent and based on objective measurements and that any appeal of the accreditation status of a school is heard and decided by the Board.

Patron - Newman

SB1116 Certain public school employees; assistance with student insulin pumps. Authorizes, but does not require, local school board employees who are registered nurses, licensed practical nurses, or certified nurse aides and who have been trained in the administration of insulin, including the use and insertion of insulin pumps, and the administration of glucagon to assist a student who is diagnosed with diabetes and who carries an insulin pump with the insertion or reinsertion of the pump or any of its parts, provided that assistance has been authorized by the prescriber and consented to by the student's parent.

Patron - McPike

SB1117 School counselors; licensure. Requires every person seeking initial licensure or renewal of a license with an endorsement as a school counselor to complete training in the recognition of mental health disorder and behavioral distress, including depression, trauma, violence, youth suicide, and substance abuse.

Patron - McPike

SB1159 Public schools; career and technical education credential. Provides that the career and technical education credential, when required for high school graduation, adult education, or an alternative education plan, may be satisfied with the successful completion of the Armed Services Vocational Aptitude Battery. Under current law, the successful completion of an industry certification, a state licensure examination, a national occupational competency assessment, or the Virginia workplace readiness skills assessment satisfies such credential.

Patron - Reeves

SB1160 Advisory Board on Teacher Education and Licensure; membership. Adds three legislative members, two of whom shall be members of the House of Delegates appointed by the Speaker of the House of Delegates and one of whom shall be a member of the Senate appointed by the Senate Committee on Rules, to the Advisory Board on Teacher Education and Licensure. The bill provides an exception to the prohibition against service by legislators on boards within the executive branch for the Advisory Board.

Patron - Reeves

SB1234 Public institutions of higher education; passport credit program. Requires the State Council of Higher Education for Virginia (the Council) and each public institution of higher education to develop a passport credit program that will be offered at each associate-degree-granting public institution of higher education. Under the program, each passport credit course shall satisfy a lower division general education requirement at any public institution of higher education. The bill requires the Council to develop such program by July 1, 2020, and each associate-degree-granting public institution of higher education to offer such program by the 2020-2021 academic year.

Patron - Dunnivant

SB1245 Public education; economics education and financial literacy. Requires the Board of Education to include evaluating the economic value of postsecondary studies, including the net cost of attendance, potential student loan debt, and potential earnings, in the Board's objectives for economics education and financial literacy. The bill requires the Board to amend such objectives by July 1, 2018.

Patron - Dunnivant

SB1359 Local school boards; school buildings; potable water; lead testing. Requires each local school board to develop and implement a plan to test for lead and, if necessary, remediate potable water from sources identified by the U.S. Environmental Protection Agency as high priority for testing, giving priority in such testing plan to schools whose school building was constructed, in whole or in part, before 1986.

Patron - McPike

SB1414 Students receiving home instruction; participation in Advanced Placement and Preliminary SAT/National Merit Scholarship Qualifying Test examinations. Requires school boards to (i) make Advanced Placement (AP), Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT), and PreACT examinations available to students receiving home instruction; (ii) adopt written policies that specify the date by which such students shall register to participate in such examinations; and (iii) notify such students and their parents of such registration deadline and the availability of financial assistance to low-income and needy students to take such examinations. This bill is identical to HB 2355.

Patron - Newman

SB1475 Family life education; curriculum guidelines and curricula. Makes changes to family life education curriculum guidelines and curricula, including requiring family life education curriculum guidelines to include instruction as appropriate for the age of the student in the value of family relationships and permitting the age-appropriate elements of effective and evidence-based programs on the prevention of sexual violence that are required to be incorporated into any high school family life education curriculum offered by a local school division to include instruction that increases student awareness of the fact that consent is required before sexual activity.

Patron - McClellan

SB1516 Public schools; dyslexia advisor. Requires one reading specialist employed by each local school board that employs a reading specialist to have training in the identification of and the appropriate interventions, accommodations, and teaching techniques for students with dyslexia or a related disorder and to have an understanding of the definition of dyslexia and a working knowledge of several topics relating to dyslexia. This bill is identical to HB 2395.

Patron - Black

SB1523 Teacher turnover; exit questionnaire; pilot program. Requires the Department of Education to develop and oversee a pilot program to administer across five geographically and demographically diverse school divisions the model exit questionnaire for teachers developed by the Superintendent of Public Instruction, analyze the results of each such questionnaire, and include such results and analysis in the Superintendent's annual report beginning in 2018. The bill requires the Department to (i) administer such questionnaire to each teacher who ceases to be employed by the relevant school board for any reason and (ii) collect, maintain, and report on the results of each such questionnaire in a manner that ensures the confidentiality of each teacher's name and other personally identifying information. This bill is identical to HB 2140.

Patron - Mason

SB1583 Teacher licensure; career and technical education; certain local waivers. Permits each local school board or division superintendent to waive certain enumerated licensure

requirements for any individual whom it seeks to employ as a career and technical education teacher and who is also seeking initial licensure or renewal of a license with an endorsement in the area of career and technical education. This bill is identical to HB 1770.

Patron - Suetterlein

Title 23.1 - Institutions of Higher Education; Other Educational and Cultural Institutions

HB1401 Public institutions of higher education; speech on campus. Prohibits public institutions of higher education from abridging the constitutional freedom of any individual, including enrolled students, faculty and other employees, and invited guests, to speak on campus, except as otherwise permitted by the First Amendment to the United States Constitution.

Patron - Landes

HB1402 Governing boards of public institutions of higher education; leadership; residency. Requires the president or any one of the vice presidents of the board of visitors of Virginia Military Institute, the chairman or the vice-chairman of the State Board, and the rector or vice-rector of the governing board of each other public institution of higher education to be a resident of the Commonwealth. This bill is identical to SB 907.

Patron - Landes

HB1512 Public institutions of higher education; academic credit for American Sign Language courses. Requires each public institution of higher education to develop policies for counting credit received for successful completion of foreign language courses, including American Sign Language courses, either in a secondary school or another institution of higher education toward satisfaction of the foreign language entrance, placement, and course credit requirements of the public institution of higher education. The bill requires each public institution of higher education to count credit received for successful completion of American Sign Language courses at the institution toward satisfaction of its foreign language course credit requirements.

Patron - Bell, Richard P.

HB1538 Revision of Title 23; corrections. Corrects typographical errors and makes other technical amendments relating to the revision and recodification of Title 23 and declares such corrections and amendments to be effective retroactively to October 1, 2016. This bill is a recommendation of the Code Commission.

Patron - LeMunyon

HB1569 Virginia Polytechnic Institute and State University and Virginia State University; purpose and programs. Declares the intent of the General Assembly that in order to support a strong Commonwealth and to fulfill the principles of the federal Morrill Land-Grant Acts of 1862 and 1890 and Smith-Lever Act of 1914 (7 U.S.C. § 301 et seq.), the Commonwealth's two land-grant universities, Virginia Polytechnic Institute and State University and Virginia State University, shall maintain strong programs of instruction, research, and the extension of knowledge in agriculture, natural resources, family and consumer sciences, community viability,

youth development, and such other fields as are necessary to fulfill their respective land-grant missions.

Patron - Orrock

HB1592 Comprehensive community colleges; academic credit. Requires the State Board for Community Colleges to require each comprehensive community college to develop policies and procedures for awarding academic credit to enrolled students who have successfully completed a state-approved registered apprenticeship credential. This bill is identical to SB 999.

Patron - James

HB1662 Public institutions of higher education; general education course credit; dual enrollment courses. Requires the State Council of Higher Education for Virginia (SCHEV), in consultation with each public institution of higher education, to establish a policy for granting undergraduate general education course credit to any entering freshman student who has successfully completed a dual enrollment course. The bill requires SCHEV and each public institution of higher education to make the policy available to the public on the SCHEV and institution's websites. This bill is identical to SB 1534.

Patron - Greason

HB1663 Northern Virginia Community College; computer science training and professional development for teachers. Requires Northern Virginia Community College (i) in consultation with the Department of Education, to contract with a partner organization to develop, market, and implement high-quality and effective computer science training and professional development activities for public school teachers throughout the Commonwealth for the purpose of improving the computer science literacy of all public school students in the Commonwealth and (ii) to establish an advisory committee for the purpose of advising the college and its partner organization on the development, marketing, and implementation of such training and professional development activities. This bill is identical to SB 1493.

Patron - Greason

HB1664 State Council of Higher Education for Virginia; collection and publication of wage data and the Virginia Longitudinal Data System. Authorizes the State Council of Higher Education for Virginia (Council) to publish data on the proportion of graduates of each public institution of higher education and each nonprofit private institution of higher education eligible to participate in the Tuition Assistance Grant Program who are employed at 18 months and five years after the date of graduation. The bill directs that the data include the program and the program level, as recognized by the Council, for each degree awarded by each institution; the percentage of graduates known to be employed in the Commonwealth; the average salary and the average higher education-related debt for the graduates on which the data is based; rates of enrollment in remedial coursework for each institution; individual student credit accumulation for each institution; rates of postsecondary degree completion; and any other information that the Council determines is necessary to address adequate preparation for success in postsecondary education and alignment between secondary and postsecondary education. The bill requires each such institution of higher education to provide a link to such published postsecondary education and employment data.

The bill also requires the Council to administer the Virginia Longitudinal Data System as a multiagency partnership for the

purposes of developing educational, health, social service, and employment outcome data; improving the efficacy of state services; and aiding decision making.

Patron - Greason

HB1721 State Board for Community Colleges; reduced rate tuition and mandatory fee charges; certain students who are active duty members of the Armed Forces of the United States. Permits the State Board for Community Colleges to charge reduced rate tuition and mandatory fees to any student who is (i) an active duty member of the Armed Forces of the United States stationed outside of the Commonwealth; (ii) enrolled in a degree program at a comprehensive community college, provided that any such comprehensive community college that offers online degree programs is a member of the National Council for State Authorization Reciprocity; and (iii) enrolled in training that leads to a Military Occupational Specialty in the Army or Marine Corps, an Air Force Specialty Code, or a Navy Enlisted Classification.

Patron - Anderson

HB1746 Institutions of higher education; possession and administration of epinephrine, insulin, and glucagon. Authorizes and provides liability protection for employees of a public or private institution of higher education who are authorized by a prescriber and trained in the administration of epinephrine, insulin, or glucagon to possess and administer such epinephrine, insulin, or glucagon. This bill is identical to SB 944.

Patron - Rush

HB1780 Jamestown-Yorktown Foundation; board of trustees; duties. Authorizes the board of trustees of the Jamestown-Yorktown Foundation to enter into contracts for the use and rental of agency facilities, structures, spaces, and personal property under the control of the Foundation. This bill is identical to SB 1555.

Patron - Plum

HB1848 Comprehensive community colleges; tuition grants. Provides that certain Virginia students who were in foster care or in the custody of the Department of Social Services or considered a special needs adoption and are enrolled in a noncredit workforce credential training program in a comprehensive community college may qualify for a grant for the payment of tuition and fees. This bill is identical to SB 1032.

Patron - Hester

HB1911 Public institutions of higher education; resident assistants; mental health first aid training. Requires each resident assistant in a student housing facility at a public institution of higher education to participate in Mental Health First Aid training or a similar program prior to the commencement of his duties.

Patron - Yost

HB1965 Two-Year College Transfer Grant Program; Expected Family Contribution. Broadens eligibility for the Two-Year College Transfer Grant Program by including students whose Expected Family Contribution, as calculated by the federal government using the family's financial information reported on the Free Application for Federal Student Aid (FAFSA), is no more than \$12,000. Currently the program is available only to students whose Expected Family Contribution is no more than \$8,000. The bill does not affect additional

eligibility requirements for the Two-Year College Transfer Grant Program. This bill is identical to SB 1026.

Patron - Massie

HB2040 Postsecondary schools; enrollment agreement. Prohibits postsecondary schools that are required to be certified by the State Council of Higher Education for Virginia (the Council) from enrolling students without entering into an enrollment agreement with each student. The enrollment agreement is required to be signed by the student and an authorized representative of the school and to contain all disclosures prescribed by the Council.

Patron - Murphy

HB2171 Public institutions of higher education; annual report; investments. Requires the governing board of each public institution of higher education to annually report to the State Council of Higher Education for Virginia (i) the value of investments as reflected on the Statement of Net Position as of June 30 of the previous fiscal year, excluding any funds derived from endowment donations, endowment income, or other private philanthropy; (ii) the cash earnings on such balances in the previous fiscal year; and (iii) the use of the cash earnings on such balances. In the event that the commitment of any such investment earnings spans more than one fiscal year, the report shall reflect the commitments made in each future fiscal year. The bill excludes from such reporting requirements the investments of the Virginia Commonwealth University Health System Authority and the University of Virginia Medical Center.

Patron - Massie

HB2172 Southern Virginia Higher Education Center. Requires the Southern Virginia Higher Education Center (the Center) to encourage the development and delivery of workforce training in collaboration with educational institutions serving the region, with a focus on critical shortage areas and the needs of industry. The bill replaces the superintendent of the Halifax County Public Schools as an ex officio member of the board of trustees of the Center with a superintendent of a public school division located in the Southside region appointed by the Governor. The bill also broadens the eligibility requirements to serve as one of the representatives of business and industry on the board of trustees. The bill requires the board of trustees to seek opportunities to collaborate with local comprehensive community colleges to meet specialized noncredit workforce training needs identified by industry. However, if the local comprehensive community college is unable to meet such needs, then the board may seek to collaborate with other education providers or provide Center-delivered specialized noncredit workforce training. This bill is identical to SB 949.

Patron - Edmunds

HB2262 Online Virginia Network Authority established. Establishes the Online Virginia Network Authority (the Authority) as a political subdivision of the Commonwealth for the purpose of establishing the Online Virginia Network to coordinate the online delivery of courses that facilitate the completion of degrees at George Mason University and Old Dominion University. The bill requires the Authority to be governed by a 15-member board that consists of four members of the House of Delegates appointed by the Speaker of the House of Delegates, three members of the Senate appointed by the Senate Committee on Rules, three nonlegislative citizen members appointed by the Governor, one nonlegislative citizen member appointed by the board of visitors of George Mason University, one nonlegislative citizen member appointed by the

board of visitors of Old Dominion University, the President of George Mason University, the President of Old Dominion University, and the Director of the State Council of Higher Education for Virginia. The bill sets forth several duties of the Authority and grants the Authority operational flexibility in the areas of procurement and information technology, provided that the Authority adopts and complies with certain policies.

Patron - Cox

HB2296 Virginia Foundation for the Humanities; identification of the history of formerly enslaved African Americans in Virginia. Directs the Virginia Foundation for the Humanities to identify the history of formerly enslaved African Americans in Virginia and determine ways to preserve the history for educational and cultural purposes. Among other things, the Foundation would promote the identification, preservation, and conservation of historic sites significant to the history, presence, and contributions of formerly enslaved African Americans in Virginia; identify the contributions of African Americans to Virginia, the nation, and the world; identify historical sites significant to African American history in Virginia; and recommend ways to increase tourism and revenues associated with such sites. The bill creates a task force consisting of legislative and nonlegislative members to assist the Foundation in its work.

Patron - McQuinn

HB2379 Roanoke Higher Education Authority; board of trustees. Removes the president of Bluefield College from the board of trustees of the Roanoke Higher Education Authority. This bill is identical to SB 1447.

Patron - Head

HB2427 Virginia Guaranteed Assistance Program; grants. Makes several changes to the Virginia Guaranteed Assistance Program, including adding requirements that (i) each student eligible for the Program receive a grant from the institution's appropriations for undergraduate student financial assistance before Commonwealth Award grants are awarded to students with equivalent remaining need, (ii) each eligible student receive a Program grant in an amount greater than Commonwealth Award grants awarded to students with equivalent remaining need, (iii) each eligible student receive a Program grant in an amount greater than the grant of each eligible student with equivalent remaining need in the next-lowest class level, and (iv) each Program grant be determined by a proportionate award schedule adopted by each institution and vary according to each student's remaining need and the total of tuition, fees, and other necessary charges, including books. This bill is identical to SB 1527.

Patron - Cox

SB907 Governing boards of public institutions of higher education; leadership; residency. Requires the president or any one of the vice presidents of the board of visitors of Virginia Military Institute, the chairman or the vice-chairman of the State Board, and the rector or vice-rector of the governing board of each other public institution of higher education to be a resident of the Commonwealth. This bill is identical to HB 1402.

Patron - Surovell

SB944 Institutions of higher education; possession and administration of epinephrine, insulin, and glucagon. Authorizes and provides liability protection for employees of a public or private institution of higher education who are authorized by a prescriber and trained in the administration of epinephrine, insulin, or glucagon to possess and administer such

epinephrine, insulin, or glucagon. This bill is identical to HB 1746.

Patron - Chafin

SB949 Southern Virginia Higher Education Center. Requires the Southern Virginia Higher Education Center (the Center) to encourage the development and delivery of workforce training in collaboration with educational institutions serving the region, with a focus on critical shortage areas and the needs of industry. The bill replaces the superintendent of the Halifax County Public Schools as an ex officio member of the board of trustees of the Center with a superintendent of a public school division located in the Southside region appointed by the Governor. The bill also broadens the eligibility requirements to serve as one of the representatives of business and industry on the board of trustees. The bill requires the board of trustees to seek opportunities to collaborate with local comprehensive community colleges to meet specialized non-credit workforce training needs identified by industry. However, if the local comprehensive community college is unable to meet such needs, then the board may seek to collaborate with other education providers or provide Center-delivered specialized noncredit workforce training. This bill is identical to HB 2172.

Patron - Ruff

SB999 Comprehensive community colleges; academic credit. Requires the State Board for Community Colleges to require each comprehensive community college to develop policies and procedures for awarding academic credit to enrolled students who have successfully completed a state-approved registered apprenticeship credential. This bill is identical to HB 1592.

Patron - Ruff

SB1026 Two-Year College Transfer Grant Program; Expected Family Contribution. Broadens eligibility for the Two-Year College Transfer Grant Program by including students whose Expected Family Contribution, as calculated by the federal government using the family's financial information reported on the Free Application for Federal Student Aid (FAFSA), is no more than \$12,000. Currently the program is available only to students whose Expected Family Contribution is no more than \$8,000. The bill does not affect additional eligibility requirements for the Two-Year College Transfer Grant Program. This bill is identical to HB 1965.

Patron - Dunnivant

SB1032 Comprehensive community colleges; tuition grants. Provides that certain Virginia students who were in foster care or in the custody of the Department of Social Services or considered a special needs adoption and are enrolled in a noncredit workforce credential training program in a comprehensive community college may qualify for a grant for the payment of tuition and fees. This bill is identical to HB 1848.

Patron - Favola

SB1100 New Economy Workforce Credential Grant Program; reporting. Requires the State Council of Higher Education for Virginia to include in its annual report on the New Economy Workforce Credential Grant Program information on the wages of students who have completed noncredit workforce training programs, organized by credential name and relevant industry sector and including average wage and other relevant information.

Patron - Newman

SB1371 Virginia Research Investment Committee. Expands the role of the Virginia Research Investment Committee (the Committee) to include, in addition to awarding grants and loans from the Virginia Research Investment Fund, providing guidance and coordination in the use of public funds to support research and commercialization efforts throughout the Commonwealth. Effective January 1, 2018, the bill moves responsibility for the development of the Commonwealth Research and Technology Strategic Roadmap (the Roadmap) from the Center for Innovative Technology to the State Council of Higher Education for Virginia (the Council), which shall submit the plan to the Committee for approval. The Council would consult with public institutions of higher education, make recommendations on the industry sectors in which the Commonwealth should focus its research and development efforts, and establish a process for maintaining an inventory of the Commonwealth's current research and development efforts. Before implementation, the Council would submit the Roadmap to the Governor for final approval. The Roadmap would be used to determine areas of focus for awards from the Virginia Research Investment Fund and the Commonwealth Research Commercialization Fund. The bill also clarifies that the exemption from mandatory disclosure of records under the Freedom of Information Act by applicants for grants and loans from the Committee applies to certain financial records, trade secrets, and research-related information. The bill requires an applicant seeking to invoke the protections of the exemption to submit a written request to the Committee identifying the records or data for which protection is sought and stating the reason why protection is necessary. Under the bill, the exemption also applies to documents prepared exclusively for the application review by the Committee, its staff, or a reviewing entity conducting a scientific review at the request of the Committee. The closed meeting exemption is also amended to include interviews of applicants by the Committee or a reviewing entity conducting a scientific review. The bill contains technical amendments. This bill is identical to HB 2245.

Patron - Saslaw

SB1376 Public institutions of higher education; public notice of planned tuition increase. Prohibits the governing board of a public institution of higher education from approving an increase in undergraduate tuition or mandatory fees without first providing students and the public a projected range of the planned increase, an explanation of the need for the increase, and notice of the date and location of any vote on the increase at least 30 days prior to such vote.

Patron - Petersen

SB1430 Higher education; student mental health; services after a student suicide. Requires baccalaureate public institutions of higher education to develop and implement policies that ensure that after a student suicide, affected students have access to reasonable medical and behavioral health services, including postvention services. The bill defines postvention services as services designed to facilitate the grieving or adjustment process, stabilize the environment, reduce the risk of negative behaviors, and prevent suicide contagion.

Patron - Reeves

SB1447 Roanoke Higher Education Authority; board of trustees. Removes the president of Bluefield College from the board of trustees of the Roanoke Higher Education Authority. This bill is identical to HB 2379.

Patron - Edwards

SB1493 Northern Virginia Community College; computer science training and professional development for

teachers. Requires Northern Virginia Community College (i) in consultation with the Department of Education, to contract with a partner organization to develop, market, and implement high-quality and effective computer science training and professional development activities for public school teachers throughout the Commonwealth for the purpose of improving the computer science literacy of all public school students in the Commonwealth and (ii) to establish an advisory committee for the purpose of advising the college and its partner organization on the development, marketing, and implementation of such training and professional development activities. This bill is identical to HB 1663.

Patron - McClellan

SB1527 Virginia Guaranteed Assistance Program; grants. Makes several changes to the Virginia Guaranteed Assistance Program, including adding requirements that (i) each student eligible for the Program receive a grant from the institution's appropriations for undergraduate student financial assistance before Commonwealth Award grants are awarded to students with equivalent remaining need, (ii) each eligible student receive a Program grant in an amount greater than Commonwealth Award grants awarded to students with equivalent remaining need, (iii) each eligible student receive a Program grant in an amount greater than the grant of each eligible student with equivalent remaining need in the next-lowest class level, and (iv) each Program grant be determined by a proportionate award schedule adopted by each institution and vary according to each student's remaining need and the total of tuition, fees, and other necessary charges, including books. This bill is identical to HB 2427.

Patron - Saslaw

SB1534 Public institutions of higher education; general education course credit; dual enrollment courses. Requires the State Council of Higher Education for Virginia (SCHEV), in consultation with each public institution of higher education, to establish a policy for granting undergraduate general education course credit to any entering freshman student who has successfully completed a dual enrollment course. The bill requires SCHEV and each public institution of higher education to make the policy available to the public on the SCHEV and institution's websites. This bill is identical to HB 1662.

Patron - Sturtevant

SB1555 Jamestown-Yorktown Foundation; board of trustees; duties. Authorizes the board of trustees of the Jamestown-Yorktown Foundation to enter into contracts for the use and rental of agency facilities, structures, spaces, and personal property under the control of the Foundation. This bill is identical to HB 1780.

Patron - McDougle

Title 24.2 - Elections

HB1431 Voter registration drives; compensation prohibition. Prohibits any individual or group conducting a voter registration drive from compensating its volunteers or employees on the basis of the number of completed voter registration applications the volunteer or employee collects. The bill also prohibits volunteers and employees from accepting compensation based on the number of completed voter registration applications he collects.

Patron - Cole

HB1730 Description of duties and responsibilities of local electoral boards; Department of Elections to provide annually to certain entities. Requires the State Board of Elections, with the cooperation of the local electoral boards and general registrars, to develop a description of the duties and responsibilities of the local electoral boards. The Department of Elections is required to provide this description to the clerks of the circuit courts, the chairmen of the state and district political party committees, the general registrars, and the local electoral boards.

Patron - Ransone

HB1912 Absentee voting; eligibility of persons granted protective order. Entitles a person to vote absentee if the person has been granted a protective order issued by or under the authority of any court of competent jurisdiction.

Patron - Yost

HB1933 Candidate withdrawal; notice of withdrawal; information to voters. Provides that a candidate who has qualified to have his name printed on the ballot for an election is not deemed to have withdrawn from such election until he has submitted a signed written notice declaring his intent to withdraw and that notice has been received by the general registrar. The Department of Elections is required to include in its candidate guidance documents the requirements and process for candidate withdrawal. The bill also provides that when ballots are not corrected to delete a candidate's name, the general registrar shall provide a list of candidates who have withdrawn to be posted in each polling place and made available to the public.

Patron - Carr

HB2179 Form of ballot; order of independent candidates. Provides that when there is more than one independent candidate for an office, their names shall appear on the ballot in an order determined by the priority of time of filing all required paperwork for the office. In the event that two or more candidates file simultaneously, the order of filing is determined by lot by the electoral board. Currently, this order applies only to the names of candidates for school board, and the names of all other independent candidates appear alphabetically. This bill is identical to SB 1104.

Patron - Sickles

HB2364 Public officers; automatic suspension upon conviction of felony. Provides that any officer who is convicted of a felony under the laws of any state or the United States shall be automatically suspended upon such conviction, regardless of any appeals, pleadings, delays, or motions. The bill contains an emergency clause. This bill is identical to SB 1487.

Patron - Heretick

HB2397 Candidate petitions; signature requirements for candidates in certain towns. Requires petitions for candidates for the governing body or elected school board of towns to contain a minimum of (i) 125 signatures of qualified voters in towns with more than 3,500 registered voters and (ii) 50 signatures of qualified voters in towns with at least 1,500 but not more than 3,500 registered voters. No candidate petition is required for local offices in towns with fewer than 1,500 registered voters.

Patron - Pillion

HB2415 Ballots; number ordered to be printed. Requires the general registrars to consider the number of active

registered voters and historical election data, including voter turnout, when determining the number of ballots to order to be printed for an election. This bill is identical to SB 1552.

Patron - Garrett

SB864 Electoral board appointments; chief judge of the judicial circuit or his designee to make appointment. Provides that appointments to the electoral board of each county and city are to be made by the chief judge of the judicial circuit for the county or city or that judge's designee, who shall be any other judge sitting in that judicial circuit. Currently, such appointments are made by a majority of the circuit judges and if a majority of the judges cannot agree, the senior judge makes the appointment. The bill also contains technical amendments.

Patron - Stuart

SB960 Absentee ballots; expediting the counting of absentee ballots returned by mail prior to election day. Provides that if a general registrar has opted to expedite the counting of absentee ballots returned by mail by opening the sealed ballot envelopes in accordance with law, the requirement that the absentee ballot return envelope and unopened ballot envelope be deposited into an appropriate container does not apply. Current law contains a contradiction that absentee ballot return envelopes and unopened ballot envelopes are to be deposited into an appropriate container while also allowing the sealed ballot envelopes to be opened so that they may be inserted into a ballot scanner machine or other secure ballot container.

Patron - Spruill

SB961 Absentee voting; processing of rejected absentee ballots. Provides that when an absentee ballot is rejected, at least two officers of election, one representing each political party, are required to write and sign a statement for the cause of the ballot's rejection. Currently, the law requires that a majority of the officers write and sign such statement.

Patron - Spruill

SB1104 Form of ballot; order of independent candidates. Provides that when there is more than one independent candidate for an office, their names shall appear on the ballot in an order determined by the priority of time of filing all required paperwork for the office. In the event that two or more candidates file simultaneously, the order of filing is determined by lot by the electoral board. Currently, this order applies only to the names of candidates for school board, and the names of all other independent candidates appear alphabetically. This bill is identical to HB 2179.

Patron - Surovell

SB1254 Department of Elections; annual audit of ballot scanner machines. Requires the Department of Elections to coordinate a post-election risk-limiting audit annually of ballot scanner machines in use in the Commonwealth. The localities selected for the audit are to be chosen at random with every locality participating in the Department's annual audit at least once during a five-year period. The audits are required to be conducted by the local electoral boards and general registrars in accordance with procedures prescribed by the Department. The local electoral boards report the results of the audit to the Department and the Department shall submit a report on the audits to the State Board of Elections. The bill has a delayed effective date of July 1, 2018.

Patron - Obenshain

SB1304 Local option for timing of municipal elections; effective date. Provides that the statutory authority allowing a city or town to move its local elections to the November general election date by ordinance notwithstanding a charter provision to the contrary shall be retroactively effective beginning on July 1, 2000, in keeping with the intent of the General Assembly when first granting such authority.

Patron - Vogel

SB1467 Central absentee voter precincts; expedited counting of absentee ballots. Allows the officers of election at a central absentee voter precinct to begin tallying the absentee ballots that are counted by hand at any time after 3:00 p.m. on the day of the election. Currently, absentee ballots may be processed at the central absentee voter precinct prior to the closing of the polls but shall not be counted until after the polls have closed. The bill prohibits any counts of tallies to be determined or transmitted outside of the central absentee voter precinct until after the closing of the polls. It also prohibits the use of cell phones and other communication devices during such tallying and until the close of polls. Any persons present in the central absentee voter precinct during this time is required to sign a statement under oath that he will not transmit any counts prior to the closing of the polls. Any person who transmits any counts in violation of the provisions of the bill is guilty of a Class 1 misdemeanor.

Patron - Marsden

SB1487 Public officers; automatic suspension upon conviction of felony. Provides that any officer who is convicted of a felony under the laws of any state or the United States shall be automatically suspended upon such conviction, regardless of any appeals, pleadings, delays, or motions. The bill contains an emergency clause. This bill is identical to HB 2364.

Patron - Lewis

SB1552 Ballots; number ordered to be printed. Requires the general registrars to consider the number of active registered voters and historical election data, including voter turnout, when determining the number of ballots to order to be printed for an election. This bill is identical to HB 2415.

Patron - Newman

Title 25.1 - Eminent Domain

HB2024 Condemnation powers and proceedings; notice to owner or tenant. Requires an authorized condemnor or the Commissioner of Highways to give notice to the owner or tenant of freehold property subject to condemnation between 30 and 45 days prior to the filing or recordation of a certificate in any "quick take" condemnation proceeding. Current law requires notice but does not provide a time frame within which such notice must be given. The bill also requires such condemnor to notify the owner or tenant within four business days of the filing or recording by providing a copy of the certificate by certified or registered mail.

Patron - Freitas

SB927 Eminent domain; timing for initiation of "quick-take" condemnation procedure and petition for determination of just compensation. Provides that an authorized condemnor in a "quick-take" condemnation proceeding shall institute such proceedings within 180 days of the recordation of a certificate terminating the interest of the owner of the

property. Under current law, such proceedings must be instituted within 60 days after the completion of the construction of the improvements upon the property. The bill further provides that the owner of such property has 180 days after the authorized condemnor has entered upon and taken possession of the property or after the recordation of a certificate to petition the court for a determination of just compensation for the property taken or damaged by the authorized condemnor.

Patron - Petersen

SB1153 Inverse condemnation proceeding; reimbursement of owner's costs. Directs the court to reimburse a plaintiff for the costs of an inverse condemnation proceeding for "damaging" property if a judgment is entered for the plaintiff. Under current law, the court is directed to award costs only for the "taking" of property. The amendment in this bill corresponds with the language of amendments to Article I, Section 11 of the Constitution of Virginia, which became effective on January 1, 2013, and applies to declaratory judgment proceedings filed on or after July 1, 2017.

Patrons - Obenshain and Petersen

SB1421 Interest on the amount of award; condemnation proceeding. Provides that the interest on an award in a condemnation proceeding that is greater than the amount that the condemnor deposited with the court shall accrue at the judgment rate of interest.

Patron - Mason

Title 27 - Fire Protection

SB873 Authority of fire chief over immediate airspace at a fire, explosion, or uncontrolled release of hazardous materials. Includes immediate airspace under the current authority of the fire chief or other officer in charge of maintaining order where there is imminent danger or the actual occurrence of fire or explosion or the uncontrolled release of hazardous materials that threaten life or property.

Patron - Marsden

Title 28.2 - Fisheries and Habitat of the Tidal Waters

HB1517 General permit for sand management. Authorizes the Virginia Beach Wetlands Board to adopt a General Permit for Sand Management and Placement Profiles for properties in the Sandbridge Beach Subdivision of Virginia Beach and authorizes the Norfolk Wetlands Board to adopt such a permit for properties in the City of Norfolk. The bill requires the General Permit and Placement Profiles to include the permissible cost-effective sand management practices that property owners shall implement to protect and enhance the value of their property and to protect coastal primary sand dunes and public beaches. Any sand that is to be removed by the owner from his property must be judged to be "clean beach" sand prior to being transferred and placed in a spreading zone location.

Patron - Knight

HB1572 Marine Resources Commission; registration as commercial fisherman; family member or employee. Directs the Marine Resources Commission to grant a preference for an exception to the two-year delay in the effective date

of a registration as a commercial fisherman. The bill requires the preference to benefit a license applicant who is a member of the immediate family or is a documented employee of the commercial fisherman who is retiring.

Patron - Helsel

HB1573 Marine Resources Commission; licenses; revocation. Provides that when the Marine Resources Commission (the Commission) revokes a fishing license for a violation of the tidal fisheries law, it shall revoke only the particular type of license that is applicable to the fishery in which the violation occurred. The Commission may revoke other licenses upon a second violation within five years. The bill authorizes the Commission to revoke a person's underlying privileges when certain criteria are met. Under current law, the Commission is authorized to revoke all of the fishing licenses a person has been granted upon a first violation, irrespective of the location and type of fish described in the license. The bill also requires the Commission to accept credit card payment of any civil penalty it assesses for fishing under a revoked license or privileges.

Patron - Helsel

HB1574 Marine Resources Commission; oysters; culling. Provides that when a person charged with violating an oyster culling regulation is required to scatter the entire cargo of oysters on the public rocks, no portion of the cargo shall be scattered anywhere else. The bill also requires the Marine Resources Commission to accept cash, check, or credit card payment of a bond paid in lieu of throwing the cargo overboard. Current law allows only payments in cash.

Patron - Helsel

HB1796 Oyster ground lease; certain dredging projects. Provides that certain oyster ground leaseholders in the Lynnhaven River are subject to the conduct of approved municipal dredging projects to restore existing navigation channels. The bill limits such projects to oyster grounds that are condemned, restricted, or otherwise nonproductive, and it requires the locality to compensate the lessee for the use of the ground. The bill directs that if the parties cannot agree on a compensation amount, a court of competent jurisdiction shall determine the value of the ground. The bill has an expiration date of July 1, 2019. This bill is identical to SB 1143.

Patron - Stolle

HB2297 Marine Resources Commission; oyster planting grounds; notice of application for lease. Requires the Marine Resources Commission (the Commission) to post notice of an application to lease oyster planting grounds for 30 days on its website and to notify by mail any current holders of adjoining leases, and riparian owners within 200 feet of the selected grounds. Current law requires posting of notice at the local courthouse for 60 days. The bill (i) reduces from four weeks to two weeks the period during which the Commission is required to publish weekly notice of the application in a newspaper and (ii) requires all forms of notice to invite written comments. The bill also provides that the applicant shall bear the cost of notice.

Patron - Miyares

SB909 Menhaden; total allowable landings. Raises the annual total of allowable landings for menhaden from 158,700.12 metric tons to 168,937.75 metric tons.

Patron - Stuart

SB1143 Oyster ground lease; certain dredging projects. Provides that certain oyster ground leaseholders in the Lynnhaven River are subject to the conduct of approved municipal dredging projects to restore existing navigation channels. The bill limits such projects to oyster grounds that are condemned, restricted, or otherwise nonproductive, and it requires the locality to compensate the lessee for the use of the ground. The bill directs that if the parties cannot agree on a compensation amount, a court of competent jurisdiction shall determine the value of the ground. The bill has an expiration date of July 1, 2019. This bill is identical to HB 1796.

Patron - DeSteph

SB1144 Marine Resources Commission; oyster planting grounds; notice of application for lease. Requires the Marine Resources Commission (the Commission) to post notice of an application to lease oyster planting grounds for 30 days on its website and to notify by mail any current holders of adjoining leases, and riparian owners within 200 feet of the selected grounds. Current law requires posting of notice at the local courthouse for 60 days. The bill (i) reduces from four weeks to two weeks the period during which the Commission is required to publish weekly notice of the application in a newspaper and (ii) requires all forms of notice to invite written comments. The bill also provides that the applicant shall bear the cost of notice.

Patron - DeSteph

Title 29.1 - Game, Inland Fisheries and Boating

HB1938 Slingbow hunting; license. Authorizes the use of a slingbow to hunt deer and small game when a hunter is licensed to hunt with a bow and arrow.

Patron - Edmunds

HB1939 Hunting apparel; blaze pink. Allows hunters to wear blaze pink instead of blaze orange hunting apparel when required during firearms deer hunting season or the special season for hunting deer with a muzzle-loading rifle.

Patron - Edmunds

HB2255 State junior bear hunting license; fee. Creates a junior bear hunting license, separate from the combined big game hunting and junior hunting licenses, for any resident under the age of 16. The fee for such license is \$5.50.

Patron - Edmunds

SB866 Boating safety course; database listing operators who have passed course. Directs the Department of Game and Inland Fisheries, by July 1, 2018, to create a database listing the name and date of birth and course passage date of every person who has passed an approved boating safety course prior to July 1, 2018. Any person who passes the course after that date may add his information to the database. The bill prohibits a law-enforcement officer from issuing a citation for failure to pass the required boating safety course until he has checked the database for the identity of the motorboat operator and provides that the listing of the operator in the database constitutes satisfactory evidence of having passed the required course.

Patron - Stuart

SB953 Muzzleloader firearms; definition. Incorporates the Virginia criminal law definition of a muzzleloader into the current statutory definitions of muzzleloading pistol, muzzleloading rifle, and muzzleloading shotgun located in Title 29.1 (Game, Inland Fisheries and Boating).

Patron - Ruff

SB968 Hunting license; bear, deer, or turkey; electronic carry. Removes the requirement that a license to hunt bear, deer, or turkey be carried in paper form, allowing it to be carried by electronic or computerized means.

Patron - Chafin

SB1224 Landowner liability; recreational access. Provides that a landowner who has entered into an agreement with a public entity or nonprofit organization concerning the use of his land for public recreation shall be immune from liability to a member of the public arising out of the recreational use of the land.

Patron - Stuart

Title 30 - General Assembly

HB1718 Commission on Civics Education; sunset; name. Renames the Commission on Civics Education as the Commission on Civic Education and extends from July 1, 2017, to July 1, 2019, the expiration of such commission. This bill is identical SB 840.

Patron - Anderson

HB1736 Joint Commission on Health Care; sunset. Extends the expiration of the Joint Commission on Health Care from July 1, 2018, to July 1, 2022. This bill is identical to SB 1043.

Patron - Hope

HB1932 Virginia Freedom of Information (FOIA) Advisory Council; terms of nonlegislative citizen members. Clarifies that at the end of the appointed term of a nonlegislative citizen member of the FOIA Advisory Council, the nonlegislative citizen member shall continue to serve until a successor is appointed. This bill is a recommendation of the Virginia Freedom of Information Advisory Council.

Patron - Carr

HB2107 Health Insurance Reform Commission; Bureau of Insurance assessment. Provides that the Chairman of the standing committee requesting the Health Insurance Reform Commission (the Commission) to assess a proposed mandated health insurance benefit or provider shall send a copy of such request to the Bureau of Insurance of the State Corporation Commission (the Bureau). The bill requires the Bureau to prepare an analysis of the proposed mandate upon receipt of the copy of the request. Current law requires the Commission to request the Bureau to prepare such assessment. The bill repeals the July 1, 2017, sunset provision for the Health Insurance Reform Commission.

Patron - Byron

HB2348 Commission for the Commemoration of the Centennial of Women's Right to Vote. Provides that the Virginia Historical Society shall plan and lead the commemoration of the centennial anniversary of women's right to vote in 2020. The bill creates a 12-member task force to assist the Virginia Historical Society, in collaboration with the Library of

Virginia, the Department of Education, the Virginia Foundation for the Humanities and Public Policy, the VCU Libraries Special Collections and Archives, and interested civic and community organizations, in planning, developing, and performing programs and activities appropriate to commemorate the 100th anniversary of women's right to vote and the passage of the Nineteenth Amendment to the United States Constitution. The provisions of the bill expire on January 1, 2021.

Patron - Byron

HB2436 Auditor of Public Accounts; online database; register of funds expended. Requires the Commonwealth Data Point website administered by the Auditor of Public Accounts to include information for major categories of spending for each state agency and institution, including each independent agency. Currently, the Commonwealth Data Point website includes such information for only secretariats and major state agencies. In addition, the bill provides that the database shall include the name, phone number, and email address for a contact at each agency or institution. This bill is identical to SB 1307.

Patron - Davis

SB840 Commission on Civics Education; sunset; name. Renames the Commission on Civics Education as the Commission on Civic Education and extends from July 1, 2017, to July 1, 2019, the expiration of such commission. This bill is identical to HB 1718.

Patron - Marsden

SB969 Legislative drafting requests. Provides that legislative drafting files related to laws enacted beginning with the 1989 Session of the General Assembly are the property of the requester. This is consistent with the treatment of laws enacted prior to 1989 and consistent with legislative privilege accorded to members of the General Assembly. The Division of Legislative Services would release legislative drafting files upon obtaining consent of the requester.

Patron - Chafin

SB1043 Joint Commission on Health Care; sunset. Extends the expiration of the Joint Commission on Health Care from July 1, 2018, to July 1, 2022. This bill is identical to HB 1736.

Patron - Dance

SB1307 Auditor of Public Accounts; online database; register of funds expended. Requires the Commonwealth Data Point website administered by the Auditor of Public Accounts to include information for major categories of spending for each state agency and institution, including each independent agency. Currently, the Commonwealth Data Point website includes such information for only secretariats and major state agencies. In addition, the bill provides that the database shall include the name, phone number, and email address for a contact at each agency or institution. This bill is identical to HB 2436.

Patron - Vogel

SB1387 Joint Legislative Audit and Review Commission; operational and programmatic efficiency and effectiveness reviews; report. Authorizes the Joint Legislative Audit and Review Commission to establish an operational and programmatic efficiency and effectiveness review and assessment of state agencies, under a contract with a United States-based private management consulting firm. The purpose of the review and assessment is to provide an objective and indepen-

dent cost-savings assessment of the Commonwealth's organizational structure and its programs in order to provide information to the Governor and the General Assembly to effect savings in expenditures, a reduction in duplication of effort, and programmatic efficiencies in the operation of state government. The bill also (i) provides certain required terms for the contract with the private entity and (ii) requires the Commission to submit a report to the General Assembly on the results of any review and assessment by December 1 of the year in which the review is conducted.

Patron - Sturtevant

SB1588 Sale of surplus property from the General Assembly Building replacement project; emergency. Requires the Department of General Services to conduct public sales or auctions of the surplus property, as defined in the bill, from the General Assembly Building replacement project. No provision of law shall be construed to restrict the purchase by any person of the surplus property at a public sale or auction. The bill contains an emergency clause.

Patron - McDougle

Title 32.1 - Health

HB1467 Board of Health to adopt regulations to include neonatal abstinence syndrome on the list of reportable diseases. Requires the Board of Health to adopt regulations to include neonatal abstinence syndrome on the list of diseases that shall be required to be reported. This bill is identical to SB 1323.

Patron - Greason

HB1544 Certificates of public need; alternative plans of compliance. Provides that in cases in which a certificate holder holds more than one certificate of public need with conditions, and the certificate holder is unable to satisfy the conditions of one certificate, the Department of Health may provide for satisfaction of the conditions on that certificate by the provision of care at a reduced rate to indigent individuals in excess of the amount required by another certificate issued to the same holder, in an amount approved by the Department as part of an alternative plan of compliance.

Patron - Collins

HB1567 Medicaid applications; information about advance directives. Requires all entities approved by the Board of Medical Assistance Services to receive applications and to determine eligibility for medical assistance to provide each applicant for medical assistance with information about advance directives pursuant to Article 8 (§ 54.1-2981 et seq.) of Chapter 29 of Title 54.1, including information about the purpose and benefits of advance directives and how the applicant may make an advance directive.

Patron - Orrock

HB1615 Chief Medical Examiner; appointment, terms, and authority of medical examiners. Provides that the Chief Medical Examiner may appoint a medical examiner for each county or city in the Commonwealth. Under current law, the Chief Medical Examiner is required to do so. The bill authorizes appointed medical examiners to assist the Office of the Chief Medical Examiner with cases requiring medicolegal death investigations. Finally, the bill clarifies that the appointment of a medical examiner to fill a vacancy is not required to

start on October 1 of the year of appointment, and the term length of such appointment is for the unexpired term.

Patron - Tyler

HB1625 Mobile food units; licenses. Directs the Department of Health to issue a license in the form of a sticker to a restaurant that is a mobile food unit that meets the requirements for licensure and requires the licensee to prominently display the license on the mobile food unit.

Patron - Robinson

HB1675 Palliative care information and resources. Requires the Department of Health to make information about and resources on palliative care available to the public, health care providers, and health care facilities on its website. This bill is identical to SB 974.

Patron - Bulova

HB1728 Department of Health; review rules governing dispatch and use of air transportation services providers in emergency medical situations. Directs the Department of Health to convene a work group to review the rules governing use of air transportation services, also known as air ambulances, in emergency medical situations and protocols for the dispatch of air transportation services in response to emergency medical situations and to provide recommendations for changes to such rules or protocols. The Department shall report its findings and recommendations to the Governor and the General Assembly by December 1, 2017.

Patron - Ransone

HB1751 Virginia Foundation for Healthy Youth; mission. Expands the mission of the Virginia Foundation for Healthy Youth to include the reduction and prevention of substance use by youth in the Commonwealth. This bill is identical to SB 1050.

Patron - O'Bannon

HB1777 Hospitals providing psychiatric services; denials of admission. Requires the Board of Health to promulgate regulations that require each hospital that provides inpatient psychiatric services to establish a protocol that (i) requires, for any refusal to admit a medically stable patient referred to its psychiatric unit, direct verbal communication between the on-call physician in the psychiatric unit and the referring physician, if requested by the referring physician, and (ii) prohibits on-call physicians or other hospital staff from refusing a request for such direct verbal communication by a referring physician.

Patron - Stolle

HB1798 Donation of organs by persons infected with human immunodeficiency virus. Allows for the donation or acquisition of organs by persons infected with human immunodeficiency virus when (i) the recipient of such organ is informed that such organ is infected with human immunodeficiency virus and, following such notice, consents to the receipt of such organ and (ii) acquisition and transplantation of such organ is in compliance with the provisions of the HIV Organ Policy Equity Act, 42 U.S.C. § 274f-5.

Patron - O'Bannon

HB1840 Confidentiality of tests for human immunodeficiency virus; release of information. Clarifies that information about the results of tests to determine infection with human immunodeficiency virus shall be released only to per-

sons or entities permitted or authorized to obtain protected health information under any applicable federal or state law.

Patron - Stolle

HB1846 Death certificates; filing. Provides that a non-electronically filed death certificate may be filed in any registration district in the Commonwealth. Under current law, death certificates are required to be filed in the district in which the death occurs.

Patron - Cox

HB2072 Nursing home family councils; rights of family members. Provides that no family member of a resident of a nursing home or other resident representative shall be restricted from participating in meetings in the facility with the families or resident representatives of other residents in the facility.

Patron - Watts

HB2101 Health care providers; data collection. Defines "charity care" and "bad debt" as used in the context of certificate of public need, establishes a uniform framework for determining the value of charity care provided, and requires health care providers to report data on (i) the total amount of charity care that the facility provides to indigent persons; (ii) the number of patients to whom charity care is provided; (iii) the specific services delivered to patients that are reported as charity care; and (iv) the portion of the total amount of charity care provided that each service represents. The bill also requires health care providers to report data and information for any parent or subsidiary company of the health care provider that operates in the Commonwealth and requires every hospital that receives a disproportionate share hospital adjustment to report the number of inpatient days attributed to patients eligible for Medicaid but not Medicare Part A and the total amount of the disproportionate share hospital adjustment received. Finally, the bill requires the Commissioner of Health to report to the Chairmen of the House Committees on Appropriations and Health, Welfare and Institutions and the Senate Committees on Finance and Education and Health, by November 1, 2018, a data analysis comparing the value of certain charity care services under various methods of valuation. The bill has a partial delayed effective date.

Patron - Byron

HB2161 Secretary of Health and Human Resources; workgroup to establish educational guidelines for training health care providers in the safe prescribing and appropriate use of opioids. Requires the Secretary of Health and Human Resources to convene a workgroup that shall include representatives of the Departments of Behavioral Health and Developmental Services, Health, and Health Professions as well as representatives of the State Council of Higher Education for Virginia and each of the Commonwealth's medical schools, dental schools, schools of pharmacy, physician assistant education programs, and nursing education programs to develop educational standards and curricula for training health care providers, including physicians, dentists, optometrists, pharmacists, physician assistants, and nurses, in the safe and appropriate use of opioids to treat pain while minimizing the risk of addiction and substance abuse. The workgroup shall report its progress and the outcomes of its activities to the Governor and the General Assembly by December 1, 2017. The bill contains an emergency clause. This bill is identical to SB 1179.

Patron - Pillion

HB2162 Secretary of Health and Human Resources to convene work group to study barriers to treatment of

substance-exposed infants in the Commonwealth. Directs the Secretary of Health and Human Resources (the Secretary) to convene a work group to study barriers to treatment of substance-exposed infants in the Commonwealth. Such work group shall include representatives of the Departments of Behavioral Health and Developmental Services and Health and Social Services and such other stakeholders as the Secretary may deem appropriate and shall (i) review current policies and practices governing the identification and treatment of substance-exposed infants in the Commonwealth; (ii) identify barriers to treatment of substance-exposed infants in the Commonwealth, including barriers related to identification and reporting of such infants, data collection, interagency coordination and collaboration, service planning, service availability, and funding; and (iii) develop legislative, budgetary, and policy recommendations for the elimination of barriers to treatment of substance-exposed infants in the Commonwealth. The Secretary shall report his findings to the Governor and the General Assembly by December 1, 2017. The bill contains an emergency clause.

Patron - Pillion

HB2209 Emergency Department Care Coordination Program established. Establishes the Emergency Department Care Coordination Program in the Department of Health to provide a single, statewide technology solution that connects all hospital emergency departments in the Commonwealth to facilitate real-time communication and collaboration between physicians, other health care providers, and other clinical and care management personnel for patients receiving services in hospital emergency departments, for the purpose of improving the quality of patient care services. The bill does not become effective unless and until the Commonwealth receives federal Health Information Technology for Economic and Clinical Health (HITECH) Act funds to implement its provisions. This bill is identical to SB 1561.

Patron - O'Bannon

HB2276 Death certificate; amendments. Establishes a process for amending death certificates to change the name of the deceased, the deceased's parent or spouse, or the informant; the marital status of the deceased; or the place of residence of the deceased when the place of residence is outside the Commonwealth. This bill is identical to SB 1048.

Patron - Wilt

HB2300 Department of Health; frequency of inspections. Provides that in cases in which inspections of emergency medical services agencies and vehicles, hospitals, hospices, home care organizations, restaurants, summer camps, campgrounds, and hotels are required, no licensee shall receive additional inspections until every other licensee in that category has been inspected, unless the additional inspection is (i) necessary to follow up on a preoperational inspection or one or more violations, (ii) required by a uniformly applied risk-based schedule established by the Department of Health, (iii) necessary to investigate a complaint, or (iv) otherwise deemed necessary to protect the public health and safety.

Patron - O'Bannon

HB2304 Department of Medical Assistance Services; requirements related to long-term care. Provides that the Department of Medical Assistance Services shall require all individuals who administer preadmission screenings for long-term care services to receive training on and be certified in the use of the Uniform Assessment Instrument; requires the Department to develop a program for the training and certification of preadmission screeners, develop guidelines for a stan-

dardized preadmission screening process, and strengthen oversight of the preadmission screening process to ensure that problems are identified and addressed promptly. The bill requires the Department to make a number of changes to contracts for long-term care services provided by managed care organizations; directs the Department to impose additional requirements related to submission of data and information by managed care organizations; and requires the Department to implement a number of spending and utilization control measures in conjunction with managed care organizations.

Patron - Orrock

HB2317 Comprehensive harm reduction program; public health emergency. Authorizes the Commissioner of Health (the Commissioner) to establish and operate local or regional comprehensive harm reduction programs during a declared public health emergency that include the provision of sterile and disposal of used hypodermic needles and syringes. The objectives of the programs are to reduce the spread of HIV, viral hepatitis, and other blood-borne diseases in Virginia, to reduce the transmission of blood-borne diseases through needlestick injuries to law-enforcement and other emergency personnel, and to provide information to individuals who inject drugs regarding addiction recovery treatment services. The programs will be located in at-risk communities, in accordance with criteria established by the Department of Health. The bill requires the Commissioner to establish standards and protocols for the comprehensive harm reduction programs and requires the Secretary of Health and Human Services and the Secretary of Public Safety to approve such standards and protocols.

The bill also provides that the Commissioner may authorize persons who are not otherwise authorized by law to dispense or distribute hypodermic needles and syringes to do so as part of a comprehensive harm reduction program during a declared public health emergency.

The bill requires the Department of Health to submit, to the Governor and to the General Assembly, a progress report concerning any such program established under this bill by October 1, 2018, and a report evaluating the effectiveness of any such program by October 1, 2019. The bill has an expiration date of July 1, 2020.

Patron - O'Bannon

HB2404 Advisory Council on Pediatric Autoimmune Neuropsychiatric Disorders Associated with Streptococcal Infections (PANDAS) and Pediatric Acute-onset Neuropsychiatric Syndrome (PANS). Creates the Advisory Council on Pediatric Autoimmune Neuropsychiatric Disorders Associated with Streptococcal Infections and Pediatric Acute-onset Neuropsychiatric Syndrome to advise the Commissioner of Health on research, diagnosis, treatment, and education relating to these identified disorders and syndrome referred to by the National Institute of Mental Health as PANDAS and PANS. The bill provides for a three-year sunset for the Advisory Council.

Patron - Filler-Corn

HB2417 Department of Medical Assistance Services; fraud prevention; prepayment analytics. Directs the Department of Medical Assistance Services to establish a program to mitigate, through the use of prepayment analytics, the risk of improper payments to providers of services that are paid through the Department's fee-for-service delivery system who commit fraud, abuse, or errors.

Patron - Landes

HB2477 Department of Health to take steps to begin eliminating site evaluation and design services for onsite sewage systems and private wells. Directs the Department of Health to take certain steps to begin eliminating site evaluation and design services for onsite sewage systems and private wells provided by the Department.

Patron - Orrock

SB974 Palliative care information and resources. Requires the Department of Health to make information about and resources on palliative care available to the public, health care providers, and health care facilities on its website. This bill is identical to HB 1675.

Patron - Lucas

SB1048 Death certificate; amendments. Establishes a process for amending death certificates to change the name of the deceased, the deceased's parent or spouse, or the informant; the marital status of the deceased; or the place of residence of the deceased when the place of residence is outside the Commonwealth. This bill is identical to HB 2276.

Patron - Hanger

SB1050 Virginia Foundation for Healthy Youth; mission. Expands the mission of the Virginia Foundation for Healthy Youth to include the reduction and prevention of substance use by youth in the Commonwealth. This bill is identical to HB 1751.

Patron - Edwards

SB1179 Secretary of Health and Human Resources; workgroup to establish educational guidelines for training health care providers in the safe prescribing and appropriate use of opioids. Requires the Secretary of Health and Human Resources to convene a workgroup that shall include representatives of the Departments of Behavioral Health and Developmental Services, Health, and Health Professions as well as representatives of the State Council of Higher Education for Virginia and each of the Commonwealth's medical schools, dental schools, schools of pharmacy, physician assistant education programs, and nursing education programs to develop educational standards and curricula for training health care providers, including physicians, dentists, optometrists, pharmacists, physician assistants, and nurses, in the safe and appropriate use of opioids to treat pain while minimizing the risk of addiction and substance abuse. The workgroup shall report its progress and the outcomes of its activities to the Governor and the General Assembly by December 1, 2017. The bill contains an emergency clause. This bill is identical to HB 2161.

Patron - Chafin

SB1323 Board of Health to adopt regulations to include neonatal abstinence syndrome on the list of reportable diseases. Requires the Board of Health to adopt regulations to include neonatal abstinence syndrome on the list of diseases that shall be required to be reported. This bill is identical to HB 1467.

Patron - Carrico

SB1561 Emergency Department Care Coordination Program established. Establishes the Emergency Department Care Coordination Program in the Department of Health to provide a single, statewide technology solution that connects all hospital emergency departments in the Commonwealth to facilitate real-time communication and collaboration between physicians, other health care providers, and other clinical and

care management personnel for patients receiving services in hospital emergency departments, for the purpose of improving the quality of patient care services. The bill does not become effective unless and until the Commonwealth receives federal Health Information Technology for Economic and Clinical Health (HITECH) Act funds to implement its provisions. This bill is identical to HB 2209.

Patron - Dunnivant

SB1577 Alternative onsite sewage systems; sampling. Provides that the Department of Health shall evaluate the need for 180-day biochemical oxygen demand sampling of small alternative onsite sewage systems that serve no more than three attached or detached single-family residences with a combined average flow of less than or equal to 1,000 gallons per day of residential strength sewage, or a structure with an average daily sewage flow of less than or equal to 1,000 gallons per day of residential strength sewage, and shall report its findings to the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by December 1, 2017.

Patron - Peake

Title 33.2 - Highways and Other Surface Transportation Systems

HB1405 Designating the Trooper Chad Phillip Dermeyer Memorial Bridge. Designates the State Route 143 bridge in the City of Newport News at exit 255 over Interstate 64 the "Trooper Chad Phillip Dermeyer Memorial Bridge." This bill is identical to SB 855.

Patron - Hodges

HB1741 Vietnam Veterans Memorial Bridge. Designates the Virginia Route 114 bridge between Montgomery and Pulaski Counties the "Vietnam Veterans Memorial Bridge."

Patron - Rush

HB1929 Public-Private Transportation Act; comprehensive agreement. Requires all comprehensive agreements originally entered into on or after July 1, 2017, resulting in privately funded roads open for public transportation to include a provision requiring funding for adequate staffing, defined in the bill, for general law-enforcement services by the Virginia State Police.

Patron - Bagby

HB1973 Economic Development Access Program; bonded projects. Imposes a 48-month moratorium on the repayment of funds allocated to a locality for a bonded project pursuant to the Economic Development Access Program, provided that the conditions of the Commonwealth Transportation Board's economic development access policy are met. The bill has an emergency clause and is identical to SB 1591.

Patron - O'Quinn

HB1993 Pipeline construction; Department of Transportation oversight. Allows the Department of Transportation to enter into agreements with any entity constructing interstate pipelines setting forth a reasonable procedure to identify and remedy damage caused by construction of such pipeline to public highways of the Commonwealth.

Patron - Habeeb

HB2015 DRIVE SMART Virginia Education Fund. Establishes a method by which holders of an account for an electronic toll collection device that is the property of the Commonwealth may opt in to make a voluntary contribution through electronic means to the DRIVE SMART Virginia Education Fund (the Fund), created by the bill. The bill requires that contributions to the Fund be used solely for the purposes of supporting educational projects through DRIVE SMART Virginia.

Patron - Villanueva

HB2023 Highway maintenance payments; bicycle lanes. Provides that cities and towns that receive highway maintenance payments from the Commonwealth based on moving-lane-miles of highway will not have such payments reduced if moving-lane-miles of highway are converted to bicycle-only lanes, provided that the number of moving-lane-miles is not more than 50 moving-lane-miles or three percent of the municipality's total number of moving-lane-miles, whichever is less, and that prior to such conversion the city or town certifies that the conversion design has been assessed by a professional engineer and designed in accordance with certain national standards. Municipalities will not receive additional funds and cannot reduce their funding of road and street maintenance after a conversion. The bill also repeals the provision that allowed the City of Richmond to convert 20 moving-lane-miles to bicycle-only lanes.

Patron - Villanueva

HB2136 Washington Metrorail Safety Commission Interstate Compact. Authorizes Virginia to become a signatory to the Washington Metrorail Safety Commission Interstate Compact. The compact establishes a state safety oversight authority for the Washington Metropolitan Area Transit Authority (WMATA) Rail System, pursuant to the mandate of federal law, to review, approve, oversee, and enforce the safety of the WMATA Rail System. The bill requires the Secretary of Transportation to negotiate, on the Commonwealth's behalf, the terms for revision of the WMATA Compact with the other signatories to the WMATA Compact. The bill contains an emergency clause.

Patron - LeMunyon

HB2137 Northern Virginia Transportation Authority; regional transportation plan. Requires the Northern Virginia Transportation Authority (the Authority) to annually publish on its website any land use or transportation elements of a locality's comprehensive plan that each locality embraced by the Authority is currently required to report when such locality's plan is inconsistent with the Authority's regional transportation plan. Additionally, the bill requires the Authority to consider for revision and revise as necessary its regional transportation plan at least once every five years. The Authority is required to specify any obstacles to achieving a reduction in congestion in Planning District 8 and any need for cooperation by other regional entities. The bill has a delayed effective date of July 1, 2018.

Patron - LeMunyon

HB2139 Commissioner of Highways; annual report requirements. Requires that the Commissioner of Highways, in his annual report, report specifically about transportation projects approved or modified during the prior fiscal year and include a listing of the total number of lane miles of all primary and secondary roads that have been resurfaced and all primary and secondary roads that are rated "poor" or "very poor."

Patron - LeMunyon

HB2214 Department of Transportation and the University of Virginia; use agreement. Authorizes a use agreement between the Department of Transportation and the University of Virginia to permit the Department of Transportation use of the Shelburne Building on the University of Virginia Charlottesville campus for a period not to exceed 50 years.

Patron - Toscano

HB2241 Department of Transportation; Office of Intermodal Planning and Investment of the Secretary of Transportation; responsibilities. Shifts responsibilities for transportation planning activities from the Virginia Department of Transportation (VDOT) to the Office of Intermodal Planning and Investment of the Secretary of Transportation. The bill specifies VDOT's core functions and limits the agency's duties to those core functions. The bill requires transparency in the development of the Six-Year Improvement Program and the State of Good Repair Program by the Commonwealth Transportation Board (CTB) and requires the CTB and VDOT to make public certain information related to the selection of projects. This bill is identical to SB 1331.

Patron - Jones

HB2244 Public-Private Transportation Act of 1995. Renames the Transportation Public-Private Partnership Advisory Committee the Transportation Public-Private Partnership Steering Committee (the Steering Committee) and provides that the Deputy Secretary of Transportation shall serve as the chairman of the Steering Committee. The bill provides that, under the Public-Private Transportation Act of 1995, a responsible public entity may grant approval for the development and/or operation of a transportation facility by a private entity if that private entity can develop and/or operate the transportation facility for less cost than the Department of Transportation (VDOT) or the Department of Rail and Public Transportation (DRPT). The bill requires the chief executive officer of the responsible public entity to certify in writing to the Governor and the General Assembly that there has been no material change to the finding that a public-private partnership is in the best interest of the public since the finding was issued and that the public contribution requested by the private entity does not exceed the maximum public contribution. The bill clarifies that the finding of public interest by the Steering Committee shall be made after receipt of responses to the request for qualifications and prior to the issuance of the first draft request for proposals. The bill requires the responsible public entity, when such entity is VDOT or DRPT, to ensure competition through the procurement process and develop a public sector analysis of the cost for the responsible entity to develop and/or operate the transportation facility. The bill requires VDOT or DRPT and the Steering Committee to review the public sector analysis prior to the initiation of any procurement. The bill adds to the information required to be included in the finding of public interest a description of the benefits expected to be realized by the responsible public entity and a public sector analysis demonstrating that the private sector can deliver the project for less cost than the responsible public entity. This bill is identical to SB 1322.

Patron - Jones

HB2463 Commissioner of Highways; commercial establishment entrances. Requires the Commissioner of Highways to document and maintain a list of anyone who has requested an onsite meeting with the resident engineer or his staff for the purpose of connecting commercial establishment entrances to the paved part of the highway. The bill requires that such list include recommendations regarding compliance

with the Department of Transportation's design standards and access management regulations and the Commonwealth Transportation Board's regulations regarding land use permits, as well as associated cost estimates. The bill requires such list be provided to a locality upon request.

Patron - Hodges

SB806 Interstate 73 Corridor Development Fund and Program. Establishes the Interstate 73 Corridor Development Fund and Program and reallocates to the I-73 Fund the \$40 million from state recordation taxes that is currently allocated annually to the U.S. Route 58 Corridor Development Fund and Program. All provisions of the bill are contingent upon construction of and payments for Route 58 being completed. The bill contains a reenactment clause.

Patron - Stanley

SB855 Designating the Trooper Chad Phillip Dermeyer Memorial Bridge. Designates the State Route 143 bridge in the City of Newport News at exit 255 over Interstate 64 the "Trooper Chad Phillip Dermeyer Memorial Bridge." This bill is identical to HB 1405.

Patron - Norment

SB1148 Authority to lease or convey airspace. Provides that the Commissioner of Highways has the authority to select any competitive procurement process for leases and conveyances of airspace and that he may reject any bid he believes is not in the best interest of the Commonwealth. Current law requires public advertisement for bids and requires the Commissioner to accept the highest bid from a responsible bidder.

Patron - Favola

SB1251 Washington Metrorail Safety Commission Interstate Compact. Authorizes Virginia to become a signatory to the Washington Metrorail Safety Commission Interstate Compact. The compact establishes a state safety oversight authority for the Washington Metropolitan Area Transit Authority (WMATA) Rail System, pursuant to the mandate of federal law, to review, approve, oversee, and enforce the safety of the WMATA Rail System. The bill contains an emergency clause.

Patron - Barker

SB1322 Public-Private Transportation Act of 1995. Renames the Transportation Public-Private Partnership Advisory Committee the Transportation Public-Private Partnership Steering Committee (the Steering Committee) and provides that the Deputy Secretary of Transportation shall serve as the chairman of the Steering Committee. The bill provides that, under the Public-Private Transportation Act of 1995, a responsible public entity may grant approval for the development and/or operation of a transportation facility by a private entity if that private entity can develop and/or operate the transportation facility for less cost than the Department of Transportation (VDOT) or the Department of Rail and Public Transportation (DRPT). The bill requires the chief executive officer of the responsible public entity to certify in writing to the Governor and the General Assembly that there has been no material change to the finding that a public-private partnership is in the best interest of the public since the finding was issued and that the public contribution requested by the private entity does not exceed the maximum public contribution. The bill clarifies that the finding of public interest by the Steering Committee shall be made after receipt of responses to the request for qualifications and prior to the issuance of the first draft request for proposals. The bill requires the responsible public entity, when such entity is VDOT or DRPT, to ensure competition through

the procurement process and develop a public sector analysis of the cost for the responsible entity to develop and/or operate the transportation facility. The bill requires VDOT or DRPT and the Steering Committee to review the public sector analysis prior to the initiation of any procurement. The bill adds to the information required to be included in the finding of public interest a description of the benefits expected to be realized by the responsible public entity and a public sector analysis demonstrating that the private sector can deliver the project for less cost than the responsible public entity. This bill is identical to HB 2244.

Patron - Carrico

SB1331 Department of Transportation; Office of Intermodal Planning and Investment of the Secretary of Transportation; responsibilities. Shifts responsibilities for transportation planning activities from the Virginia Department of Transportation (VDOT) to the Office of Intermodal Planning and Investment of the Secretary of Transportation. The bill specifies VDOT's core functions and limits the agency's duties to those core functions. The bill requires transparency in the development of the Six-Year Improvement Program and State of Good Repair Program by the Commonwealth Transportation Board (CTB) and requires the CTB and VDOT to make public certain information related to the selection of projects. This bill is identical to HB 2241.

Patron - Carrico

SB1367 Designating the F.W. "Wakie" Howard, Jr., Bridge. Designates the State Route 155 bridge in New Kent County the "F.W. 'Wakie' Howard, Jr., Bridge."

Patron - Norment

SB1591 Economic Development Access Program; bonded projects. Imposes a 48-month moratorium on the repayment of funds allocated to a locality for a bonded project pursuant to the Economic Development Access Program, provided that the conditions of the Commonwealth Transportation Board's economic development access policy are met. The bill has an emergency clause and is identical to HB 1973.

Patron - Carrico

Title 36 - Housing

HB1585 Housing authorities; authorization by governing body of town. Provides that the governing body of a town, in addition to the governing body of a county or city as in current law, may authorize a housing authority to contract for the construction of additional housing or acquire land for, or purchase material for the construction or installation of, any sewerage, streets, sidewalks, lights, power, water, or any other facilities for such additional housing. This bill is identical to SB 1237.

Patron - Campbell

HB2006 Virginia Fair Housing Law; rights and responsibilities with respect to the use of an assistance animal in a dwelling. Sets out the rights and responsibilities under the Virginia Fair Housing Law (§ 36-96.1 et seq.) with respect to maintaining an assistance animal in a dwelling. The bill establishes a process through which a person with a disability may submit a request for a reasonable accommodation to maintain an assistance animal in a dwelling, including any supporting documentation verifying the disability and disability-related need for an accommodation. Under the bill, a request for reasonable accommodation to maintain an assis-

tance animal may be denied for any one of the following reasons: (i) the requester does not have a disability; (ii) the requester does not have a disability-related need for an assistance animal; (iii) the accommodation imposes an undue financial and administrative burden on the person receiving the request; or (iv) the accommodation would fundamentally alter the nature of the operations of the person receiving the request. The bill provides that whenever a request for a reasonable accommodation to maintain an assistance animal in a dwelling is denied for reasons other than that the requester does not have a disability or a disability-related need for an assistance animal, an interactive process shall be initiated to determine if there is an alternative accommodation that would effectively address the disability-related need. The bill also defines "assistance animal," "major life activities," "therapeutic relationship," and "physical or mental impairment." The bill provides that if any provision of its provisions is determined by the U.S. Department of Housing and Urban Development to be not substantially equivalent or otherwise inconsistent with the federal Fair Housing Act of 1968, 42 U.S.C. § 3601 et seq., as amended, such provision shall not be enforceable. As introduced, this bill was a recommendation of the Virginia Housing Commission. This bill is identical to SB 1228.

Patron - Carr

SB1228 Virginia Fair Housing Law; rights and responsibilities with respect to the use of an assistance animal in a dwelling. Sets out the rights and responsibilities under the Virginia Fair Housing Law (§ 36-96.1 et seq.) with respect to maintaining an assistance animal in a dwelling. The bill establishes a process through which a person with a disability may submit a request for a reasonable accommodation to maintain an assistance animal in a dwelling, including any supporting documentation verifying the disability and disability-related need for an accommodation. Under the bill, a request for reasonable accommodation to maintain an assistance animal may be denied for any one of the following reasons: (i) the requester does not have a disability; (ii) the requester does not have a disability-related need for an assistance animal; (iii) the accommodation imposes an undue financial and administrative burden on the person receiving the request; or (iv) the accommodation would fundamentally alter the nature of the operations of the person receiving the request. The bill provides that whenever a request for a reasonable accommodation to maintain an assistance animal in a dwelling is denied for reasons other than that the requester does not have a disability or a disability-related need for an assistance animal, an interactive process shall be initiated to determine if there is an alternative accommodation that would effectively address the disability-related need. The bill also defines "assistance animal," "major life activities," "therapeutic relationship," and "physical or mental impairment." The bill provides that if any provision of its provisions is determined by the U.S. Department of Housing and Urban Development to be not substantially equivalent or otherwise inconsistent with the federal Fair Housing Act of 1968, 42 U.S.C. § 3601 et seq., as amended, such provision shall not be enforceable. As introduced, this bill was a recommendation of the Virginia Housing Commission. This bill is identical to HB 2006.

Patron - Barker

SB1237 Housing authorities; authorization by governing body of town. Provides that the governing body of a town, in addition to the governing body of a county or city as in current law, may authorize a housing authority to contract for the construction of additional housing or acquire land for, or purchase material for the construction or installation of, any sewerage, streets, sidewalks, lights, power, water, or any other

facilities for such additional housing. This bill is identical to HB 1585.

Patron - Chafin

Title 37.2 - Behavioral Health and Developmental Services

HB1426 Emergency custody or involuntary admission process; alternative transportation model. Directs the Commissioner of Behavioral Health and Developmental Services and the Director of Criminal Justice Services, in conjunction with the relevant stakeholders, to develop a comprehensive model for the use of alternative transportation providers to provide safe and efficient transportation of individuals involved in the emergency custody or involuntary admission process as an alternative to transportation by law enforcement. The bill requires that the model be completed by October 1, 2017, and reported to the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century, the House Committee for Courts of Justice, and the Senate Committee for Courts of Justice. This bill is identical to SB 1221.

Patron - Garrett

HB1483 Board of Behavioral Health and Developmental Services to amend regulations governing licensure of providers to include certain definitions. Requires the Board of Behavioral Health and Developmental Services to amend regulations to include (i) occupational therapists in the definitions of "Qualified Mental Health Professional - Adult," "Qualified Mental Health Professional - Child," and "Qualified Mental Retardation Professional" and (ii) occupational therapy assistants in the definition of "Qualified Paraprofessional in Mental Health." In amending these definitions, the Board shall require educational and clinical experience for occupational therapists and occupational therapy assistants that is substantially equivalent to comparable professionals listed in the current regulations. The bill requires the Board to enact regulations to be effective within 280 days.

Patron - Bell, Richard P.

HB1491 Background checks; exceptions; sponsored living and shared residential service providers. Allows a provider licensed by the Department of Behavioral Health and Developmental Services or a community services board to approve as a sponsored residential service provider or to permit to enter into a shared living arrangement persons who have been convicted of not more than one misdemeanor offense under § 18.2-57 or 18.2-57.2 if 10 years have elapsed following the conviction, unless the person committed the offense while employed in a direct care position. The bill also allows a provider or community services board to approve a person as a sponsored residential service provider if any adult living in the home of an applicant or any person employed by the applicant to provide services in the home in which sponsored residential services are provided has been convicted of not more than one misdemeanor offense under § 18.2-57 or 18.2-57.2 if 10 years have elapsed following the conviction, unless the person committed the offense while employed in a direct care position.

Patron - Hope

HB1508 Department of Behavioral Health and Developmental Services; critical incident reports; licensed programs. Requires the Commissioner of Behavioral Health and Developmental Services to provide a written report setting

forth the known facts of serious injuries or deaths of individuals receiving services in programs operated or licensed by the Department of Behavioral Health and Developmental Services to the Director of the Commonwealth's designated protection and advocacy system within 15 working days of the serious injury or death. Currently, reports are required only for critical incidents or deaths occurring at facilities operated by the Department. This bill is identical to SB 894.

Patron - Hope

HB1549 Community services boards and behavioral health authorities; services to be provided. Provides that, effective July 1, 2019, the core of services provided by community services boards and behavioral health authorities shall include (i) same-day access to mental health screening services and (ii) outpatient primary care screening and monitoring services for physical health indicators and health risks and follow-up services for individuals identified as being in need of assistance with overcoming barriers to accessing primary health services. The bill provides that, effective July 1, 2021, the core of services provided by community services boards and behavioral health authorities additionally shall include (a) crisis services for individuals with mental health or substance use disorders, (b) outpatient mental health and substance abuse services, (c) psychiatric rehabilitation services, (d) peer support and family support services, (e) mental health services for members of the armed forces located 50 miles or more from a military treatment facility and veterans located 40 miles or more from a Veterans Health Administration medical facility, (f) care coordination services, and (g) case management services. The bill also requires the Department of Behavioral Health and Developmental Services to report annually regarding progress in the implementation of the bill. This bill is identical to SB 1005.

Patron - Farrell

HB1551 Commitment hearings; sharing of records and information. Requires the Office of the Executive Secretary of the Supreme Court to provide electronic data, including individually identifiable information, on proceedings pursuant to the Psychiatric Treatment of Minors Act and the Emergency Custody of Voluntary and Involuntary Civil Admissions Act to the Department of Behavioral Health and Developmental Services upon request and provides that the Department may use such data for the purpose of developing and maintaining statistical archives, conducting research on the outcome of such proceedings, and preparing analyses and reports for use by the Department. The bill requires the Department to take all necessary steps to protect the security and privacy of the records and information provided pursuant to the provisions of the bill in accordance with the requirements of state and federal law and regulations governing health privacy. This bill is identical to SB 1006.

Patron - Farrell

HB1775 Persons with developmental disabilities; terminology. Corrects numerous sections of the Code of Virginia by replacing the term "intellectual disability" with "developmental disabilities" as appropriate.

Patron - Hodges

HB1784 Forensic discharge planning services; local and regional correctional facilities. Directs the Commissioner of Behavioral Health and Developmental Services, in conjunction with the relevant stakeholders, to develop a comprehensive plan, by November 1, 2017, for the provision of forensic discharge planning services at local and regional correctional facilities for persons who have serious mental ill-

nesses who are to be released from such facilities. This bill is identical to SB 941.

Patron - Bell, Robert B.

HB1845 Department of Criminal Justice Services; model addiction recovery program; jails. Requires the Department of Criminal Justice Services, in consultation with the Department of Behavioral Health and Developmental Services, to develop a model addiction recovery program that may be administered by sheriffs, deputy sheriffs, jail officers, administrators, or superintendents in any local or regional jail. The bill provides that such programs shall be based on existing addiction recovery programs being administered by any local or regional jails in the Commonwealth and requires that participation in such program be voluntary and that such program address multiple aspects of the recovery process, including medical and clinical recovery, peer-to-peer support, availability of mental health resources, family dynamics, and aftercare aspects of the recovery process.

Patron - Cox

HB2183 Medicaid; eligibility of incarcerated individuals. Directs the Department of Medical Assistance Services to convene a work group to identify and develop processes for streamlining the application and enrollment process for the Commonwealth's program of medical assistance services and the Family Access to Medical Insurance Security (FAMIS) program for eligible incarcerated individuals so that applicable services shall be available to such individuals immediately upon release from the correctional facility and to report its findings and recommendations by November 30, 2017.

Patron - Yost

HB2258 Department of Behavioral Health and Developmental Services; report on activities related to suicide prevention. Directs the Department of Behavioral Health and Developmental Services to report to the Governor and the General Assembly on its activities related to suicide prevention across the lifespan by December 1, 2017.

Patron - Filler-Corn

HB2331 Community services boards; preadmission screening; regional jail inmates. Provides that the duties of a community services board include reviewing any existing Memorandum of Understanding between the community services board and any other community services boards that serve the regional jail to ensure that such memorandum sets forth the roles and responsibilities of each community services board in the preadmission screening process, provides for communication and information sharing protocols between the community services boards, and provides for due consideration, including financial consideration, should there be disproportionate obligations on one of the community services boards.

Patron - Heretick

SB894 Department of Behavioral Health and Developmental Services; critical incident reports; licensed programs. Requires the Commissioner of Behavioral Health and Developmental Services to provide a written report setting forth the known facts of serious injuries or deaths of individuals receiving services in programs operated or licensed by the Department of Behavioral Health and Developmental Services to the Director of the Commonwealth's designated protection and advocacy system within 15 working days of the serious injury or death. Currently, reports are required only for critical

incidents or deaths occurring at facilities operated by the Department. This bill is identical to HB 1508.

Patron - Favola

SB941 Forensic discharge planning services; local and regional correctional facilities. Directs the Commissioner of Behavioral Health and Developmental Services, in conjunction with the relevant stakeholders, to develop a comprehensive plan, by November 1, 2017, for the provision of forensic discharge planning services at local and regional correctional facilities for persons who have serious mental illnesses who are to be released from such facilities. This bill is identical to HB 1784.

Patron - Cosgrove

SB975 Community services boards; preadmission screening; regional jail inmates. Provides that the duties of a community services board include reviewing any existing Memorandum of Understanding between the community services board and any other community services boards that serve the regional jail to ensure that such memorandum sets forth the roles and responsibilities of each community services board in the preadmission screening process, provides for communication and information sharing protocols between the community services boards, and provides for due consideration, including financial consideration, should there be disproportionate obligations on one of the community services boards.

Patron - Lucas

SB1005 Community services boards and behavioral health authorities; services to be provided. Provides that, effective July 1, 2019, the core of services provided by community services boards and behavioral health authorities shall include (i) same-day access to mental health screening services and (ii) outpatient primary care screening and monitoring services for physical health indicators and health risks and follow-up services for individuals identified as being in need of assistance with overcoming barriers to accessing primary health services. The bill provides that, effective July 1, 2021, the core of services provided by community services boards and behavioral health authorities shall include (a) crisis services for individuals with mental health or substance use disorders, (b) outpatient mental health and substance abuse services, (c) psychiatric rehabilitation services, (d) peer support and family support services, (e) mental health services for members of the armed forces located 50 miles or more from a military treatment facility and veterans located 40 miles or more from a Veterans Health Administration medical facility, (f) care coordination services, and (g) case management services. The bill also requires the Department of Behavioral Health and Developmental Services to report annually regarding progress in the implementation of the bill. This bill is identical to HB 1549.

Patrons - Hanger and Deeds

SB1006 Commitment hearings; sharing of records and information. Requires the Office of the Executive Secretary of the Supreme Court to provide electronic data, including individually identifiable information, on proceedings pursuant to the Psychiatric Treatment of Minors Act and the Emergency Custody of Voluntary and Involuntary Civil Admissions Act to the Department of Behavioral Health and Developmental Services upon request and provides that the Department may use such data for the purpose of developing and maintaining statistical archives, conducting research on the outcome of such proceedings, and preparing analyses and reports for use by the Department. The bill requires the Department to take all neces-

sary steps to protect the security and privacy of the records and information provided pursuant to the provisions of the bill in accordance with the requirements of state and federal law and regulations governing health privacy. This bill is identical to HB 1551.

Patrons - Hanger and Deeds

SB1221 Emergency custody or involuntary admission process; alternative transportation model. Directs the Commissioner of Behavioral Health and Developmental Services and the Director of Criminal Justice Services, in conjunction with the relevant stakeholders, to develop a comprehensive model for the use of alternative transportation providers to provide safe and efficient transportation of individuals involved in the emergency custody or involuntary admission process as an alternative to transportation by law enforcement. The bill requires that the model be completed by October 1, 2017, and reported to the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century, the House Committee for Courts of Justice, and the Senate Committee for Courts of Justice. This bill is identical to HB 1426.

Patron - Barker

Title 38.2 - Insurance

HB1450 Pharmacy freedom of choice. Provides that if a pharmacy has provided notice through an intermediary of its agreement to accept reimbursements at rates applicable to preferred providers, the insurer or its intermediary may elect to respond directly to the pharmacy instead of the intermediary. The measure does not require a carrier to contract with a pharmacy's intermediary and does not prohibit an insurer or its intermediary from contracting with or disclosing confidential information to a pharmacy's intermediary.

Patron - Ware

HB1471 Reinsurance credits. Authorizes the State Corporation Commission to adopt regulations specifying additional requirements relating to or setting forth the valuation of assets or reserve credits, the amount and forms of security supporting certain reinsurance arrangements, and the circumstances pursuant to which credit will be reduced or eliminated. The measure adopts revisions to the Credit for Reinsurance Model Law adopted by the National Association of Insurance Commissioners. The revisions adjust the reinsurance collateral requirements for certified reinsurers.

Patron - Ware

HB1532 Fire Programs Fund. Increases the share of certain moneys in the Fire Programs Fund to be allocated to localities for the improvement of volunteer and career fire services from 75 percent to 80 percent. The measure does not become effective unless it is reenacted by the 2018 Session of the General Assembly.

Patron - Wright

HB1656 Health insurance; proton radiation therapy coverage decisions. Prohibits health insurance policies and plans from holding proton radiation therapy to a higher standard of clinical evidence for benefit coverage decisions than is applied for other types of radiation therapy treatment. The measure applies to policies and plans that provide coverage for cancer therapy. The bill contains an emergency clause.

Patron - Yancey

HB1835 Information about a decedent's life insurance policy. Allows a funeral service provider to request, and allows a life insurer to provide, information about a deceased person's life insurance policy, including the name and contact information of any beneficiaries of record. The measure does not require a life insurer to provide information that is confidential or protected. The bill requires a funeral service provider to whom such information is provided to make all reasonable efforts to contact all beneficiaries of record, if the beneficiary is not the decedent's estate, within four calendar days of receiving such information and provide to the beneficiaries all information provided to the funeral service provider by the insurance carrier. The bill also requires the funeral service provider to inform the beneficiaries that the beneficiary of a life insurance policy has no legal duty or obligation to pay any amounts associated with the provision of funeral services or the debts or obligations of the deceased.

Patron - Orrock

HB2037 Health insurance; calculation of cost-sharing provisions. Provides that when there is no amount actually paid or payable by a health insurer, health services plan, or health maintenance organization to a provider for the services provided, the insurer, health services plan, or health maintenance organization shall use such insurer's, health services plan's, or health maintenance organization's pre-established allowed amount to calculate the amount payable by the insured for such services.

Patron - Miller

HB2102 Insurance regulation; corporate governance annual disclosures. Requires each insurer domiciled in the Commonwealth, or the insurance group of which the insurer is a member, to submit to the State Corporation Commission (SCC) a Corporate Governance Annual Disclosure (CGAD). The CGAD is a confidential report containing material information related to an insurer or insurance group's internal operations that permits the SCC to gain an understanding of the insurer's or insurance group's corporate governance structure, policies, and practices. The measure sets out requirements for completing and submitting a CGAD with the SCC and provides for the confidential treatment of the CGAD and related information. The measure has a delayed effective date of January 1, 2018.

Patron - Byron

HB2267 Health benefit plans; coverage for hormonal contraceptives. Requires any health benefit plan that is amended, renewed, or delivered on or after January 1, 2018, that provides coverage for hormonal contraceptives to cover up to a 12-month supply of hormonal contraceptives when dispensed or furnished at one time for a covered person or at a location licensed or otherwise authorized to dispense drugs or supplies. Such a plan is prohibited, in the absence of clinical contraindications, from imposing utilization controls or other forms of medical management limiting the supply of hormonal contraceptives that may be dispensed or furnished by a provider or pharmacy, or at a location licensed or otherwise authorized to dispense drugs or supplies, to an amount that is less than a 12-month supply. The measure does not require a provider to prescribe, furnish, or dispense 12 months of self-administered hormonal contraceptives at one time. The measure also provides that it shall not be construed to exclude coverage for hormonal contraceptives as prescribed by a provider for reasons other than contraceptive purposes, such as decreasing the risk of ovarian cancer or eliminating symptoms of

menopause, or for contraception that is necessary to preserve the life or health of an enrollee.

Patron - Filler-Corn

HB2318 Virginia Birth-Related Neurological Injury Compensation Program. Removes from the definition of "birth-related neurological injury" a provision that the definition shall apply retroactively to any child born on and after January 1, 1988, who suffers from an injury to the brain or spinal cord caused by the deprivation of oxygen or mechanical injury occurring in the course of labor, delivery, or resuscitation in the immediate postdelivery period in a hospital. The measure includes an enactment clause stating that its provisions are declarative of existing law. The bill has a delayed effective date of January 1, 2018.

Patron - Stolle

HB2422 Insurance institutions and agents; notice of financial information collection and disclosure practices. Creates an exemption from the requirement that insurance institutions and agents provide policyholders with an annual notice of financial information collection and disclosure practices in connection with insurance transactions. The exemption applies when the insurance institution or agent provides nonpublic personal information to nonaffiliated third parties only in accordance with § 38.2-613 and has not changed its policies and practices with regard to disclosing nonpublic financial information from the policies and practices that were disclosed in the most recent notice sent to the policyholder.

Patron - Hugo

SB994 Insurance assessments; refunds of overpayments. Authorizes the State Corporation Commission to refund assessment overpayments to insurers and surplus line brokers without issuing a refund order. The measure conforms these procedures to other refunding provisions administered by the Bureau of Insurance.

Patron - Dance

SB1074 Automobile clubs; insurance. Provides that a service agreement offered by an automobile club does not constitute insurance. The measure also provides that the types of services related to motor travel or to the operation, use, or maintenance of a motor vehicle that may be supplied by an automobile club are not limited to towing service, emergency road service, indemnification service, guaranteed arrest bond certificate service, discount service, financial service, theft service, map service, or touring service.

Patron - Sturtevant

SB1158 Insurance; reciprocals. Allows a foreign reciprocal to obtain a license to transact the business of insurance in the Commonwealth if an affiliate of the foreign reciprocal is licensed to write the class of insurance it proposes to write in Virginia and is writing actively that class of insurance in its state of domicile or at least two other states. The measure also provides that a foreign or alien reciprocal is prohibited from transacting the business of insurance in Virginia until it obtains from the State Corporation Commission both a certificate of authority and a license to transact the business of insurance in the Commonwealth.

Patron - Reeves

Title 40.1 - Labor and Employment

HB1883 Occupational health and safety laws; amount of civil penalties. Increases the maximum amount of civil penalties that may be assessed by the Commissioner of Labor and Industry for certain violations of occupational safety and health laws from \$7,000 to \$12,471 and for willful or repeated violations of such laws from \$70,000 to \$124,709. The measure also requires the Commissioner annually to increase the maximum civil penalty amounts, starting in 2018, by an amount that reflects the percentage increase, if any, in the consumer price index from the previous calendar year. This bill is identical to SB 1542.

Patron - Kilgore

SB1542 Occupational health and safety laws; amount of civil penalties. Increases the maximum amount of civil penalties that may be assessed by the Commissioner of Labor and Industry for certain violations of occupational safety and health laws from \$7,000 to \$12,471 and for willful or repeated violations of such laws from \$70,000 to \$124,709. The measure also requires the Commissioner annually to increase the maximum civil penalty amounts, starting in 2018, by an amount that reflects the percentage increase, if any, in the consumer price index from the previous calendar year. This bill is identical to HB 1883.

Patron - Saslaw

Title 42.1 - Libraries

HB1787 Local and regional libraries; boards not mandatory. Provides an exemption for counties with a charter from having to create a managing library board appointed by the local governing body. This bill is identical to SB 1586.

Patron - Habeeb

SB1586 Local and regional libraries; boards not mandatory. Provides an exemption for counties with a charter from having to create a managing library board appointed by the local governing body. This bill is identical to HB 1787.

Patron - Suetterlein

Title 44 - Military and Emergency Laws

SB989 Commonwealth's Twenty marksmanship award. Provides for the Commonwealth's Twenty marksmanship award to recognize the top 20 marksmen in Virginia, chosen from the Virginia state residents who compete at the annual Virginia State Championship matches sanctioned by the Virginia Shooting Sports Association. Under current law, the award recognizes the top 20 competitors in each of the rifle and pistol Excellence-in-Competition matches at such Championships.

Patron - Stanley

Title 45.1 - Mines and Mining

HB1509 Mineral mines reclamation; bonds and liens. Increases, from a range of \$200 to \$1,000 per acre to a fixed amount of \$3,000 per acre, the mandatory bond amount furnished by operators on mining land. The bill increases the minimum size of the Minerals Reclamation Fund from \$250,000 to \$2 million. The bill also grants the Commonwealth a lien on property owned by the operator and reclaimed by the Director of the Department of Mines, Minerals and Energy and sets out the process by which the Director shall perfect or waive the lien.

Patron - Ware

HB2200 Reclamation of coal-mined areas. Repeals the July 1, 2017, expiration date from 2014 legislation that raised the target balance of the Coal Surface Mining Reclamation Fund (the Fund) from \$1.75 million to \$20 million and altered the method of deducting certain expenditures from the Fund.

Patron - O'Quinn

SB910 Virginia Oil and Gas Act; sampling and replacing contaminated wells. Increases from 750 feet to 1,320 feet the radius of surface lands around gas wells on which gas well operators (i) have a right to enter and obtain water samples from water wells and (ii) are required to replace contaminated water supplies.

Patron - Stuart

SB911 Orphaned Well Fund; surcharge. Raises from \$50 to \$200 the surcharge to be paid by a gas or oil operator for a permit to conduct any activity other than geophysical operations. The bill contains technical amendments.

Patron - Stuart

Title 46.2 - Motor Vehicles

HB1440 Farm use vehicles; penalties. Imposes a \$250 fine for willfully and intentionally violating the limitations for the use of farm use vehicles on a highway for a second or subsequent violation. Current law allows for a fine of up to \$250 regardless of the number of previous violations.

Patron - Bell, Richard P.

HB1494 Examination of licensee believed incompetent. Requires the Medical Advisory Board for the Department of Motor Vehicles to provide guidance and recommendations to the Department regarding any case of a person determined to be incompetent pursuant to an examination by a physician, nurse practitioner, or physician assistant and whose driver's license has been revoked if such person appeals the decision on the basis of medical evidence in the case.

Patron - Knight

HB1504 Issuance of a driver's license or learner's permit; minimum standards for vision tests. Increases the minimum visual acuity an applicant must possess for issuance of a driver's license or learner's permit from a field of 100 degrees of horizontal vision in one or both eyes to a field of 110 degrees of horizontal vision in one or both eyes. This bill is identical to SB 1229.

Patron - Fowler

HB1519 Overweight permits for hauling Virginia-grown farm produce; validity throughout the Commonwealth. Authorizes the Commissioner of the Department of Motor Vehicles to issue overweight permits that are valid state-wide for vehicles hauling Virginia-grown farm produce from the point of origin to the first place of delivery. Under current law, such permits are valid only in Accomack and Northampton Counties.

Patron - Knight

HB1525 Revocation or suspension of driver's licenses; laws of other jurisdictions. Provides that the Commissioner of the Department of Motor Vehicles is limited to reviewing the text of another jurisdiction's law when determining whether a person's driver's license should be administratively revoked or suspended as a result of such person's conviction in the other jurisdiction for an offense substantially similar to an offense under the law of the Commonwealth that requires revocation or suspension of a person's driver's license. The bill also provides that if the Commissioner cannot reasonably determine from the text of the other jurisdiction's law whether such law is substantially similar to the law of the Commonwealth, the Commissioner may, if available, review a certified copy of the final order of the person's conviction in the other jurisdiction. The bill also establishes a process for any person whose driver's license was administratively revoked or suspended prior to July 1, 2017, on the basis of a conviction in another jurisdiction to request a review of such revocation or suspension. The provisions of the act do not apply to any disqualification of eligibility to operate a commercial motor vehicle imposed by the Commissioner pursuant to the Virginia Commercial Driver's License Act.

Patron - Albo

HB1559 Special identification cards; fees and validity periods. Increases from \$5 per renewal to \$2 per year, with a \$10 minimum fee, the fee for an original, duplicate, reissue, or renewal special identification card and increases the maximum validity period from seven to eight years. The bill changes expiration dates from the last day of the month of birth of the applicant to the applicant's birthday at the end of the period of years for which a special identification card has been issued. The bill also sets the validity period to a maximum of five years for a special identification card issued to a person required to register with the Sex Offender and Crimes Against Minors Registry.

Patron - Krizek

HB1622 Driving commercial vehicle while intoxicated; penalties. Harmonizes the penalties for driving under the influence (DUI) and commercial DUI. The bill imposes a \$250 mandatory minimum fine for a first offense of commercial DUI and mandatory minimum sentences of five days if the person's blood alcohol level was at least 0.15 and 10 days if the person's blood alcohol level was more than 0.20. The bill increases from five to 20 days the mandatory minimum sentence for a second offense committed within five years, adds a 10-day mandatory minimum sentence for a second offense committed within five to 10 years, and imposes a \$500 mandatory minimum fine for any second offense committed within a 10-year period. The bill also imposes additional mandatory minimum sentences for a second offense committed within 10 years of 10 days if the person's blood alcohol level was at least 0.15 and 20 days if the person's blood alcohol level was more than 0.20 as well as an additional \$500 mandatory minimum fine. The bill raises the penalty for a third offense committed within 10 years from a Class 1 misdemeanor with a mandatory minimum sentence of 10 days, or 30 days if the three offenses

were committed within five years, to a Class 6 felony with a mandatory minimum sentence of 90 days, or six months if the three offenses were committed within five years, and a mandatory minimum fine of \$1,000. The bill adds a penalty for a fourth or subsequent offense committed within a 10-year period that includes a mandatory minimum sentence of one year and a mandatory minimum fine of \$1,000. The bill also provides that a person convicted of commercial DUI after being convicted of certain felony DUI or DUI-related offenses is guilty of a Class 6 felony with a mandatory minimum sentence of one year and a mandatory minimum fine of \$1,000. The bill also provides that the punishment for any person convicted of commercial DUI who was transporting a minor at the time of the offense shall include an additional mandatory minimum sentence of five days and an additional fine of at least \$500 and no more than \$1,000. Finally, the bill provides that the mandatory minimum punishments are cumulative and mandatory minimum sentences must be served consecutively.

Patron - Collins

HB1687 Nonrepairable and rebuilt vehicles. Eliminates the requirement that nonrepairable and rebuilt vehicles have incurred damage that exceeds 90 percent of their cash value prior to such damage to meet the definition of nonrepairable and rebuilt vehicles. The bill requires the Department of Motor Vehicles to report to the Chairmen of the House and Senate Transportation Committees on the impact of the bill, if any, on the number of nonrepairable vehicle and salvage certificates issued over the three-year period beginning July 1, 2017, compared with the number of such certificates issued over the three-year period before July 1, 2017. The bill has an expiration date of July 1, 2021.

Patron - Austin

HB1705 Certification of driver education courses; requirements. Provides that any licensed driver training school is authorized to provide the 90-minute parent/student driver education component in Planning District 8 (Northern Virginia) that is currently required in Planning District 8 public schools.

Patron - Greason

HB1732 Special license plates; Virginia Nurses Foundation. Authorizes the issuance of revenue-sharing special license plates for supporters of the Virginia Nurses Foundation.

Patron - Yancey

HB1761 Regulation of taxicabs. Provides that the governing body of any county, city, or town that regulates taxicabs may authorize any taxicab to operate software-based devices that utilize GPS or other measurement data in the calculation of time-and-distance fares, notwithstanding the requirements for the specifications and tolerances for measuring and weighing devices. The bill repeals the requirement that all taxicabs display roof signs and specific markings. The bill contains an emergency clause.

Patron - Anderson

HB1763 Special license plates; highway safety. Authorizes the issuance of special license plates for supporters of highway safety, including awareness of distracted driving. The bill exempts the plate from the requirement to obtain 450 pre-paid applications prior to issuance and from the provision that prohibits issuance of additional plates in the series if, after five or more years after issuance, the plate has fewer than 200 active sets of plates. Additionally, the plate shall be subject

only to a one-time fee of \$10 at the time the plates are issued, in addition to the prescribed cost of state license plates.

Patron - Greason

HB1785 Warning lights on privately owned volunteer emergency vehicles. Clarifies that the current limit of no more than two flashing or steady-burning red or red and white combination warning lights applies to light units rather than individual lights on a vehicle owned by a member of a fire department, volunteer fire company, or volunteer EMS agency or a police chaplain.

Patron - Bell, Robert B.

HB1878 Suspension of license of person legally adjudged incapacitated and not competent to drive; notice to DMV Commissioner. Clarifies the roles of the courts and the Commissioner of the Department of Motor Vehicles with regard to persons previously legally adjudged incapacitated and not competent to drive or whose license has been suspended following discharge from a facility operated or licensed by the Department of Behavioral Health and Developmental Services. The bill provides that under all such circumstances, the Department reserves the right to examine any licensed driver, any person applying for a driver's license or renewal thereof, or any person whose license has been suspended or revoked to determine his fitness to drive a motor vehicle with safety to persons and property. The bill contains an emergency clause.

Patron - Pogge

HB1888 Use of wireless telecommunications devices by persons driving school buses. Allows school bus drivers to use, in addition to two-way radio devices, wireless telecommunications devices that are used hands free to communicate with school or public safety officials.

Patron - Hugo

HB1960 Tow truck drivers and towing and recovery operators; requirements; penalties. Creates a civil penalty of \$150 to be paid into the Literary Fund for any tow truck driver or towing and recovery operator convicted of improperly towing in Planning District 8 (Northern Virginia). The bill exempts tow truck drivers and towing and recovery operators in Planning District 8 from any requirement by a towing advisory board for written authorization in addition to a written contract in the event that a vehicle is being removed from private property. The bill requires that a tow truck driver in Planning District 8 immediately notify the animal control office in the locality from which the vehicle is being towed if the vehicle is occupied by a companion animal. The bill limits the membership of a local towing advisory board to only representatives of local law-enforcement agencies, representatives of licensed towing and recovery operators, and one member of the general public and requires the chairmanship of any towing advisory board within Planning District 8 to rotate annually between board members who represent a licensed towing and recovery operator, a local law-enforcement agency, and the general public.

Patron - Hugo

HB2016 Electric personal delivery devices. Allows for the operation of electric personal delivery devices on the sidewalks and shared-use paths and across roadways on crosswalks in the Commonwealth unless otherwise prohibited by a locality. The bill directs that such devices shall not be considered vehicles and are exempt from the motor carrier provisions of Title 46.2 (Motor Vehicles). This bill is identical to SB 1207.

Patron - Villanueva

HB2019 Transportation network company partner vehicle registration repeal. Removes the requirement that a transportation network company (TNC) partner register his personal vehicle for use as a TNC partner vehicle with the Department of Motor Vehicles. The bill allows the Department of State Police to recognize another state's annual motor vehicle safety inspection in lieu of a Virginia inspection and clarifies that a TNC partner can keep proof of inspection in or on the vehicle. The bill contains an emergency clause. This bill is identical to SB 1366.

Patron - Villanueva

HB2022 Department of Transportation; traffic incident response and management. Allows individuals or entities acting on behalf of the Department of Transportation to operate as needed in response to traffic incidents and to access and to remove from moving lanes on a highway vehicles and cargo that are impeding traffic flow due to a traffic incident. The bill requires a driver to move a vehicle from the roadway after an emergency, accident, or breakdown that did not result in injury or death if the vehicle is movable and the driver is capable of safely doing so. Current law allows drivers to move a vehicle from the roadway after an accident if the vehicle is movable and the driver is capable of safely doing so, but does not require it.

Patron - Villanueva

HB2026 Department of Motor Vehicles; regulation of property carriers. Combines the current property carrier and bulk property carrier authorities and eliminates the current license requirement for property brokers. The bill eliminates the requirement for the Department of Motor Vehicles to issue specially designated license plates for property-carrying vehicles operated for hire. The bill reduces from \$750,000 to \$300,000 insurance limits for carriers operating vehicles with a gross vehicle weight rating in excess of 7,500 pounds but not in excess of 10,000 pounds. For passenger cars, motorcycles, autocycles, and vehicles with a gross vehicle weight rating of 10,000 pounds or less, the bill requires liability coverage for property carriers of a minimum of (i) \$25,000 per person, \$50,000 per incident for death and bodily injury, and \$20,000 for property damage when the motor carrier is available to transport property and (ii) \$100,000 per person, \$300,000 per incident for death and bodily injury, and \$50,000 for property damage from the time the motor carrier accepts the request to transport property and the vehicle is en route to pick up the property until the time the property has been removed from the vehicle and delivered to its final destination. The bill has a delayed effective date of January 1, 2018. This bill is identical to SB 1364.

Patron - Villanueva

HB2032 Filing and application fees for transportation network companies. Allows transportation network companies two fee options when applying for an original or renewal of a certificate. A transportation network company may either pay the existing certificate fees of \$100,000 upon application and \$60,000 for renewal or pay a \$20 surcharge per record when purchasing a driver transcript in addition to the current transcript fee. This bill is identical to SB 1101.

Patron - Adams

HB2075 Commercial driver's license instruction; comprehensive community colleges. Allows comprehensive community colleges in the Virginia Community College System to administer the in-vehicle component of driver instruction to students enrolled in a commercial driver training course offered by such community college who have failed the

behind-the-wheel examination or general knowledge examination for a commercial driver's license three times. The bill requires that after such additional training, the Department of Motor Vehicles only shall administer the applicable exam. The bill requires that comprehensive community colleges offering such coursework meet certain standards as established by the Department and that the Department notify such comprehensive community colleges and similarly affected schools of course curriculum requirements and notify such colleges and schools if new topics are added to the mandatory curriculum. Such comprehensive community colleges and affected schools shall have 45 days to comply and update their course curriculum with the relevant changes.

Patron - Wilt

HB2201 Failure to drive on right side of highways or observe traffic lanes; penalties. Sets the fine for failing to drive on the right side of highways or failing to observe traffic lanes at \$100. Under current law, any such failure is punishable by a fine of no more than \$250.

Patron - O'Quinn

HB2229 Electronic Credentials Act; report. Creates standards for the Department of Motor Vehicles in issuing, reviewing, and displaying electronic credentials. The Electronic Credentials Act establishes fees for access to electronic credentials and standards for a verification system that would allow users to verify the authenticity of electronic credentials.

Patron - Villanueva

HB2239 Registration exemption for certain farm use vehicles; highway distance limitations. Increases from 50 to 75 miles the maximum travel distance allowable for travel to obtain supplies or from one part of the owner's land to another by a vehicle used for agricultural or horticultural purposes in order to qualify for exemption from the requirements to obtain a registration certificate, license plates, or decals and pay a registration fee. The bill also increases from 50 to 75 miles the maximum travel distance allowable by vehicles used for seasonal transportation of farm produce and from 20 to 75 miles the maximum travel distance allowable for vehicles owned by farmers and used to transport wood products in order to qualify for such exemption. The bill also provides that any law-enforcement officer may require any person operating a vehicle, trailer, or semitrailer and claiming the farm use exemption to provide, upon request, the address of the farm or lands owned or leased by the vehicle's owner or, if such address is unavailable or unknown, the real property parcel identification number of such lands.

Patron - Fariss

HB2269 State Police motor vehicle safety inspection data. Authorizes the Superintendent of State Police to provide, upon request, verification of the inspection status of a vehicle and to charge a reasonable fee for providing such information. Fees shall not be charged to government or other public entities. This bill is identical to SB 1250.

Patron - Villanueva

HB2336 Report of law-enforcement officer involved in accident. Provides that any law-enforcement officer who is listed as a driver in a motor vehicle accident report submitted to the Department of Motor Vehicles will not have the accident listed on his driving record if he was driving a motor vehicle provided by a law-enforcement agency in the course of his employment and was operating the motor vehicle in the perfor-

mance of his official duties at the time of such accident. This bill is identical to SB 1486.

Patron - Miller

HB2362 Tow truck drivers; temporary registration with Department of Criminal Justice Services. Allows for the issuance of temporary registration or driver authorization documentation by the Department of Criminal Justice Services for tow truck drivers, effective upon the submission of an application and until the issuance or denial of permanent registration.

Patron - Pogge

HB2423 Golf carts on public highways; exceptions. Permits the use of golf carts on public highways in the Town of Jarratt if the governing body of the town reviews and approves such highway usage. Current law prohibits such usage because the Town of Jarratt has not established its own police department.

Patron - Tyler

HB2453 Flashing amber lights; amateur radio operators. Permits vehicles used or operated by federally licensed amateur radio operators participating in emergency communications drills on behalf of federal, state, or local authorities or providing communications services to localities for public service events authorized by the Department of Transportation where the event is being conducted to be equipped with flashing, blinking, or alternating amber lights, provided that the lights are not lit while the vehicle is in motion.

Patron - Holcomb

HB2467 Driving on a suspended or revoked license; period of suspension. Provides that any driver's license suspension imposed upon a person for the failure to pay court-ordered fines and costs shall run concurrently with any other period of license suspension, revocation, or forfeiture imposed upon such person. The bill also provides that in the event that a person whose license has been suspended for the failure to pay court-ordered fines and costs is convicted of driving on a suspended or revoked license, the additional period of license suspension imposed as a result of that conviction runs concurrently with the underlying suspension for the failure to pay court-ordered fines and costs. Under current law, such additional suspension period does not commence until the expiration of the previous suspension or revocation.

Patron - Bell, Robert B.

SB950 Nonrepairable and rebuilt vehicles. Eliminates the requirement that nonrepairable and rebuilt vehicles have incurred damage that exceeds 90 percent of their cash value prior to such damage to meet the definition of nonrepairable and rebuilt vehicles. The bill requires the Department of Motor Vehicles to report to the Chairmen of the House and Senate Transportation Committees on the impact of the bill, if any, on the number of nonrepairable vehicle and salvage certificates issued over the three-year period after July 1, 2017, compared with the number of such certificates issued over the three-year period before July 1, 2017. The bill has an expiration date of July 1, 2021.

Patron - Ruff

SB1021 Failure to obey highway sign; driver stopped on highway shoulder to sleep or rest; prepayable offense. Provides that a violation of a highway sign where a driver has parked or stopped his vehicle on the shoulder of the highway in order to sleep or rest is a prepayable offense unless such vehi-

cle is parked or stopped in such manner as to impede or render dangerous the shoulder or other portion of the highway.

Patron - Barker

SB1041 Virginia Driver's Manual course; age requirements. Lowers from 19 to 18 the minimum age of persons who have failed the driver knowledge examination three times who are permitted to take the Virginia Driver's Manual course offered by a licensed and approved driver training school as a prerequisite of attempting the driver knowledge examination a fourth time.

Patron - Cosgrove

SB1069 Titling out-of-state salvage vehicles. Provides a process by which the owner of a salvage vehicle that has been rebuilt, titled, and registered in another state may obtain a non-negotiable title for such vehicle to operate on the highways of the Commonwealth.

Patron - Deeds

SB1085 Department of Motor Vehicles; expiration and renewal of driver credentials. Allows the Department of Motor Vehicles (DMV) to digitally verify the authenticity and validity of driver's licenses, learner's permits, and special identification cards for nongovernmental entities. The bill allows DMV to issue transaction receipts for expired vehicle registration renewals that will serve as evidence that the holder has complied with DMV payment requirements in order to allow those with expired registrations to renew such registration online. The bill allows DMV to extend the validity period for driver's licenses for persons absent from the Commonwealth during the expiration period of such licenses for good cause shown and payment of a fee.

Patron - Wexton

SB1101 Filing and application fees for transportation network companies. Allows transportation network companies two fee options when applying for an original or renewal of a certificate. A transportation network company may either pay the existing certificate fees of \$100,000 upon application and \$60,000 for renewal or pay a \$20 surcharge per record when purchasing a driver transcript in addition to the current transcript fee. This bill is identical to HB 2032.

Patron - Newman

SB1169 Minimum city population required to enforce certain ordinance violations. Decreases from 90,000 to 40,000 the minimum population of cities whose parking, stopping, and standing ordinances may provide that summonses and tickets for violations of such ordinances or regulations may be issued by law-enforcement officers, other uniformed city employees, or uniformed personnel under contract with the city.

Patron - Deeds

SB1207 Electric personal delivery devices. Allows for the operation of electric personal delivery devices on the sidewalks and shared-use paths and across roadways on crosswalks in the Commonwealth unless otherwise prohibited by a locality. The bill directs that such devices shall not be considered vehicles and are exempt from the motor carrier provisions of Title 46.2 (Motor Vehicles). This bill is identical to HB 2016.

Patron - DeSteph

SB1211 Local vehicle license fees and taxes. Allows counties and adjoining towns to enter into reciprocal agreements to collect each other's vehicle license fees and taxes.

Currently, such collection is limited to nondelinquent license fees and taxes.

Patron - Wexton

SB1229 Issuance of a driver's license or learner's permit; minimum standards for vision tests. Increases the minimum visual acuity an applicant must possess for issuance of a driver's license or learner's permit from a field of 100 degrees of horizontal vision in one or both eyes to a field of 110 degrees of horizontal vision in one or both eyes. This bill is identical to HB 1504.

Patron - Dunnivant

SB1250 State Police motor vehicle safety inspection data. Authorizes the Superintendent of State Police to provide, upon request, verification of the inspection status of a vehicle and to charge a reasonable fee for providing such information. Fees shall not be charged to government or other public entities. This bill is identical to HB 2269.

Patron - Carrico

SB1272 Nonresident Violator Compact; codification. Codifies the text of the Nonresident Violator Compact of 1977. The bill removes duplicative provisions of the Code of Virginia. This bill is a recommendation of the Virginia Code Commission.

Patron - McDougle

SB1276 Dismissal of certain traffic violations for proof of compliance with law. Provides that a court may, in its discretion, dismiss a violation for failure to notify the Department of Motor Vehicles of change of address, for failure to register, title, or properly display license plates, for failure to pay local licensing fees or taxes, for failure to have certain safety equipment or having unsafe or defective equipment, or for improper tinting, if such a person can prove to the court compliance with the law on or before the court date and payment of court fees.

Patron - McDougle

SB1279 Flashing amber lights on vehicles. Allows vehicles used to collect and deliver packages weighing less than 150 pounds by a national package delivery company that delivers such packages in all 50 states to be equipped with flashing amber lights, provided that the amber lights are lit only when the vehicle is stopped and its operator is engaged in such collection and delivery.

Patron - McDougle

SB1316 Overweight permits for trucks hauling asphalt. Adds trucks hauling asphalt to those vehicles whose owner or operator may obtain an overweight permit from the Commissioner of the Department of Motor Vehicles to operate in counties that impose a severance tax on gases or a severance license tax on coal producers.

Patron - Carrico

SB1364 Department of Motor Vehicles; regulation of property carriers. Combines the current property carrier and bulk property carrier authorities and eliminates the current license requirement for property brokers. The bill eliminates the requirement for the Department of Motor Vehicles to issue specially designated license plates for property-carrying vehicles operated for hire. The bill reduces from \$750,000 to \$300,000 insurance limits for carriers operating vehicles with a gross vehicle weight rating in excess of 7,500 pounds but not in excess of 10,000 pounds. For passenger cars, motorcycles,

autocycles, and vehicles with a gross vehicle weight rating of 10,000 pounds or less, the bill requires liability coverage for property carriers of a minimum of (i) \$25,000 per person, \$50,000 per incident for death and bodily injury, and \$20,000 for property damage when the motor carrier is available to transport property and (ii) \$100,000 per person, \$300,000 per incident for death and bodily injury, and \$50,000 for property damage from the time the motor carrier accepts the request to transport property and the vehicle is en route to pick up the property until the time the property has been removed from the vehicle and delivered to its final destination. The bill has a delayed effective date of January 1, 2018. The bill incorporates SB 1219 and SB 1435. This bill is identical to HB 2026.

Patron - Newman

SB1366 Transportation network company partner vehicle registration repeal. Removes the requirement that a transportation network company (TNC) partner register his personal vehicle for use as a TNC partner vehicle with the Department of Motor Vehicles. The bill allows the Department of State Police to recognize another state's annual motor vehicle safety inspection in lieu of a Virginia inspection and clarifies that a TNC partner can keep proof of inspection in or on the vehicle. The bill contains an emergency clause. This bill is identical to HB 2019.

Patron - Newman

SB1384 Motor carrier size and weight limitations; compliance with federal law. Amends several size and weight provisions to comply with the federal Fixing America's Surface Transportation Act of 2015 (the FAST Act). The bill (i) allows automobile and watercraft carriers to backhaul general cargo; (ii) permits the commercial delivery of towaway trailers within limits prescribed by the FAST Act; (iii) increases the weight limits of certain emergency vehicles, natural gas vehicles, and emergency towing vehicles as required by the FAST Act; (iv) increases the weight at which a vehicle must be inspected at a permanent weighing station; (v) makes overweight permits available for tank vehicles hauling fluid milk; and (vi) permits contractors of a Medicaid Managed Care Organization to obtain a certificate of fitness as a nonemergency medical transportation carrier.

Patron - Carrico

SB1486 Report of law-enforcement officer involved in accident. Provides that any law-enforcement officer who is listed as a driver in a motor vehicle accident report submitted to the Department of Motor Vehicles will not have the accident listed on his driving record if he was driving a motor vehicle provided by a law-enforcement agency in the course of his employment and was operating the motor vehicle in the performance of his official duties at the time of such accident. This bill is identical to HB 2336.

Patron - Stuart

SB1494 Transportation network company; brokers. Allows brokers to arrange rides with transportation network company (TNC) partner vehicles. The bill requires such brokers to be licensed by the Department of Motor Vehicles and includes insurance requirements for TNC partner vehicles operating at the request of a broker.

Patron - McClellan

SB1497 Manufactured home; definition. Excludes a park model recreational vehicle from the definition of "manufactured home" and defines a park model recreational vehicle as a vehicle that is (i) designed and marketed as temporary living quarters for recreational, camping, travel, or seasonal use;

(ii) not permanently affixed to real property for use as a permanent dwelling; (iii) built on a single chassis mounted on wheels; and (iv) certified by the manufacturer as complying with the American National Standards Institute (ANSI) A119.5 Park Model Recreational Vehicle Standard.

Patron - Carrico

SB1507 Safety inspections; appointments. Allows any motor vehicle inspection station to accept appointments for safety inspections in addition to accepting vehicles on a first-come, first-served basis, so long as at least one lane is reserved for the sole purpose of first-come, first-served safety inspections.

Patron - Cosgrove

SB1514 Local regulation of parking of certain vehicles. Adds Leesburg to the towns that are permitted to regulate or prohibit the parking on any public highway of watercraft, boat trailers, motor homes, and camping trailers and to regulate or prohibit the parking of commercial vehicles on any public highway in a residence district.

Patron - Wexton

SB1532 Motor vehicle license fees; exemption of antique vehicles. Exempts a motor vehicle, trailer, or semi-trailer that is licensed as an antique vehicle from the imposition of local license fees.

Patron - Lewis

Title 51.1 - Pensions, Benefits, and Retirement

HB1768 Virginia Retirement System; stress testing and reporting policies. Requires the Virginia Retirement System (VRS) to formally adopt stress testing and additional reporting policies. The bill requires VRS to analyze and regularly report on projections of benefit levels, pension costs, liabilities, and debt reduction under various scenarios; to provide a detailed online statement of investment policy and include investment performance data in certain timeframes up to 25 years; and to report investment performance and expenses such as carried interest fees.

Patron - Garrett

SB896 Volunteer Firefighters' and Rescue Squad Workers' Service Award Fund Board; meetings. Requires the Volunteer Firefighters' and Rescue Squad Workers' Service Award Fund Board to meet at least annually. Current law requires the Board to meet at least quarterly.

Patron - Ruff

Title 51.5 - Persons with Disabilities

HB1716 Alzheimer's Disease and Related Disorders Commission; sunset. Extends the sunset date of the Alzheimer's Disease and Related Disorders Commission from July 1, 2017, to July 1, 2020, and makes a technical correction to the reporting requirement of the Commission. This bill is identical to SB 869.

Patron - Anderson

HB1946 Office of the State Long-Term Care Ombudsman. Amends provisions related to the Office of the State Long-Term Care Ombudsman (the Office) and its access to and handling of certain information and records to conform to federal requirements and remove ambiguities. The bill also prohibits interference with or retaliation or reprisals against (i) the Office or its representatives or designees for fulfillment of its functions, responsibilities, or duties or (ii) a person who in good faith complains or provides information to, or otherwise cooperates with, the Office or any of its representatives or designees. The bill requires the Commissioner for Aging and Rehabilitative Services to promulgate regulations regarding the investigation of allegations of interference, retaliation, or reprisals and the implementation of sanctions with respect to such interference, retaliation, or reprisals. The bill also requires the Department for Aging and Rehabilitative Services to put in place mechanisms to ensure that the Office may (a) analyze, comment on, and monitor the development and implementation of laws, regulations, and policies related to long-term care services and providers or to the health, safety, welfare, and rights of individuals receiving long-term care services; (b) recommend changes to such laws, regulations, and policies; and (c) provide information, recommendations, and the position of the Office of the State Long-Term Care Ombudsman to public and private agencies, legislators, media, and other persons regarding concerns of individuals receiving long-term care services.

Patron - Peace

SB869 Alzheimer's Disease and Related Disorders Commission; sunset. Extends the sunset date of the Alzheimer's Disease and Related Disorders Commission from July 1, 2017, to July 1, 2020, and makes a technical correction to the reporting requirement of the Commission. This bill is identical to HB 1716.

Patron - Ruff

SB1437 Commonwealth Council on Aging; duties. Imposes on the Commonwealth Council on Aging a duty to assist and advise the Department for Aging and Rehabilitative Services regarding strategies to improve nutritional health, alleviate hunger, and prevent malnutrition among older adults.

Patron - Favola

Title 52 - Police (State)

SB1506 Applicant Fingerprint Database; Federal Bureau of Investigation records. Authorizes the Department of State Police to submit fingerprints and accompanying records to the Federal Bureau of Investigation (FBI) to be advised through the FBI's Next Generation Identification Rap Back service when an individual subject to a criminal background check as a condition of licensure, certification, employment, or volunteer service with an agency or entity is arrested for, or convicted of, a criminal offense not reported to the Department that would disqualify that individual from such licensure, certification, employment, or volunteer service.

Patron - Cosgrove

Title 53.1 - Prisons and Other Methods of Correction

HB1651 Inmate trust accounts; exemption. Provides that an inmate who has been sentenced to a term of imprisonment that makes the inmate ineligible for release, excluding conditional geriatric release, prior to 75 years of age is exempt from depositing 10 percent of any funds the inmate receives into an inmate personal trust account.

Patron - Kory

SB1063 State Board of Corrections; membership; powers and duties; review of death of inmates in local correctional facilities. Authorizes the State Board of Corrections (the Board) to conduct a review of the death of any inmate in a local or regional correctional facility in order to determine the circumstances surrounding the inmate's death and whether the facility was in compliance with the Board's regulations. The bill requires the Board to develop and implement policies and procedures for the review of the death of any inmate that occurs in any local or regional correctional facility. The bill provides that the Board (i) may request the Department of Corrections to conduct a death review if the Board determines that it cannot adequately conduct such review because the Board is already in the process of conducting another review and (ii) shall request the Office of the State Inspector General to review the operation of any entity other than a correctional facility if such review is necessary to complete the death review. Finally, the bill also specifies requisite qualifications for individuals appointed to the Board.

Patron - Deeds

SB1313 Reimbursement of capital costs; regional jails; regional contracts for cooperative jailing. Provides that on or after July 1, 2017, the Commonwealth shall reimburse a locality a maximum of one-fourth of the capital costs for any regional jail construction, enlargement, or renovation project that has been approved by the Governor on or after July 1, 2017, and specifically authorized in the general appropriation act.

Patron - McDougale

Title 54.1 - Professions and Occupations

HB1453 Dispensing of naloxone. Allows a person who is authorized by the Department of Behavioral Health and Developmental Services to train individuals on the administration of naloxone for use in opioid overdose reversal and who is acting on behalf of an organization that provides services to individuals at risk of experiencing opioid overdose or training in the administration of naloxone for overdose reversal and that has obtained a controlled substances registration from the Board of Pharmacy pursuant to § 54.1-3423 to dispense naloxone to a person who has completed a training program on the administration of naloxone for opioid overdose reversal, provided that such dispensing is (i) pursuant to a standing order issued by a prescriber, (ii) in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, and (iii) without charge or compensation. The bill also provides that dispensing may occur at a site other than that of the controlled substance registration, provided that the entity possessing the controlled

substance registration maintains records in accordance with regulations of the Board of Pharmacy. The bill further provides that a person who dispenses naloxone shall not be liable for civil damages of ordinary negligence for acts or omissions resulting from the rendering of such treatment if he acts in good faith and that a person to whom naloxone has been dispensed pursuant to the provisions of the bill may possess naloxone and may administer naloxone to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose. The bill contains an emergency clause. This bill is identical to SB 848.

Patron - LaRock

HB1474 Dental hygiene; remote supervision. Eliminates the requirement that a dental hygienist providing dental hygiene services under remote supervision be employed by the supervising dentist; clarifies continuing education requirements for dental hygienists practicing under remote supervision; eliminates the requirement for written permission to treat a patient from a dentist who has treated the patient in the previous 12 months; and allows a dental hygienist practicing under remote supervision to treat a patient who provides verbal confirmation that he does not have a dentist of record whom he is seeing regularly. The bill eliminates the requirement that a dental hygienist practicing under remote supervision consult with the supervising dentist prior to providing further dental hygiene services if the patient is medically compromised or has periodontal disease and allows a dental hygienist practicing under remote supervision to provide further dental hygiene services in accordance with a written practice protocol developed and provided by the supervising dentist, which shall consider, at minimum, the medical complexity of the patient and the presenting signs and symptoms of oral disease. The bill requires a supervising dentist who conducts the examination of the patient or refers the patient to another dentist for examination following the 90-day period during which a dental hygienist is permitted to provide dental hygiene services under remote supervision to develop a diagnosis and treatment plan for the patient. The bill directs the Board of Dentistry to promulgate regulations to implement the provisions of the act within 280 days of its enactment.

Patron - Orrock

HB1475 Common Interest Community Board; information on covenants; association disclosure packets. Requires the Common Interest Community Board to include in its current one-page form that accompanies association disclosure packets that are required to be provided to all prospective purchasers of lots located within a development that is subject to the Virginia Property Owners' Association Act that the purchase contract for a lot within an association is a legally binding document once it is signed by the prospective purchaser where the purchaser has not elected to cancel the purchase contract in accordance with law.

Patron - Orrock

HB1479 Attorney discipline; procedures. Conforms the statutory procedures for disciplining attorneys to the Rules of Supreme Court of Virginia. This bill is identical to SB 874.

Patron - Leftwich

HB1484 Board of Medicine to amend regulations governing licensure of occupational therapists to specify Type 1 continuous learning activities. Directs the Board of Medicine to amend regulations governing licensure of occupational therapists to provide that Type 1 continuing learning activities that shall be completed by the practitioner prior to renewal of a license shall consist of an organized program of

study, classroom experience, or similar educational experience that is related to a licensee's current or anticipated roles and responsibilities in occupational therapy and approved or provided by one of the following organizations or any of its components: the Virginia Occupational Therapy Association; the American Occupational Therapy Association; the National Board for Certification in Occupational Therapy; a local, state, or federal government agency; a regionally accredited college or university; or a health care organization accredited by a national accrediting organization granted authority by the Centers for Medicare and Medicaid Services to assure compliance with Medicare conditions of participation. Such regulations shall also provide that Type 1 continuing learning activities may also include an American Medical Association Category 1 Continuing Medical Education program. The bill further provides that the Board of Medicine shall not deem maintenance of any certification provided by such organization as sufficient to fulfill continuing learning requirements for occupational therapists.

Patron - Bell, Richard P.

HB1497 Requirements for ophthalmic prescriptions. Requires, for ophthalmic prescriptions written on or after July 1, 2017, that an ophthalmologist or optometrist establish a bona fide provider-patient relationship with a patient prior to prescribing spectacles, eyeglasses, lenses, or contact lenses, and sets out requirements for establishing such relationship, which includes options for examination of the patient either in person or through face-to-face interactive, two-way, real-time communication or store-and-forward technologies. This bill is identical to SB 1321.

Patron - Farrell

HB1505 Perpetual care trust funds; method of distribution. Allows cemetery companies to request the trustee of a perpetual care trust fund to elect a total return distribution method for distributions from the trust. The bill provides that a total return distribution method allows the distribution of an amount not to exceed five percent of the fair market value of the perpetual care trust fund at the close of its preceding fiscal year. The bill contains notice and reporting requirements for the election and implementation of this method to the trustee, Cemetery Board, and commissioner of accounts. The bill sets forth requirements that a trustee using such method must meet, including adoption of a written investment and distribution policy, responsible investment decision making, and monitoring of the trust's fair market value. The bill prohibits a trustee from making distributions from the trust under the total return distribution method if (i) the fair market value of the trust after the distribution would be less than the aggregate of 80 percent of the fair market value of the trust at the close of the preceding fiscal year plus the total contributions made to the trust principal from such date to the date that the method of distribution is elected or (ii) beginning with the third year of using a total return distribution method, a three-year analysis of investment returns and distribution practices indicates insufficient protection of the trust principal. The bill requires the Cemetery Board to review conversions of perpetual care trust fund distribution methods for compliance with the requirements of the bill and allows the Cemetery Board to limit or prohibit conversions to and distributions under the total return distribution method under certain circumstances, including where the trustee or investment manager is without sufficient knowledge and expertise regarding implementation of this method. Under current law, a trustee of a perpetual care trust fund may make distributions only from the trust's net income and, absent approval by the Cemetery Board or a court, the trust principal may be used only for investment purposes. The bill refers to this method as the "net income distribution method" and estab-

lishes this as the default distribution method in the event that a cemetery company does not elect a distribution method. This bill is identical to SB 891.

Patron - Garrett

HB1514 Health care practitioners; reporting disabilities of drivers. Provides that any doctor of medicine, osteopathy, chiropractic, or podiatry or any nurse practitioner, physician assistant, optometrist, physical therapist, or clinical psychologist who reports to the Department of Motor Vehicles the existence, or probable existence, of a mental or physical disability or infirmity of any person licensed to operate a motor vehicle that the reporting individual believes affects such person's ability to operate a motor vehicle safely is not subject to civil liability or deemed to have violated the practitioner-patient privilege unless he has acted in bad faith or with malicious intent. This bill is identical to SB 1024.

Patron - Fowler

HB1541 Board of Nursing; powers and duties. Authorizes the Board of Nursing to deny or withdraw approval from training programs for failure to meet prescribed standards. Under current law, the Board has such power for educational programs.

Patron - Robinson

HB1548 Advance directives; mental health treatment; capacity determinations. Provides that in cases in which a person has executed an advance directive granting an agent the authority to consent to the person's admission to a facility for mental health treatment and the advance directive so authorizes, the person's agent may exercise such authority after a determination that the person is incapable of making an informed decision regarding such admission has been made by (i) the attending physician, (ii) a psychiatrist or licensed clinical psychologist, (iii) a licensed psychiatric nurse practitioner, (iv) a licensed clinical social worker, or (v) a designee of the local community services board as defined in § 37.2-809. The bill also provides that a person's agent may make a health care decision over the protest of the person if, in addition to other factors, at the time the advance directive was made, a licensed physician, licensed clinical psychologist, licensed physician assistant, licensed nurse practitioner, licensed professional counselor, or licensed clinical social worker who is familiar with the person attested in writing that the person was capable of making an informed decision and understood the consequences of the provision. This bill is identical to SB 1511.

Patron - Farrell

HB1556 Real Estate Appraiser Board; evaluations. Allows a licensed residential real estate appraiser, certified residential real estate appraiser, or certified general real estate appraiser to provide an evaluation of real estate or real property in connection with certain real estate-related financial transactions. This bill is identical to SB 1535.

Patron - Ware

HB1610 Drug Control Act; Schedule I. Adds certain chemical substances to Schedule I of the Drug Control Act. The Board of Pharmacy has added these substances to Schedule I in an expedited regulatory process. A substance added via this process is removed from the schedule after 18 months unless a general law is enacted adding the substance to the schedule. The bill also removes two substances, benzylfentanyl and thienylfentanyl, from Schedule I. The bill contains technical amendments. This bill is identical to SB 1546.

Patron - Garrett

HB1642 Possession and administration of naloxone. Adds employees of the Department of Forensic Science, employees of the Office of the Chief Medical Examiner, and employees of the Department of General Services Division of Consolidated Laboratory Services to the list of individuals who may possess and administer naloxone or other opioid antagonist, provided that they have completed a training program. The bill contains an emergency clause. This bill is identical to SB 1031.

Patron - Hope

HB1661 Administration of medications to treat adrenal crisis. Provides that a prescriber may authorize an employee of (i) a school board, (ii) a school for students with disabilities, or (iii) an accredited private school who is trained in the administration of injected medications for the treatment of adrenal crisis resulting from a condition causing adrenal insufficiency to administer such medications to a student diagnosed with a condition causing adrenal insufficiency when the student is believed to be experiencing or about to experience an adrenal crisis pursuant to a written order or standing protocol issued within the course of the prescriber's professional practice and with the consent of the student's parents. The bill provides that any such authorized employee who administers or assists in the administration of such medications to a student diagnosed with a condition causing adrenal insufficiency when the student is believed to be experiencing or about to experience an adrenal crisis in accordance with the prescriber's instructions shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment.

Patron - Greason

HB1688 Practice of chiropractic; certain medical evaluations. Provides that the practice of chiropractic medicine shall include performing the physical examination of an applicant for a commercial driver's license or commercial learner's permit if the practitioner has (i) applied for and received a certificate as a medical examiner from the Federal Motor Carrier Safety Administration in accordance with 49 C.F.R. Part 390, Subpart D and (ii) registered with the National Registry of Certified Medical Examiners. The bill also provides that it shall be unprofessional conduct for any person to perform the services of a medical examiner as defined in 49 C.F.R. § 390.5 if, at the time such services are performed, the person performing such services is not listed on the National Registry of Certified Medical Examiners or fails to meet the requirements for continuing to be listed on the National Registry of Certified Medical Examiners.

Patron - Villanueva

HB1747 Qualified advance directive facilitators. Defines "qualified advance directive facilitator" as a person who has successfully completed a training program approved by the Department of Health for providing assistance in completing and executing a written advance directive; establishes requirements for training programs for qualified advance directive facilitators; and provides that distribution of a form for an advance directive that meets the requirements of § 54.1-2984 and the provision of ministerial assistance to a person with regard to the completion or execution of such form shall not constitute the unauthorized practice of law. This bill is identical to SB 1242.

Patron - O'Bannon

HB1748 Charity health care services; liability protection for administrators. Provides that persons who administer, organize, arrange, or promote the rendering of services to

patients of certain clinics shall not be liable to patients of such clinics for any civil damages for any act or omission resulting from the rendering of such services unless the act or omission was the result of such persons' or the clinic's gross negligence or willful misconduct. This bill is identical to SB 981.

Patron - O'Bannon

HB1750 Dispensing of naloxone; patient-specific order not required. Provides that a pharmacist may dispense naloxone in the absence of a patient-specific prescription pursuant to a standing order issued by the Commissioner of Health authorizing the dispensing of naloxone or other opioid antagonist used for overdose reversal in the absence of an oral or written order for a specific patient issued by a prescriber and in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health.

Patron - O'Bannon

HB1767 Practice of telemedicine; prescribing. Provides that a health care practitioner who performs or has performed an appropriate examination of the patient, either physically or by the use of instrumentation and diagnostic equipment, for the purpose of establishing a bona fide practitioner-patient relationship may prescribe Schedule II through VI controlled substances to the patient, provided that the prescribing of such controlled substance is in compliance with federal requirements for the practice of telemedicine. The bill also authorizes the Board of Pharmacy to register an entity at which a patient is treated by the use of instrumentation and diagnostic equipment for the purpose of establishing a bona fide practitioner-patient relationship and is prescribed Schedule II through VI controlled substances to possess and administer Schedule II through VI controlled substances when such prescribing is in compliance with federal requirements for the practice of telemedicine and the patient is not in the physical presence of a practitioner registered with the U.S. Drug Enforcement Administration. The bill contains an emergency clause. This bill is identical to SB 1009.

Patron - Garrett

HB1799 Board of Pharmacy to deschedule or reschedule controlled substances. Authorizes the Board of Pharmacy (Board) to designate, deschedule, or reschedule as a controlled substance any substance 30 days after publication in the Federal Register of a final or interim final order or rule designating such substance as a controlled substance or descheduling or rescheduling such substance. Under current law, the Board may act 120 days from such publication date. The bill also provides that a person is immune from prosecution for prescribing, administering, dispensing, or possessing pursuant to a valid prescription a substance approved as a prescription drug by the U.S. Food and Drug Administration on or after July 1, 2017, in accordance with a final or interim final order or rule despite the fact that such substance has not been scheduled by the Board. The immunity provided by the bill remains in effect until the earlier of (i) nine months from the date of the publication of the interim final order or rule or, if published within nine months of the interim final order or rule, the final order or rule or (ii) the substance is scheduled by the Board or by law. This bill is identical to SB 1403.

Patron - O'Bannon

HB1885 Limits on prescription of controlled substances containing opioids. Requires a prescriber registered with the Prescription Monitoring Program (the Program) to request information about a patient from the Program upon initiating a new course of treatment that includes the prescribing

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

Patron - Hugo

HB1910 Definition of mental health service provider. Adds physician assistant to the list of mental health service providers who have a duty to take precautions to protect third parties from violent behavior or other serious harm. This bill is identical to SB 1062.

Patron - Yost

HB1979 Board for Contractors; exemption from licensure; responsibility for contracting with unlicensed or unregistered person. Exempts from licensure work undertaken by a person providing construction, remodeling, repair, improvement, removal, or demolition valued at \$2,500 or less per project on behalf of a properly licensed contractor, provided that such contractor holds a valid license in the residential or commercial building contractor classification. The bill provides, however, that any construction services that require an individual license or certification shall be rendered only by an individual licensed or certified by the Board for Contractors. The bill also provides that any contractor that directly employs or otherwise contracts with a person who is not credentialed by the Board for Contractors for work requiring a credential shall be solely responsible for any monetary penalty or other sanction resulting from the act of employing or contracting with a person who lacks the proper credential based upon such person's failure to obtain or maintain the required credential. This bill is identical to SB 1193.

Patron - Peace

HB2046 Prescription drug orders; information on proper disposal. Requires the Board of Pharmacy to develop guidelines for the provision of counseling and information regarding proper disposal of unused dispensed drugs, including information about pharmacy drug disposal programs in which the pharmacy may participate, by pharmacists to patients for whom a prescription is dispensed.

Patron - Murphy

HB2053 Direct primary care agreements. Provides that a direct agreement between a patient, the patient's legal representative, or the patient's employer and a health care provider for ongoing primary care services in exchange for the payment of a monthly periodic fee is not health insurance or a health maintenance organization, if patients are not required to pay monthly periodic fees prior to initiation of the direct agreement coverage period. The measure also provides that a health care provider who participates in a direct primary care practice may participate in a health insurance carrier network so long as the provider is willing and able to meet the terms and conditions of network membership set by the health insurance carrier. The measure establishes requirements for disclosures regarding direct primary care agreements, including a list of

the services covered under the agreement. This bill is identical to SB 800.

Patron - Landes

HB2095 Registration of peer recovery specialists and qualified mental health professionals. Authorizes the registration of peer recovery specialists and qualified mental health professionals by the Board of Counseling. The bill defines "qualified mental health professional" as a person who by education and experience is professionally qualified and registered by the Board of Counseling to provide collaborative mental health services for adults or children. The bill requires that a qualified mental health professional provide such services as an employee or independent contractor of the Department of Behavioral Health and Developmental Services or a provider licensed by the Department of Behavioral Health and Developmental Services. The bill defines "registered peer recovery specialist" as a person who by education and experience is professionally qualified and registered by the Board of Counseling to provide collaborative services to assist individuals in achieving sustained recovery from the effects of addiction or mental illness, or both. The bill requires that a registered peer recovery specialist provide such services as an employee or independent contractor of the Department of Behavioral Health and Developmental Services, a provider licensed by the Department of Behavioral Health and Developmental Services, a practitioner licensed by or holding a permit issued from the Department of Health Professions, or a facility licensed by the Department of Health. The bill adds qualified mental health professionals and registered peer recovery specialists to the list of mental health providers that are required to take actions to protect third parties under certain circumstances and notify clients of their right to report to the Department of Health Professions any unethical, fraudulent, or unprofessional conduct. The bill directs the Board of Counseling and the Board of Behavioral Health and Developmental Services to promulgate regulations to implement the provisions of the bill within 280 days of its enactment. This bill is identical to SB 1020.

Patron - Price

HB2119 Practice of laser hair removal. Limits the practice of laser hair removal to a properly trained person licensed to practice medicine or osteopathic medicine or licensed as a physician assistant or nurse practitioner or to a properly trained person under the direction and supervision of a licensed doctor of medicine or osteopathic medicine or physician assistant or nurse practitioner.

Patron - Keam

HB2153 Durable Do Not Resuscitate Orders; reciprocity. Provides that a Durable Do Not Resuscitate order or other order regarding life-sustaining treatment executed in accordance with the laws of another state in which such order was executed shall be deemed to be valid and shall be given full effect in the Commonwealth.

Patron - Rasoul

HB2163 Prescription of buprenorphine without naloxone; limitation. Provides that prescriptions for products containing buprenorphine without naloxone shall be issued only (i) for patients who are pregnant, (ii) when converting a patient from methadone to buprenorphine containing naloxone for a period not to exceed seven days, or (iii) as permitted by regulations of the Board of Medicine or the Board of Nursing. The bill contains an emergency clause and has an expiration date of July 1, 2022. This bill is identical to SB 1178.

Patron - Pillion

HB2164 Drugs of concern; gabapentin. Adds any material, compound, mixture, or preparation containing any quantity of gabapentin, including any of its salts, to the list of drugs of concern. This bill contains an emergency clause.

Patron - Pillion

HB2165 Opiate prescriptions; electronic prescriptions. Requires a prescription for any controlled substance containing an opiate to be issued as an electronic prescription and prohibits a pharmacist from dispensing a controlled substance that contains an opiate unless the prescription is issued as an electronic prescription, beginning July 1, 2020. The bill defines electronic prescription as a written prescription that is generated on an electronic application and provides that Schedule II through V prescriptions must be transmitted in accordance with federal regulations. The bill requires the Secretary of Health and Human Resources to convene a work group to review actions necessary for the implementation of the bill's provisions and to evaluate hardships on prescribers and the inability of prescribers to comply with the deadline for electronic prescribing and to make recommendations for any extension or exemption processes relative to compliance or disruptions due to natural or manmade disasters or technology gaps, failures, or interruptions of service. The bill requires the work group to report on its progress to the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by November 1, 2017, and to issue a final report to such Chairmen by November 1, 2018.

Patron - Pillion

HB2167 Boards of Dentistry and Medicine; regulations for the prescribing of opioids and buprenorphine. Directs the Boards of Dentistry and Medicine to adopt regulations for the prescribing of opioids and products containing buprenorphine. The bill requires the Prescription Monitoring Program at the Department of Health Professions to provide an annual report to the Joint Commission on Health Care on the prescribing of opioids and benzodiazepines in the Commonwealth. The bill contains an emergency clause.

Patron - Pillion

HB2277 Board of Medicine; requirements for licensure. Removes provisions related to licensure of graduates of an institution not approved by an accrediting agency recognized by the Board of Medicine. Under the bill, only graduates of institutions approved by an accrediting agency recognized by the Board of Medicine are eligible for licensure.

Patron - Marshall, D.W.

HB2281 Residential rental property. Provides that if a residential dwelling unit is foreclosed upon and a tenant is lawfully occupying the dwelling unit at the time of the foreclosure, the foreclosure shall act as a termination of the rental agreement by the landlord. The bill also provides that, if there is in effect at the date of the foreclosure sale a written property management agreement between the landlord and a real estate licensee licensed pursuant to the provisions of § 54.1-2106.1, the foreclosure shall convert the property management agreement into a month-to-month agreement between the successor landlord and the real estate licensee acting as a managing agent, except in the event that the terms of the original property management agreement between the landlord and the real estate licensee acting as a managing agent require an earlier termination date. Except in the event of foreclosure, the bill permits a real estate licensee acting on behalf of a landlord client as a managing agent who elects to terminate the property management agreement to transfer any funds held in escrow by

the licensee to the landlord client without his consent, provided that the real estate licensee provides written notice to each tenant that the funds have been so transferred. The bill provides that, in the event of foreclosure, a real estate licensee shall not transfer any funds to a landlord client whose property has been foreclosed upon. The bill provides immunity, in the absence of gross negligence or intentional misconduct, to any such licensee acting in compliance with the provisions of § 54.1-2108.1. The bill clarifies that a tenant residing in a dwelling unit that has been foreclosed upon is eligible to file an assertion pursuant to § 55-225.12 and that a court may order any moneys accumulated in escrow to be paid to the successor landlord or the successor landlord's managing agent, if any.

Patron - Leftwich

HB2301 Licensed practical nurses; administration of vaccinations. Removes the requirement that the supervision of licensed practical nurses administering vaccinations by registered nurses be immediate and direct.

Patron - O'Bannon

HB2470 Drug Control Act; Schedule II and Schedule V. Adds thiafentanil to Schedule II of the Drug Control Act and brivaracetam to Schedule V of the Drug Control Act.

Patron - Jones

SB800 Direct primary care agreements. Provides that direct agreement between a patient, the patient's legal representative, or the patient's employer and a health care provider for ongoing primary care services in exchange for the payment of a monthly periodic fee is not health insurance or a health maintenance organization, if patients are not required to pay monthly periodic fees prior to initiation of the direct agreement coverage period. The measure also provides that a health care provider who participates in a direct primary care practice may participate in a health insurance carrier network so long as the provider is willing and able to meet the terms and conditions of network membership set by the health insurance carrier. The measure establishes requirements for disclosures regarding direct primary care agreements, including a list of the services covered under the agreement. This bill is identical to HB 2053.

Patron - Stanley

SB812 Board for Asbestos, Lead, and Home Inspectors; home inspections; required statement related to the presence of yellow shaded corrugated stainless steel tubing. Provides that whenever a home inspector observes the presence of any shade of yellow shaded corrugated stainless steel tubing during an inspection of a home built prior to the adoption of the construction code effective in 2008, his observation must be included in the inspection report along with the following statement: "Manufacturers believe that this product is safer if properly bonded and grounded as required by the manufacturer's installation instructions. Proper bonding and grounding of the product should be determined by a contractor licensed to perform the work in the Commonwealth of Virginia."

Patron - Marsden

SB848 Dispensing of naloxone. Allows a person who is authorized by the Department of Behavioral Health and Developmental Services to train individuals on the administration of naloxone for use in opioid overdose reversal and who is acting on behalf of an organization that provides services to individuals at risk of experiencing opioid overdose or training in the administration of naloxone for overdose reversal and that has obtained a controlled substances registration from the Board of Pharmacy pursuant to § 54.1-3423 to dispense naloxone to a

person who has completed a training program on the administration of naloxone for opioid overdose reversal, provided that such dispensing is (i) pursuant to a standing order issued by a prescriber, (ii) in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, and (iii) without charge or compensation. The bill also provides that dispensing may occur at a site other than that of the controlled substance registration, provided that the entity possessing the controlled substance registration maintains records in accordance with regulations of the Board of Pharmacy. The bill further provides that a person who dispenses naloxone shall not be liable for civil damages of ordinary negligence for acts or omissions resulting from the rendering of such treatment if he acts in good faith and that a person to whom naloxone has been dispensed pursuant to the provisions of the bill may possess naloxone and may administer naloxone to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose. The bill contains an emergency clause. This bill is identical to HB 1453.

Patron - Wexton

SB874 Attorney discipline; procedures. Conforms the statutory procedures for disciplining attorneys to the Rules of Supreme Court of Virginia. This bill is identical to HB 1479.

Patron - Norment

SB880 Genetic counselors; licensing; grandfather clause. Extends the deadline from July 1, 2016, to December 31, 2018, or to within 90 days of the effective date of the relevant regulations promulgated by the Board, whichever is later, by which individuals who have at least 20 years of documented work experience practicing genetic counseling and meet other certain requirements may receive a waiver from the Board of Medicine of the requirements of a master's degree and American Board of Genetic Counseling or American Board of Medical Genetics certification for licensure as a genetic counselor.

Patron - Howell

SB891 Perpetual care trust funds; method of distribution. Allows cemetery companies to request the trustee of a perpetual care trust fund to elect a total return distribution method for distributions from the trust. The bill provides that a total return distribution method allows the distribution of an amount not to exceed five percent of the fair market value of the perpetual care trust fund at the close of its preceding fiscal year. The bill contains notice and reporting requirements for the election and implementation of this method to the trustee, Cemetery Board, and commissioner of accounts. The bill sets forth requirements that a trustee using such method must meet, including adoption of a written investment and distribution policy, responsible investment decision making, and monitoring of the trust's fair market value. The bill prohibits a trustee from making distributions from the trust under the total return distribution method if (i) the fair market value of the trust after the distribution would be less than the aggregate of 80 percent of the fair market value of the trust at the close of the preceding fiscal year plus the total contributions made to the trust principal from such date to the date that the method of distribution is elected or (ii) beginning with the third year of using a total return distribution method, a three-year analysis of investment returns and distribution practices indicates insufficient protection of the trust principal. The bill requires the Cemetery Board to review conversions of perpetual care trust fund distribution methods for compliance with the requirements of the bill and allows the Cemetery Board to limit or prohibit conversions to and distributions under the total return distribution method under certain circumstances, including where the trustee or investment manager is without sufficient knowledge and

expertise regarding implementation of this method. Under current law, a trustee of a perpetual care trust fund may make distributions only from the trust's net income and, absent approval by the Cemetery Board or a court, the trust principal may be used only for investment purposes. The bill refers to this method as the "net income distribution method" and establishes this as the default distribution method in the event that a cemetery company does not elect a distribution method. This bill is identical to HB 1505.

Patron - Chafin

SB922 Department of Professional and Occupational Regulation and Department of Health Professions; licensure, certification, registration, and permitting. Provides that certain powers of the Department of Professional and Occupational Regulation, the Department of Health Professions, and health regulatory boards and certain requirements of persons regulated by such entities apply, inclusively, to permits as well as licenses, certifications, and registrations and to holders of permits as well as holders of such licenses, certifications, and registrations.

Patron - Petersen

SB966 Residential rental property. Provides that if a residential dwelling unit is foreclosed upon and a tenant is lawfully occupying the dwelling unit at the time of the foreclosure, the foreclosure shall act as a termination of the rental agreement by the landlord. The bill also provides that, if there is in effect at the date of the foreclosure sale a written property management agreement between the landlord and a real estate licensee licensed pursuant to the provisions of § 54.1-2106.1, the foreclosure shall convert the property management agreement into a month-to-month agreement between the successor landlord and the real estate licensee acting as a managing agent, except in the event that the terms of the original property management agreement between the landlord and the real estate licensee acting as a managing agent require an earlier termination date. Except in the event of foreclosure, the bill permits a real estate licensee acting on behalf of a landlord client as a managing agent who elects to terminate the property management agreement to transfer any funds held in escrow by the licensee to the landlord client without his consent, provided that the real estate licensee provides written notice to each tenant that the funds have been so transferred. The bill provides that, in the event of foreclosure, a real estate licensee shall not transfer any funds to a landlord client whose property has been foreclosed upon. The bill provides immunity, in the absence of gross negligence or intentional misconduct, to any such licensee acting in compliance with the provisions of § 54.1-2108.1. The bill clarifies that a tenant residing in a dwelling unit that has been foreclosed upon is eligible to file an assertion pursuant to § 55-225.12 and that a court may order any moneys accumulated in escrow to be paid to the successor landlord or the successor landlord's managing agent, if any.

Patron - Obenshain

SB981 Charity health care services; liability protection for administrators. Provides that persons who administer, organize, arrange, or promote the rendering of services to patients of certain clinics shall not be liable to patients of such clinics for any civil damages for any act or omission resulting from the rendering of such services unless the act or omission was the result of such persons' or the clinic's gross negligence or willful misconduct. This bill is identical to HB 1748.

Patron - Stanley

SB1009 Practice of telemedicine; prescribing. Provides that a health care practitioner who performs or has per-

formed an appropriate examination of the patient, either physically or by the use of instrumentation and diagnostic equipment, for the purpose of establishing a bona fide practitioner-patient relationship may prescribe Schedule II through VI controlled substances to the patient, provided that the prescribing of such controlled substance is in compliance with federal requirements for the practice of telemedicine. The bill also authorizes the Board of Pharmacy to register an entity at which a patient is treated by the use of instrumentation and diagnostic equipment for the purpose of establishing a bona fide practitioner-patient relationship and is prescribed Schedule II through VI controlled substances to possess and administer Schedule II through VI controlled substances when such prescribing is in compliance with federal requirements for the practice of telemedicine and the patient is not in the physical presence of a practitioner registered with the U.S. Drug Enforcement Administration. The bill contains an emergency clause. This bill is identical to HB 1767.

Patron - Dunnivant

SB1019 Board of Accountancy. Amends provisions governing the regulation of certified public accountants (CPAs) by the Board of Accountancy, including (i) clarifying that CPAs are subject to the continuing professional education requirements without regard to whether they use the CPA title when providing services to the public, (ii) prohibiting a CPA from practicing under an expired license, and (iii) requiring that employment experience reported on a license application be verified by a licensed CPA. The bill extends from three to five years the time for filing a complaint against an out-of-state CPA or CPA firm. The bill also requires a CPA firm to enroll in a peer review program only if the firm provides services that fall within the scope of a peer review program. Under current law, all CPA firms are required to enroll in a peer review program regardless of the type of services provided.

Patron - Barker

SB1020 Registration of peer recovery specialists and qualified mental health professionals. Authorizes the registration of peer recovery specialists and qualified mental health professionals by the Board of Counseling. The bill defines "qualified mental health professional" as a person who by education and experience is professionally qualified and registered by the Board of Counseling to provide collaborative mental health services for adults or children. The bill requires that a qualified mental health professional provide such services as an employee or independent contractor of the Department of Behavioral Health and Developmental Services or a provider licensed by the Department of Behavioral Health and Developmental Services. The bill defines "registered peer recovery specialist" as a person who by education and experience is professionally qualified and registered by the Board of Counseling to provide collaborative services to assist individuals in achieving sustained recovery from the effects of addiction or mental illness, or both. The bill requires that a registered peer recovery specialist provide such services as an employee or independent contractor of the Department of Behavioral Health and Developmental Services, a provider licensed by the Department of Behavioral Health and Developmental Services, a practitioner licensed by or holding a permit issued from the Department of Health Professions, or a facility licensed by the Department of Health. The bill adds qualified mental health professionals and registered peer recovery specialists to the list of mental health providers that are required to take actions to protect third parties under certain circumstances and notify clients of their right to report to the Department of Health Professions any unethical, fraudulent, or unprofessional conduct. The bill directs the Board of Counseling and the Board of Behavioral Health and Developmental Services to promulgate regula-

tions to implement the provisions of the bill within 280 days of its enactment. This bill is identical to HB 2095.

Patron - Barker

SB1024 Health care practitioners; reporting disabilities of drivers. Provides that any doctor of medicine, osteopathy, chiropractic, or podiatry or any nurse practitioner, physician assistant, optometrist, physical therapist, or clinical psychologist who reports to the Department of Motor Vehicles the existence, or probable existence, of a mental or physical disability or infirmity of any person licensed to operate a motor vehicle that the reporting individual believes affects such person's ability to operate a motor vehicle safely is not subject to civil liability or deemed to have violated the practitioner-patient privilege unless he has acted in bad faith or with malicious intent. This bill is identical to HB 1514.

Patron - Dunnivant

SB1027 Cannabidiol oil and THC-A oil; permitting of pharmaceutical processors to manufacture and provide. Authorizes a pharmaceutical processor, after obtaining a permit from the Board of Pharmacy (the Board) and under the supervision of a licensed pharmacist, to manufacture and provide cannabidiol oil and THC-A oil to be used for the treatment of intractable epilepsy. The bill sets limits on the number of permits that the Board may issue and requires that the Board adopt regulations establishing health, safety, and security requirements for permitted processors. The bill provides that only a licensed practitioner of medicine or osteopathy who is a neurologist or who specializes in the treatment of epilepsy may issue a written certification to a patient for the use of cannabidiol oil or THC-A oil. The bill also requires that a practitioner who issues a written certification for cannabidiol oil or THC-A oil, the patient issued such certification, and, if the patient is a minor or incapacitated, the patient's parent or legal guardian register with the Board. The bill requires further that a pharmaceutical processor shall not provide cannabidiol oil or THC-A oil to a patient or a patient's parent or legal guardian without first verifying that the patient, the patient's parent or legal guardian if the patient is a minor or incapacitated, and the practitioner who issued the written certification have registered with the Board. Finally, the bill provides an affirmative defense for agents and employees of pharmaceutical processors in a prosecution for the manufacture, possession, or distribution of marijuana. The bill contains an emergency clause.

Patron - Marsden

SB1031 Possession and administration of naloxone. Adds employees of the Department of Forensic Science, employees of the Office of the Chief Medical Examiner, and employees of the Department of General Services Division of Consolidated Laboratory Services to the list of individuals who may possess and administer naloxone or other opioid antagonist, provided that they have completed a training program. The bill contains an emergency clause. This bill is identical to HB 1642.

Patron - Marsden

SB1046 Board of Medicine; requirements for licensure. Removes provisions related to licensure of graduates of an institution not approved by an accrediting agency recognized by the Board of Medicine. Under the bill, only graduates of institutions approved by an accrediting agency recognized by the Board of Medicine are eligible for licensure.

Patron - Stanley

SB1062 Definition of mental health service provider. Adds physician assistant to the list of mental health service

providers who have a duty to take precautions to protect third parties from violent behavior or other serious harm. This bill is identical to HB 1910.

Patron - Deeds

SB1113 Board for Contractors; optional bonding for Class A and B contractors. Allows applicants for Class A and Class B contractor licenses to demonstrate financial responsibility by posting a surety bond for both initial application for licensure and subsequent renewals in lieu of providing a financial statement. The bill provides a process for recovery on a surety bond of a contractor who has elected to post such a bond. The bill also amends the Virginia Contractor Transaction Recovery Act (the Act) by providing that an informal fact-finding conference or formal hearing under the Administrative Process Act is not required as a part of the consideration of the claim against the Act unless requested by the claimant. Under current law, an informal fact-finding conference may be held at the discretion of the Department of Professional and Occupational Regulation.

Patron - McPike

SB1178 Prescription of buprenorphine without naloxone; limitation. Provides that prescriptions for products containing buprenorphine without naloxone shall be issued only (i) for patients who are pregnant, (ii) when converting a patient from methadone to buprenorphine containing naloxone for a period not to exceed seven days, or (iii) as permitted by regulations of the Board of Medicine or the Board of Nursing. The bill contains an emergency clause and has an expiration date of July 1, 2022. This bill is identical to HB 2163.

Patron - Chafin

SB1180 Boards of Dentistry and Medicine; regulations for the prescribing of opioids and buprenorphine. Directs the Boards of Dentistry and Medicine to adopt regulations for the prescribing of opioids and products containing buprenorphine. The bill requires the Prescription Monitoring Program at the Department of Health Professions to annually provide a report to the Joint Commission on Health Care and the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health on the prescribing of opioids and benzodiazepines in the Commonwealth that includes data on reporting of unusual patterns of prescribing or dispensing of a covered substance by an individual prescriber or dispenser or on potential misuse of a covered substance by a recipient. The bill contains an emergency clause.

Patron - Chafin

SB1193 Board for Contractors; exemption from licensure; responsibility for contracting with unlicensed or unregistered person. Exempts from licensure work undertaken by a person providing construction, remodeling, repair, improvement, removal, or demolition valued at \$2,500 or less per project on behalf of a properly licensed contractor, provided that such contractor holds a valid license in the residential or commercial building contractor classification. The bill provides, however, that any construction services that require an individual license or certification shall be rendered only by an individual licensed or certified by the Board for Contractors. The bill also provides that any contractor that directly employs or otherwise contracts with a person who is not credentialed by the Board for Contractors for work requiring a credential shall be solely responsible for any monetary penalty or other sanction resulting from the act of employing or contracting with a person who lacks the proper credential based

upon such person's failure to obtain or maintain the required credential. This bill is identical to HB 1979.

Patron - Stuart

SB1230 Opiate prescriptions; electronic prescriptions. Requires a prescription for any controlled substance containing an opiate to be issued as an electronic prescription and prohibits a pharmacist from dispensing a controlled substance that contains an opiate unless the prescription is issued as an electronic prescription, beginning July 1, 2020. The bill defines electronic prescription as a written prescription that is generated on an electronic application in accordance with federal regulations and is transmitted to a pharmacy as an electronic data file. The bill requires the Secretary of Health and Human Resources to convene a work group of interested stakeholders to review actions necessary for the implementation of the bill's provisions, to evaluate hardships on prescribers and the inability of prescribers to comply with the deadline for electronic prescribing, and to make recommendations for any extension or exemption processes relative to compliance or disruptions due to natural or manmade disasters or technology gaps, failures, or interruptions of services. The work group shall report on the work group's progress to the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by November 1, 2017, and a final report to such Chairmen by November 1, 2018.

Patron - Dunnivant

SB1232 Limits on prescription of controlled substances containing opioids. Requires a prescriber registered with the Prescription Monitoring Program (the Program) to request information about a patient from the Program upon initiating a new course of treatment that includes the prescribing of opioids anticipated, at the onset of treatment, to last more than seven consecutive days and exempts the prescriber from this requirement if the opioid is prescribed as part of treatment for a surgical or invasive procedure and such prescription is for no more than 14 consecutive days. Current law requires a registered prescriber to request information about a patient from the Program upon initiating a new course of treatment that includes the prescribing of opioids anticipated, at the onset of treatment, to last more than 14 consecutive days and exempts the prescriber from this requirement if the opioid is prescribed as part of a course of treatment for a surgical or invasive procedure and such prescription is not refillable. The bill extends the sunset for this requirement from July 1, 2019, to July 1, 2022.

Patron - Dunnivant

SB1242 Qualified advance directive facilitators. Defines "qualified advance directive facilitator" as a person who has successfully completed a training program approved by the Department of Health for providing assistance in completing and executing a written advance directive; establishes requirements for training programs for qualified advance directive facilitators; and provides that distribution of a form for an advance directive that meets the requirements of § 54.1-2984 and the provision of ministerial assistance to a person with regard to the completion or execution of such form shall not constitute the unauthorized practice of law. This bill is identical to HB 1747.

Patron - Dunnivant

SB1321 Requirements for ophthalmic prescriptions. Requires, for ophthalmic prescriptions written on or after July 1, 2017, that an ophthalmologist or optometrist establish a bona fide provider-patient relationship with a patient prior to prescribing spectacles, eyeglasses, lenses, or contact lenses,

and sets out requirements for establishing such relationship, which includes options for examination of the patient either in person or through face-to-face interactive, two-way, real-time communication or store-and-forward technologies. This bill is identical to HB 1497.

Patron - Carrico

SB1403 Board of Pharmacy to deschedule or reschedule controlled substances. Authorizes the Board of Pharmacy (Board) to designate, deschedule, or reschedule as a controlled substance any substance 30 days after publication in the Federal Register of a final or interim final order or rule designating such substance as a controlled substance or descheduling or rescheduling such substance. Under current law, the Board may act 120 days from such publication date. The bill also provides that a person is immune from prosecution for prescribing, administering, dispensing, or possessing pursuant to a valid prescription a substance approved as a prescription drug by the U.S. Food and Drug Administration on or after July 1, 2017, in accordance with a final or interim final order or rule despite the fact that such substance has not been scheduled by the Board. The immunity provided by the bill remains in effect until the earlier of (i) nine months from the date of the publication of the interim final order or rule or, if published within nine months of the interim final order or rule, the final order or rule or (ii) the substance is scheduled by the Board or by law. This bill is identical to HB 1799.

Patron - Dunnivant

SB1484 Prescription Monitoring Program. Provides that the information in the possession of the Prescription Monitoring Program disclosed by the Director of Health Professions about a specific recipient who is a member of a Virginia Medicaid managed care program to a physician or pharmacist employed by the Virginia Medicaid managed care program may be disclosed to such physician's or pharmacist's clinical designee who holds a multistate licensure privilege to practice nursing or a license issued by a health regulatory board within the Department of Health Professions and is employed by the Virginia Medicaid managed care program.

Patron - Hanger

SB1511 Advance directives; mental health treatment; capacity determinations. Provides that in cases in which a person has executed an advance directive granting an agent the authority to consent to the person's admission to a facility for mental health treatment and the advance directive so authorizes, the person's agent may exercise such authority after a determination that the person is incapable of making an informed decision regarding such admission has been made by (i) the attending physician, (ii) a psychiatrist or licensed clinical psychologist, (iii) a licensed psychiatric nurse practitioner, (iv) a licensed clinical social worker, or (v) a designee of the local community services board as defined in § 37.2-809. The bill also provides that a person's agent may make a health care decision over the protest of the person if, in addition to other factors, at the time the advance directive was made, a licensed physician, licensed clinical psychologist, licensed physician assistant, licensed nurse practitioner, licensed professional counselor, or licensed clinical social worker who is familiar with the person attested in writing that the person was capable of making an informed decision and understood the consequences of the provision. This bill is identical to HB 1548.

Patron - Deeds

SB1535 Real Estate Appraiser Board; evaluations. Allows a licensed residential real estate appraiser, certified residential real estate appraiser, or certified general real estate

appraiser to provide an evaluation of real estate or real property in connection with certain real estate-related financial transactions. This bill is identical to HB 1556.

Patron - Sturtevant

SB1546 Drug Control Act; Schedule I. Adds certain chemical substances to Schedule I of the Drug Control Act. The Board of Pharmacy has added these substances to Schedule I in an expedited regulatory process. A substance added via this process is removed from the schedule after 18 months unless a general law is enacted adding the substance to the schedule. The bill also removes two substances, benzylfentanyl and thienylfentanyl, from Schedule I. The bill contains technical amendments. This bill is identical to HB 1610.

Patron - Vogel

SB1573 Appraisal management companies; compensation to appraisers. Requires that an appraisal management company compensate the appraiser within 30 days of the initial delivery by the appraiser of the completed appraisal report, except in the case of breach of contract or noncompliance with the conditions of the engagement or performance of services that violate the Uniform Standards of Professional Appraisal Practice.

Patron - Wagner

Title 55 - Property and Conveyances

HB1554 Property Owners' Association Act; amendment of declaration. Provides that except as otherwise provided in the declaration of a property owners' association, a declaration may be amended by a two-thirds vote of the owners. The bill is in response to the Virginia Supreme Court decision in February 2016 in *Tvardek v. Powhatan Village Homeowners Association, Inc.*

Patron - Bulova

HB1623 Residential rental property. Removes a provision that allows a tenant to remain in a dwelling unit that has been foreclosed upon pursuant to the federal Protecting Tenants at Foreclosure Act because the Act expired on December 31, 2014, and is no longer in effect. The bill provides that the foreclosure of a residential rental property shall act as a termination of the rental agreement by the owner of such property. In such case, the tenant may remain in possession of such dwelling unit as a month-to-month tenant on the terms of the terminated rental agreement until the successor owner gives a notice of termination of such month-to-month tenancy. The bill also provides how rental payments may be made during the period of the month-to-month tenancy. In addition, the bill requires a current owner of rental property who has entered into a written property management agreement with a managing agent and who has subsequently entered into a purchase agreement with a new owner to give written notice to the managing agent requesting payment of security deposits to the current owner prior to settlement with the new owner. The bill requires the managing agent to transfer the security deposits to the current owner and provide written notice to each tenant that his security deposit has been transferred. This bill is identical to SB 991.

Patron - Yancey

HB1869 Virginia Residential Landlord and Tenant Act; tenant obligations. Provides that in addition to comply-

ing with the terms of a rental agreement, a tenant is obligated to be financially responsible for the added cost of treatment or extermination of any insects or pests due to the tenant's unreasonable delay in reporting the existence of the insects or pests or the tenant's fault in failing to prevent infestation of any insects or pests in the area occupied.

Patron - Lopez

HB2033 Landlord and tenant law; residential tenancies; landlord and tenant obligations and remedies. Provides that the Virginia Residential Landlord and Tenant Act (§ 55-248.2 et seq.) (the Act) shall apply to all residential tenancies; however, a landlord who is a natural person, an estate, or a legal entity that owns no more than two single-family residential dwelling units in its own name subject to a rental agreement may opt out of the Act by stating so in the rental agreement. The bill conforms general landlord and tenant law relating to residential tenancies to the Act, including the security deposits, lease terms, notice, and disclosure provisions. The bill also allows the landlord, for unclaimed security deposits, to submit such funds to the State Treasurer rather than the Virginia Housing Trust Fund and changes the requirement that a landlord make reasonable efforts to advise the tenant of the right to be present at the landlord's inspection to a requirement that written notice of the right be provided. The bill provides for a landlord to provide a tenant with a written statement of charges and payments over the previous 12 months rather than an accounting as required under current law. In addition, the bill includes any activity that involves or constitutes a criminal or willful act that also poses a threat to health and safety by the tenant or authorized occupants, guests, or invitees as an immediate nonremediable violation for which the landlord may terminate the tenancy. The bill also authorizes a landlord to dispose of the property of a deceased tenant if a personal representative has not been appointed by the circuit court. The landlord may proceed with the disposal after providing 10 days' notice. The bill (i) provides that authorized occupants, guests, or invitees must vacate the dwelling unit after the death of a sole tenant; (ii) allows a landlord to request during the pendency of an unlawful detainer action an order requiring the tenant to provide the landlord with access to the dwelling unit; (iii) adds oil to the utilities that may be included in ratio utility billing; (iv) requires the landlord to provide a written security deposit disposition statement following a move-out inspection and provides for the landlord to seek recovery for additional damages discovered after the security deposit disposition has been made, provided, however, that the tenant may present evidence of the move-out report to support the tenant's position that such additional damages did not exist at the time of the move-out inspection; and (v) authorizes a landlord to retain an attorney to prepare or provide any required written notice and permits the use of an electronic signature or an electronic notarization.

Patron - Miller

HB2034 Virginia Residential Property Disclosure Act. Adds two new disclosures required to be made by a seller of residential real property to a purchaser, one for whether the property is subject to one or more conservation or other easements and a second for whether the property is subject to a community development authority approved by a local governing body. The bill also (i) adds a definitions section for the Virginia Residential Property Disclosure Act, (ii) provides for electronic delivery of required disclosures, and (iii) provides that the required disclosures provided by the Real Estate Board appear on its website. The bill has numerous technical amendments.

Patron - Miller

HB2045 Property Owners' Association Act; designation of authorized representative by seller; association disclosure packet. Provides that unless expressly authorized by the Property Owners' Association Act (§ 55-508 et seq.) or the declaration or as otherwise provided by law, no association may require the use of any for sale sign that is (i) an association sign or (ii) a real estate sign that does not comply with the requirements of the Real Estate Board. An association may, however, prohibit the placement of signs in the common area and establish reasonable rules and regulations that regulate (a) the number of real estate signs, (b) the geographical location of real estate signs, (c) the manner in which real estate signs are affixed to real property, and (d) the period of time after settlement when the real estate signs must be removed. In addition, no property owners' association may require any lot owner to execute a formal power of attorney if the lot owner designates a person licensed by the Real Estate Board to serve as his authorized representative in the sale of a lot. The bill provides that if a request has been made to an association or its common interest community manager to furnish the disclosure packet and such packet is not provided within 14 days of the request, it shall be deemed a waiver of any claim for delinquent assessments or of any violation of the declaration, bylaws, rules and regulations, or architectural guidelines existing as of the date of the request with respect to the subject lot. The bill also authorizes the Common Interest Community Board to assess a monetary penalty for failure to deliver the association disclosure packet within 14 days against the association or its common interest community manager. The bill also authorizes the Common Interest Community Board to receive a complaint directly from any person aggrieved by an association's failure to deliver a resale certificate or disclosure packet within the time period required under the Condominium Act, the Virginia Real Estate Cooperative Act, or the Property Owners' Association Act. This bill is identical to SB 1231.

Patron - Miller

HB2050 Severance of tenancy by the entirety by written instrument. Clarifies that a husband and wife may own real or personal property as tenants by the entirety for as long as they are married. The bill provides that, in order to sever a tenancy by the entirety by written instrument, the instrument must be a deed that is signed by both spouses as grantors of the property. This bill is in response to *Evans v. Evans*, Record No. 141277, 772 S.E.2d 576, 2015 Va. LEXIS 84 (2015), and, as introduced, was a recommendation of the Boyd-Graves Conference.

Patron - Adams

HB2203 Manufactured Home Lot Rental Act; notice to tenant of building code violation; renewal of lease. Requires the Department of Housing and Community Development to consider including in the current revision of the Uniform Statewide Building Code a provision designed to ensure that localities provide appropriate notice to residents of manufactured home parks of any Building Code violation by a park owner that jeopardizes the health and safety of those residents and to report to the General Assembly regarding the status of such efforts no later than November 1, 2017. The bill contains an emergency clause.

Patron - Torian

HB2274 Condominium Act; resale by purchaser; designation of authorized representative. Provides that unless expressly authorized by the Condominium Act or the condominium instruments or as otherwise provided by law, no unit owners' association may require the use of any for sale sign that is a unit owners' association sign, or a real estate sign that

does not comply with the requirements of the Real Estate Board. A unit owners' association may, however, prohibit the placement of signs in the common area and establish reasonable rules and regulations that regulate (i) the number of real estate signs to be located on real property upon which the owner has a separate ownership interest or a right of exclusive possession, so long as at least one real estate sign is permitted; (ii) the geographical location of real estate signs on real property in which the owner has a separate ownership interest or a right of exclusive possession, so long as the location of the real estate signs complies with the requirements of the Real Estate Board; (iii) the manner in which real estate signs are affixed to real property; and (iv) the period of time after settlement when the real estate signs on such real property shall be removed. The bill also prohibits a unit owners' association from requiring any unit owner to execute a formal power of attorney if the unit owner designates a person licensed by the Real Estate Board to serve as his authorized representative in the sale of a unit. In addition, the bill authorizes the Common Interest Community Board to assess a monetary penalty against a unit owners' association or common interest community manager for the failure to deliver the resale certificate within 14 days. This bill is identical to SB 1255.

Patron - Marshall, D.W.

SB991 Residential rental property. Removes a provision that allows a tenant to remain in a dwelling unit that has been foreclosed upon pursuant to the federal Protecting Tenants at Foreclosure Act because the Act expired on December 31, 2014, and is no longer in effect. The bill provides that the foreclosure of a residential rental property shall act as a termination of the rental agreement by the owner of such property. In such case, the tenant may remain in possession of such dwelling unit as a month-to-month tenant on the terms of the terminated rental agreement until the successor owner gives a notice of termination of such month-to-month tenancy. The bill also provides how rental payments may be made during the period of the month-to-month tenancy. In addition, the bill requires a current owner of rental property who has entered into a written property management agreement with a managing agent and who has subsequently entered into a purchase agreement with a new owner to give written notice to the managing agent requesting payment of security deposits to the current owner prior to settlement with the new owner. The bill requires the managing agent to transfer the security deposits to the current owner and provide written notice to each tenant that his security deposit has been transferred. This bill is identical to HB 1623.

Patron - Dance

SB1037 Virginia Residential Property Disclosure Act; required disclosures; local historic districts. Advises a prospective purchaser of residential property under the Virginia Residential Property Disclosure Act, upon delivery of the residential property disclosure statement wherein the owner makes no representations with respect to the presence of a historic district, to review any materials available from the locality that explain (i) any requirements to alter, reconstruct, renovate, restore, or demolish buildings or signs in the local historic district and (ii) the necessity of obtaining any local review board or governing body approvals prior to doing any work on a property located in a local historic district. This bill is a recommendation of the Virginia Housing Commission.

Patron - Locke

SB1123 Manufactured Home Lot Rental Act; failure of landlord to correct violations; notification of tenants. Provides that if a landlord does not remedy a violation of an ordinance involving the health and safety of tenants in a manu-

factured home park within seven days of receiving notice from the locality of such violation, the locality must notify tenants of the manufactured home park who are affected by the violation. The notification may consist of posting the notice of violation in a conspicuous place in the manufactured home park or mailing copies of the notice to affected tenants.

Patron - McPike

SB1231 Property Owners' Association Act; designation of authorized representative by seller; association disclosure packet. Provides that unless expressly authorized by the Property Owners' Association Act (§ 55-508 et seq.) or the declaration or as otherwise provided by law, no association may require the use of any for sale sign that is (i) an association sign or (ii) a real estate sign that does not comply with the requirements of the Real Estate Board. An association may, however, prohibit the placement of signs in the common area and establish reasonable rules and regulations that regulate (a) the number of real estate signs, (b) the geographical location of real estate signs, (c) the manner in which real estate signs are affixed to real property, and (d) the period of time after settlement when the real estate signs must be removed. In addition, no property owners' association may require any lot owner to execute a formal power of attorney if the lot owner designates a person licensed by the Real Estate Board to serve as his authorized representative in the sale of a lot. The bill provides that if a request has been made to an association or its common interest community manager to furnish the disclosure packet and such packet is not provided within 14 days of the request, it shall be deemed a waiver of any claim for delinquent assessments or of any violation of the declaration, bylaws, rules and regulations, or architectural guidelines existing as of the date of the request with respect to the subject lot. The bill also authorizes the Common Interest Community Board to assess a monetary penalty for failure to deliver the association disclosure packet within 14 days against the association or its common interest community manager. The bill also authorizes the Common Interest Community Board to receive a complaint directly from any person aggrieved by an association's failure to deliver a resale certificate or disclosure packet within the time period required under the Condominium Act, the Virginia Real Estate Cooperative Act, or the Property Owners' Association Act. This bill is identical to HB 2045.

Patron - Stanley

SB1255 Condominium Act; resale by purchaser; designation of authorized representative. Provides that unless expressly authorized by the Condominium Act or the condominium instruments or as otherwise provided by law, no unit owners' association may require the use of any for sale sign that is a unit owners' association sign, or a real estate sign that does not comply with the requirements of the Real Estate Board. A unit owners' association may, however, prohibit the placement of signs in the common area and establish reasonable rules and regulations that regulate (i) the number of real estate signs to be located on real property upon which the owner has a separate ownership interest or a right of exclusive possession, so long as at least one real estate sign is permitted; (ii) the geographical location of real estate signs on real property in which the owner has a separate ownership interest or a right of exclusive possession, so long as the location of the real estate signs complies with the requirements of the Real Estate Board; (iii) the manner in which real estate signs are affixed to real property; and (iv) the period of time after settlement when the real estate signs on such real property shall be removed. The bill also prohibits a unit owners' association from requiring any unit owner to execute a formal power of attorney if the unit owner designates a person licensed by the Real Estate Board to serve as his authorized representative in the sale of a unit. In

addition, the bill authorizes the Common Interest Community Board to assess a monetary penalty against a unit owners' association or common interest community manager for the failure to deliver the resale certificate within 14 days. This bill is identical to HB 2274.

Patron - DeSteph

Title 56 - Public Service Companies

HB1671 Qualified projects of natural gas utilities. Exempts any natural gas utility serving fewer than 2,000 residential customers and fewer than 350 commercial and industrial customers in the year in which the utility makes an investment for qualifying projects from the provision that limits the amount of investment that a natural gas utility may make in qualifying projects to one percent of its net plant investment that was used in establishing base rates in its most recent rate case. The existing exemption to the one percent cap was enacted in 2013 and applies to any natural gas utility serving fewer than 1,000 residential customers and fewer than 250 commercial and industrial customers in such year. Legislation enacted in 2012 established a mechanism for natural gas utilities to recover the eligible infrastructure development costs of a qualifying project through future rates. A qualifying project is an economic development project for which, among other things, the utility has received a binding commitment from the developer or occupant of the proposed project regarding capacity or a financial guaranty from the developer or state or local government in the amount of at least 50 percent of the estimated investment to be made in the proposed project. This bill is identical to SB 1289.

Patron - Morefield

HB1719 Wireless E-911 Fund; distribution percentages. Postpones from July 1, 2017, to July 1, 2018, the date by which the Department of Taxation is required to conduct its first recalculation of the percentage of funds in the Wireless E-911 Fund that is required to be distributed to each public safety answering point (PSAP). The recalculation is required to be based on the cost and call load data of each PSAP for the previous five fiscal years. This bill is identical to SB 1003.

Patron - Anderson

HB1760 Electric utilities; costs of pumped hydroelectricity generation and storage facilities. Authorizes an investor-owned electric utility to petition the State Corporation Commission for approval of a rate adjustment clause for recovery of the costs of one or more pumped hydroelectricity generation and storage facilities that utilize associated on-site or off-site renewable energy resources as all or a portion of their power source and such facilities and associated resources are located in the coalfield region of the Commonwealth. The measure provides that the requirement that a utility demonstrate that it has considered and weighed alternative options, including third-party market alternatives, in its selection process applies only to a generation facility that is described in clauses (i) and (ii) of subdivision A 6 of § 56-585.1.

Patron - Kilgore

HB1766 Utility Facilities Act; associated facilities of an electrical transmission line. Provides that the issuance by the State Corporation Commission of a certificate of public convenience and necessity for construction of an electrical transmission line of 138 kilovolts and any associated facilities

shall be deemed to satisfy local comprehensive plan requirements and all local zoning ordinances with respect to the transmission line and associated facilities. The measure defines "associated facilities" as including any station, substation, transition station, and switchyard facilities to be constructed outside of any county operating under the county executive form of government that is located in Planning District 8 (e.g., Prince William County) in association with the 138 kilovolt transmission line.

Patron - Habeeb

HB2108 Virginia Wireless Services Authority Act; rates and charges. Provides that a wireless services authority may fix rates, fees, and charges for services provided, or facilities owned, operated, or maintained by the authority, for which the authority has received loan funding. Currently, an authority may do so only if it has issued revenue bonds. A similar change authorizes rates to be set at levels to provide for payment of loans. The measure also requires each authority to maintain records demonstrating compliance with certain provisions and to make the records available for inspection and copying by the public pursuant to the Virginia Freedom of Information Act.

Patron - Byron

HB2291 Electric utilities; costs of modifications to nuclear generation facilities. Authorizes an investor-owned electric utility to petition the State Corporation Commission for approval of a rate adjustment clause for recovery of the costs of a system or equipment upgrade, system or equipment replacement, or other cost reasonably appropriate to extend the combined operating license for, or the operating life of, nuclear generation facilities. The measure limits the scope of the requirement that a utility demonstrate that it has considered and weighed alternative options, including third-party market alternatives, in its selection process to certain new generation facilities. The measure provides that a utility's costs incurred in extending the combined operating license for, or the operating life of, a nuclear generation facility, which costs are prudently incurred prior to the Commission's entry of a final order on the petition, shall be deferred on the books and records of the utility until the later of the entry of a final order in the proceeding or until the implementation of any applicable approved rate adjustment clauses. The measure prohibits a utility, prior to January 1, 2020, from recovering through a rate adjustment clause certain costs related to extensions of the combined operating license for or the operating life of a nuclear generation facility. An enactment clause provides that costs recovered through the utility's rates for generation and distribution services as of January 1, 2017, that are associated with a utility's existing nuclear generation facilities are not recoverable through a specified rate adjustment clause.

Patron - Kilgore

HB2303 Small agricultural generators. Establishes the parameters of a program under which small agricultural generators may sell the electricity generated from a small agricultural generating facility to its utility. Effective July 1, 2019, enrollment by eligible agricultural customer-generators in an existing net energy metering program conducted by an electric cooperative will cease, though a cooperative's customers who were participating as eligible agricultural customer-generators before that date are allowed to remain in the net metering program for not more than 25 years. A small agricultural generator is defined in this measure as a customer who operates an electrical generating facility as part of an agricultural business, which generating facility, among other conditions, has a capacity of not more than 1.5 megawatts, uses renewable energy as its total source of fuel, has a capacity that does not exceed 150

percent of the customer's expected annual energy consumption based on the previous 12 months of billing history, uses not more than 25 percent of contiguous land owned or controlled by the agricultural business for purposes of the renewable energy generating facility, and is a PURPA qualifying small power production facility. The program for small agricultural generators requires the generator to enter into a power purchase agreement with its supplier to sell all of the electricity generated at a rate not less than the supplier's State Corporation Commission-approved avoided cost tariff for energy and capacity. The program also provides for utilities to recover distribution service costs and costs incurred to purchase electricity, capacity, and renewable energy certificates from the small agricultural generator through its Renewable Energy Portfolio Standard (RPS) rate adjustment clause if the utility has a Commission-approved RPS plan and rate adjustment clause or, if the utility does not have a Commission-approved RPS rate adjustment clause, then the costs shall be recoverable through the supplier's fuel adjustment clause or through the utility's cost of purchased power. Finally, the measure directs the Commission to conduct a single docketed proceeding to implement the provisions of this measure. This bill is identical to SB 1394.

Patron - Minchew

HB2358 Water utilities; temporary and interim rate increases. Extends the maximum period that the State Corporation Commission is authorized to suspend the implementation of a proposed rate increase rates from 150 to 180 days. The measure applies only to certain investor-owned water utilities.

Patron - Ransone

HB2390 Renewable energy power purchase agreements; pilot programs. Expands the pilot program for renewable energy power purchase agreements authorized under legislation enacted in 2013 by directing that a pilot program be conducted by Appalachian Power. Currently, a pilot program is authorized only within Dominion Power's service territory. The measure provides that within the certificated service territory of Appalachian Power, nonprofit, private institutions of higher education that are not being served under a specific renewable generation tariff provision are deemed to be customer-generators eligible to participate in the pilot program, without the requirement that they participate in the utility's net energy metering program. The aggregated capacity of all generation facilities that are subject to third party power purchase agreements in Appalachian Power's pilot program is capped at seven megawatts. The measure does not apply to Old Dominion Power. Appalachian Power's pilot program expires July 1, 2022.

Patron - Kilgore

SB990 Electric energy consumption reduction goal; progress reports. Directs the Department of Mines, Minerals and Energy, in consultation with the staff of the State Corporation Commission, to report annually, commencing no later than December 15, 2018, on the progress the Commonwealth is making toward meeting the goal adopted in 2007 of reducing the consumption of electric energy by retail customers by the year 2022 by an amount equal to 10 percent of the amount of electric energy consumed by retail customers in 2006. The bill requires the reports to be made to the General Assembly, the Governor, and the Governor's Executive Committee on Energy Efficiency.

Patron - Dance

SB1003 Wireless E-911 Fund; distribution percentages. Postpones from July 1, 2017, to July 1, 2018, the date by

which the Department of Taxation is required to conduct its first recalculation of the percentage of funds in the Wireless E-911 Fund that is required to be distributed to each public safety answering point (PSAP). The recalculation is required to be based on the cost and call load data of each PSAP for the previous five fiscal years. This bill is identical to HB 1719.

Patron - Ebbin

SB1289 Qualified projects of natural gas utilities.

Exempts any natural gas utility serving fewer than 2,000 residential customers and fewer than 350 commercial and industrial customers in the year in which the utility makes an investment for qualifying projects from the provision that limits the amount of investment that a natural gas utility may make in qualifying projects to one percent of its net plant investment that was used in establishing base rates in its most recent rate case. The existing exemption to the one percent cap was enacted in 2013 and applies to any natural gas utility serving fewer than 1,000 residential customers and fewer than 250 commercial and industrial customers in such year. Legislation enacted in 2012 established a mechanism for natural gas utilities to recover the eligible infrastructure development costs of a qualifying project through future rates. A qualifying project is an economic development project for which, among other things, the utility has received a binding commitment from the developer or occupant of the proposed project regarding capacity or a financial guaranty from the developer or state or local government in the amount of at least 50 percent of the estimated investment to be made in the proposed project. This bill is identical to HB 1671.

Patron - Chafin

SB1393 Electric utilities; community solar pilot programs.

Requires Dominion Virginia Power and Appalachian Power to conduct a community solar pilot program for retail customers. A pilot program will authorize the participating utility to sell electric power to subscribing customers under a voluntary companion rate schedule, and the utility will generate or purchase the electric power from eligible generation facilities selected for inclusion in the pilot program. An eligible generation facility is an electrical generation facility that (i) exclusively uses energy derived from sunlight; (ii) is placed in service on or after July 1, 2017; (iii) is not constructed by an investor-owned utility but is acquired by an investor-owned utility through an asset purchase agreement or is subject to a power purchase agreement under which the utility purchases the facility's output from a third party; and (iv) has a generating capacity not exceeding two megawatts, subject to an exception. Pilot programs will have a three-year duration unless renewed or made permanent by appropriate legislation. The measure requires an investor-owned utility to select eligible generating facilities for dedication to its pilot program through a request for proposal (RFP) process. The minimum generating capacity of the eligible generating facilities in Appalachian Power's pilot program is 0.5 MW and in Dominion's pilot program is 10 MW. The maximum generating capacity of the eligible generating facilities in Appalachian Power's pilot program is 10 MW and in Dominion's pilot program is 40 MW. The measure establishes a procedure through which an investor-owned utility may increase the generating capacity of facilities in its pilot program above the amount most recently approved by the State Corporation Commission. The measure provides that an investor-owned utility may recover pilot program costs that are not recovered through the voluntary companion rate schedule through variable-output contracts with participating third parties. A subscribing customer's usage above the amount subscribed for the voluntary companion rate schedule shall be billed under the customer's applicable standard rate. The measure authorizes a utility consumer services cooperative to con-

duct a pilot program and gives the cooperative flexibility in designing its program and voluntary companion rate schedule. The measure declares that the participation of retail customers in a pilot program is in the public interest and that the voluntary companion rate schedules approved are necessary in order to acquire information that is in furtherance of the public interest. The measure requires the Commission to approve the recovery of pilot program costs that it deems to be reasonable and prudent, the pilot program design, the voluntary companion rate schedule, and the portfolio of participating generating facilities. Commission review or approval is not required for individual participating generating facilities, agreements, sites, or RFPs. The measure provides that an approved voluntary companion rate schedule shall not be considered a tariff for electric energy provided 100 percent from renewable energy. An enactment clause directs investor-owned utilities, prior to submitting a proposal for a pilot program, to examine, in cooperation with representatives of relevant governmental, non-profit, and for-profit entities, options to facilitate the subscribing by low-income customers to the utility's pilot program. Another enactment clause requires participating utilities to disclose to subscribing customers the cost difference between the voluntary companion rate schedule and rate the customer would pay if it was not a subscriber.

Patron - Wagner

SB1394 Small agricultural generators.

Establishes the parameters of a program under which small agricultural generators may sell the electricity generated from a small agricultural generating facility to its utility. Effective July 1, 2019, enrollment by eligible agricultural customer-generators in an existing net energy metering program conducted by an electric cooperative will cease, though a cooperative's customers who were participating as eligible agricultural customer-generators before that date are allowed to remain in the net metering program for not more than 25 years. A small agricultural generator is defined in this measure as a customer who operates an electrical generating facility as part of an agricultural business, which generating facility, among other conditions, has a capacity of not more than 1.5 megawatts, uses renewable energy as its total source of fuel, has a capacity that does not exceed 150 percent of the customer's expected annual energy consumption based on the previous 12 months of billing history, uses not more than 25 percent of contiguous land owned or controlled by the agricultural business for purposes of the renewable energy generating facility, and is a PURPA qualifying small power production facility. The program for small agricultural generators requires the generator to enter into a power purchase agreement with its supplier to sell all of the electricity generated at a rate not less than the supplier's State Corporation Commission-approved avoided cost tariff for energy and capacity. The program also provides for utilities to recover distribution service costs and costs incurred to purchase electricity, capacity, and renewable energy certificates from the small agricultural generator through its Renewable Energy Portfolio Standard (RPS) rate adjustment clause if the utility has a Commission-approved RPS plan and rate adjustment clause or, if the utility does not have a Commission-approved RPS rate adjustment clause, then the costs shall be recoverable through the supplier's fuel adjustment clause or through the utility's cost of purchased power. Finally, the measure directs the Commission to conduct a single docketed proceeding to implement the provisions of this measure. The bill incorporates SB 917 and is identical to HB 2303.

Patron - Wagner

SB1418 Electric utilities; costs of pumped hydroelectricity generation and storage facilities. Authorizes an investor-owned electric utility to petition the State Corporation

Commission for approval of a rate adjustment clause for recovery of the costs of one or more pumped hydroelectricity generation and storage facilities that utilize associated on-site or off-site renewable energy resources as all or a portion of their power source and such facilities and associated resources are located in the coalfield region of the Commonwealth. The measure provides that the requirement that a utility demonstrate that it has considered and weighed alternative options, including third-party market alternatives, in its selection process does not apply to these generation and storage facilities. The construction of these generation and storage facilities is declared to be in the public interest, and in determining whether to approve such facility, the Commission is directed to liberally construe the provisions of Title 56.

Patron - Chafin

SB1473 Electric utilities; undergrounding distribution lines. Declares that the replacement of any subset of an investor-owned electric utility's existing overhead distribution tap lines that have, in the aggregate, an average of nine or more total unplanned outage events-per-mile over a preceding 10-year period with new underground facilities in order to improve electric service reliability is in the public interest. The measure also provides that there shall be a rebuttable presumption that (i) the conversion of such facilities will provide local and system-wide benefits, (ii) the new underground facilities are cost beneficial, and (iii) the costs associated with the new underground facilities are reasonably and prudently incurred. An enactment clause provides that the measure shall apply to any applications pending with the Commission regarding new underground facilities on or after January 1, 2017. Another enactment clause directs an investor-owned incumbent electric utility to provide written notice to any cable operator of a cable television system that has attached its facilities to its poles that will be replaced in a project to underground existing overhead distribution tap lines not less than 90 days prior to relocating the utility's overhead distribution lines. The clause also establishes a procedure for negotiating a common shared underground easement.

Patron - Saslaw

SB1492 Water utilities; consolidated ratemaking. Requires that in any ratemaking proceeding for certain investor-owned water utilities that are part of a water utility network the State Corporation Commission shall ensure that equal fixed and volumetric rates are charged for each customer class of every water utility that is in the water utility network. In such proceeding, the Commission is authorized to aggregate the revenues and costs of the water utilities that are members of the applicable water utility network. In a proceeding implementing these provisions, the Commission is directed to order gradual adjustments to the water utility's rates over an appropriate period.

Patron - Stuart

Title 57 - Religious and Charitable Matters; Cemeteries

HB2090 Charitable solicitations; registration statement. Requires a charitable organization to include in its annual registration statement a statement indicating the percentage of contributions received that was dedicated to the

charitable purpose of the charitable organization during the preceding fiscal year.

Patron - Kory

Title 58.1 - Taxation

HB1415 Transient occupancy tax; Goochland, Powhatan, and Warren Counties. Adds the Counties of Goochland, Powhatan, and Warren to the list of counties authorized to impose a transient occupancy tax at a rate not to exceed five percent, provided that any excess over two percent is designated and spent solely for tourism purposes. Under current law, all counties are authorized to impose such tax at a rate not to exceed two percent, and specified counties may impose the tax at a rate not to exceed five percent.

Patron - Ware

HB1433 Neighborhood Assistance Act Tax Credit program. Modifies the requirement that at least 10 percent of all available Neighborhood Assistance Act tax credits be allocated to organizations that have not previously received tax credits by providing that the allocation for such organizations is required only if the General Assembly increases the amount of available credits year over year. The bill requires that the allocation be at least 10 percent of credits created by the increase rather than 10 percent of all available credits. Current law limits credits to \$9 million for education proposals approved by the Superintendent of Public Instruction and \$8 million for proposals approved by the Commissioner of Social Services. The bill contains an emergency clause.

Patron - Farrell

HB1455 Real property tax; partial exemption for certain commercial and industrial structures. Reduces from 20 years to 15 years the minimum age of a structure in a technology zone that is rehabilitated for commercial use that qualifies the rehabilitated structure for a partial exemption from real property taxes. Under current law, a 15-year age minimum applies only to structures located in an enterprise zone designated by the Commonwealth, and a 20-year age minimum applies in all other situations. The bill contains technical amendments.

Patron - Ware

HB1463 Delinquent taxes; publication by treasurer and locality. Authorizes the governing body of a locality and the treasurer to publish lists of certain local delinquent taxes whether or not they are based on information as it exists at the end of the fiscal year.

Patron - Sullivan

HB1476 Real property tax; special assessment for land preservation. Prohibits any locality from requiring any taxpayer who is the lessor of real property to produce the lease for the purpose of determining whether the property is eligible for special assessment for land preservation.

Patron - Orrock

HB1478 Recordation tax; exemption. Exempts from recordation tax deeds of trust given by utility consumer services cooperatives. This bill is identical to SB 875.

Patron - Orrock

HB1515 Circuit court clerks; electronic transfer of certain documents. Permits circuit court clerks to transfer

electronically, or provide electronic access to, documents related to certain real property information to certain public officials.

Patron - Leftwich

HB1518 Sales and use tax; automotive repair supplies. Requires that sales and use tax be collected on the separately stated charges of supplies used during the repair of automobiles, whether or not title or possession of the supplies passes to the customer. Under current law, the tax is paid on such supplies at the time the supplies are purchased by the automobile repairer.

Patron - Knight

HB1521 Commonwealth's tax code; conformity with federal law; emergency. Advances conformity with the federal tax code to December 31, 2016. The bill contains an emergency clause. This bill is identical to SB 977.

Patron - Ware

HB1529 Temporary exemption periods from retail sales and use taxes for qualifying items; sunset dates. Extends from July 1, 2017, to July 1, 2022, the sunset dates for the sales tax holiday periods for school supplies and clothing, Energy Star and WaterSense products, and hurricane preparedness products. This bill is identical to SB 1018.

Patron - Ward

HB1543 Sales and use tax exemption; audiovisual productions and equipment. Extends the sunset date from July 1, 2019, to July 1, 2022, for the sales and use tax exemption on the transfer of certain audio or visual productions and equipment used in making such productions.

Patron - Robinson

HB1565 Local tax and regulatory incentives; green development zones. Authorizes localities to create green development zones that provide certain tax incentives and regulatory flexibility for up to 10 years to a business operating in an energy-efficient building or to a business that produces products used to reduce negative impact on the environment.

Patron - Webert

HB1626 License tax on peddlers and itinerant merchants; adhesive license display. Provides that any locality requiring an itinerant merchant to display its license at its temporary place of business shall provide to the itinerant merchant an adhesive label that satisfies such requirement.

Patron - Robinson

HB1665 Motion picture production tax credit. Extends the sunset date of the motion picture production tax credit from January 1, 2019, to January 1, 2022. This bill is identical to SB 982.

Patron - Robinson

HB1668 Sales and use tax exemption; legal tender coins. Exempts legal tender coins whose total transaction sales price exceeds \$1,000 from sales and use tax and extends from January 1, 2019, to June 30, 2022, the same exemption for gold, silver, or platinum bullion. The bill has a delayed effective date of January 1, 2018. The provisions of the bill expire on June 30, 2022. This bill is identical to SB 934.

Patron - Stolle

HB1699 City of Danville; recordation of deeds subject to liens for unpaid taxes. Authorizes the City of Danville to establish by ordinance a pilot project requiring that no deed with an assessed value of \$50,000 or less be recorded by the clerk unless the city director of finance certifies that there are no liens against the property for unpaid taxes, interest, or fines owed to the City of Danville. The bill requires the City of Danville to make a written report to the Virginia Housing Commission by May 31, 2020, and it expires on July 1, 2021. As introduced, the bill is a recommendation of the Virginia Housing Commission.

Patron - Marshall, D.W.

HB1738 Retail sales and use tax; aviation parts, engines, and supplies. Creates an exemption from the retail sales and use tax for parts, engines, and supplies used for maintaining, repairing, or reconditioning aircraft, including unmanned aerial systems. The exemption does not apply to tools and other equipment not attached to or that does not become a part of the aircraft. The exemption is effective from July 1, 2018, to July 1, 2022.

Patron - Anderson

HB1810 Sales and use tax; online access to certain information. Requires the Department of Taxation to provide online access by registered dealers to the names and certificate of registration numbers of dealers who are currently registered for the retail sales and use tax.

Patron - Knight

HB1814 Tax credits for worker retraining and telework expenses. Extends from taxable years prior to January 1, 2018, to taxable years prior to January 1, 2022, the sunset date for the worker retraining tax credit and transfers the certification of eligible worker retraining programs from the Department of Small Business and Supplier Diversity to the Virginia Economic Development Partnership Authority. The bill also extends from taxable years prior to January 1, 2017, to taxable years prior to January 1, 2022, the sunset date for the telework expenses tax credit.

Patron - Ware

HB1838 Neighborhood Assistance Act Tax Credit program; Board of Education. Requires any neighborhood organization submitting a proposal to the Superintendent of Public Instruction for an allocation of tax credits for the program year beginning July 1, 2017, to include with its proposal a list of all of the localities in which the organization provided services during the 2016 program year. The Department of Education shall aggregate the information and submit it to the Chairmen of the House Committees on Appropriations and Finance, the Senate Committee on Finance, and the Joint Subcommittee to Evaluate Tax Preferences.

Patron - Orrock

HB1884 Real property tax exemption; certain surviving spouses. Authorizes localities to exempt the primary residence of the surviving spouse of a law-enforcement officer, firefighter, search and rescue personnel, and emergency medical services personnel who is killed in the line of duty. The exemption does not apply to that portion of the value of the residence in excess of the average assessed value of dwellings in the locality. The bill is pursuant to Article X, Section 6-B of the Constitution of Virginia, which was adopted by the voters in 2016.

Patron - Hugo

HB1889 Local license taxes; exemption for certain defense production businesses. Clarifies that the exemption for wholesale manufacturers from local license taxes includes a manufacturer that is also a defense production business selling manufacturing, rebuilding, repair, and maintenance services at the place of manufacture to the United States or for which consent of the United States is required. This bill is identical to SB 1274.

Patron - Hugo

HB1890 Collection of sales and use tax. Removes the exception that persons selling certain products, such as window shades, kitchen equipment, and countertops, are deemed to be retailers and not consuming contractors for purposes of collecting sales and use tax, even if they intend to install such items for contractors. Generally, tangible personal property incorporated into real property is deemed to have been purchased for consumption by the contractor. This bill is identical to SB 1308.

Patron - Hugo

HB1909 Real property tax; nonjudicial sale of tax delinquent property. Permits the nonjudicial sale of unimproved real property valued at less than \$5,000 if taxes are delinquent for at least three years. The bill also permits the nonjudicial sale of real property valued at no less than \$5,000 but no greater than \$20,000 if taxes are delinquent for at least three years, the property is not subject to a recorded mortgage or deed of trust lien, and the property (i) is unimproved and measures less than 4,000 square feet; (ii) is unimproved and has been determined to be unsuitable for building (the bill expands the bases on which unsuitability may rest); (iii) has a structure on it that has been condemned by the local building official; (iv) has been declared a nuisance by the locality; (v) contains a derelict building; or (vi) has been declared to be blighted by the locality. The bill also modifies current law regarding notice of the sale, redemption of the property, and application of excess proceeds. Current law permits the nonjudicial sale of unimproved real property valued at less than \$10,000 if taxes are delinquent for at least three years and the property (a) measures less than 4,000 square feet or (b) has been determined to be unsuitable for building.

Patron - Yost

HB1913 Purchase of cigarettes for resale; penalties. Creates a new requirement that purchasers of cigarettes for resale must apply for a special cigarette exemption certificate from the Department of Taxation in order to not be liable for the payment of sales tax at the time of purchase. The bill sets forth numerous requirements that a taxpayer must meet in order to qualify for a cigarette exemption certificate and establishes processes and procedures for the application, renewal, denial, and revocation of the certificates. The bill creates new recordkeeping requirements for the sale or distribution of any quantity of cigarettes in excess of 50 cartons, or with a value greater than \$10,000 in any single sale. The bill also contains technical amendments. The provisions of the bill requiring the use of a cigarette exemption certificate have a delayed effective date of January 1, 2018. This bill is identical to SB 1390.

Patron - Anderson

HB1950 Local cigarette tax. Requires localities that impose a local cigarette tax and require stamps as evidence of payment to provide a refund for any stamps that are returned to the locality.

Patron - Peace

HB1961 Local license tax; methodology for deducting certain gross receipts. Requires the Department of Taxation to promulgate regulations that clarify the appropriate methodology for determining deductible gross receipts attributable to business conducted in another state or a foreign country. The bill requires the regulations to be based on previous Rulings of the Tax Commissioner and the decision of the Supreme Court of Virginia in *The Nielsen Company, LLC v. County Board of Arlington County*, 289 Va. 79 (2015). In that decision, the Court endorsed the Tax Commissioner's ruling to require manual accounting but to allow payroll apportionment in the event that manual accounting is impossible to use in order to calculate the deduction.

Patron - Hugo

HB2058 Sales and use tax; nexus for out-of-state businesses. Provides that storage of inventory in the Commonwealth is sufficient nexus to require out-of-state businesses to collect sales and use tax on sales to customers in the Commonwealth.

Patron - Watts

HB2074 Income tax; subtraction for Virginia venture capital account investment. Establishes an individual and corporate income tax subtraction for income derived from an investment in a Virginia venture capital account, defined in the bill as an investment fund that is certified by the Department of Taxation as investing at least 50 percent of its investments in qualified portfolio companies and employing at least one investor with at least four years' experience in venture capital investment or substantially equivalent experience. The bill defines "qualified portfolio company" as a company that has its principal place of business in the Commonwealth and that has a primary purpose of production, sale, research, or development of a product or service and provides equity in exchange for the investment. An income tax subtraction would be available only for an investment made on or after January 1, 2018, but before December 31, 2023.

Patron - Rush

HB2113 Notification requirement; breach of payroll data. Requires employers and payroll service providers to notify the Office of the Attorney General without unreasonable delay after discovery of a breach of computerized employee payroll data that compromises the confidentiality of such data, regardless of whether the breach triggers other database breach notification requirements. The bill requires such notice to provide the affected employer's name and federal employer identification number. Upon receipt of such notice, the Office of the Attorney General is required to notify the Department of Taxation of the breach. This bill is identical to SB 1033.

Patron - Keam

HB2169 Gas severance tax. Extends the sunset date from January 1, 2018, to January 1, 2020, for the local gas severance tax that is dedicated to (i) the local Coal and Gas Road Improvement Fund, (ii) the Virginia Coalfield Economic Development Fund, and (iii) water, sewer, and natural gas systems and lines. This bill is identical to SB 886.

Patron - Pillion

HB2193 Personal property tax; business property. Requires localities to permit taxpayers to provide an aggregate estimate of the total cost of all personal property used in a business that has an original cost of less than \$500, in lieu of a specific, itemized list. Under current law, localities are permitted

to allow taxpayers to provide such estimate of aggregate cost for property whose original cost is less than \$250.

Patron - Rush

HB2219 Real property tax; deferral; Stafford County. Allows Stafford County, by ordinance, to restrict the deferral of real property taxes authorized under current law to a taxpayer's sole dwelling whose tax levy for 2016 exceeded the tax levy for 2015 by at least 25 percent due to improvements made to adjacent property by Stafford County. The amount of the deferral shall not exceed 95 percent of such excess. This bill is identical to SB 1248.

Patron - Dudenhefer

HB2246 Virginia Tax Amnesty Program. Establishes the Virginia Tax Amnesty Program to be administered by the Department of Taxation (the Department) during the 2017-2018 fiscal year for not less than 60 nor more than 75 days, as determined by the Tax Commissioner. The Program will be open to any taxpayer that is required but has failed to file a return or to pay any tax administered by the Department. All civil or criminal penalties assessed or assessable and one-half of the interest assessed or assessable, resulting from nonpayment, underpayment, nonreporting, or underreporting of tax liabilities, will be waived upon payment of the taxes and interest. For purposes of implementing the Program, the Department is exempt from the project management and procurement oversight of the Virginia Information Technologies Agency. This bill is identical to SB 1438.

Patron - Jones

HB2377 Sales and use tax exemption; certain textbooks and other educational materials. Extends the sunset date from July 1, 2017, to July 1, 2022, for the sales and use tax exemption for textbooks and other educational materials that are withdrawn from inventory at book-publishing distribution facilities for free distribution to professors and other individuals who have an educational focus.

Patron - Freitas

HB2455 Tangible personal property tax; list of uncollected balances. Expands the uncollected personal property tax on vehicles for which the treasurer is required to compile a list to include the personal property tax on trailers, semitrailers, watercraft, and manufactured homes.

Patron - Hodges

HB2460 Historic rehabilitation tax credit. Limits the amount of historic rehabilitation tax credits that may be claimed by each taxpayer to \$5 million per year, including any amounts carried over from prior taxable years, for taxable years beginning on and after January 1, 2017, but before January 1, 2019. This bill is identical to SB 1034.

Patron - Bloxom

SB793 Waiver of tax penalties for small businesses. Waives any penalties related to taxes administered by the Department of Taxation for a small business during its first two years of operation as long as the business enters into an installment agreement with the Tax Commissioner for the payment of taxes. However, the bill provides that the Department of Taxation shall not be required to waive penalties for conversion of trust taxes or failure to remit state sales or withholding taxes.

Patron - Sturtevant

SB804 Retail sales and use tax; media-related exemptions. Extends from July 1, 2017, to July 1, 2022, the expira-

tion of the retail sales and use tax exemption for printing purchased by an advertising business from a printer in the Commonwealth, so long as such material is distributed outside of the Commonwealth.

Patron - Hanger

SB875 Recordation tax; exemption. Exempts from recordation tax deeds of trust given by utility consumer services cooperatives. This bill is identical to HB 1478.

Patron - Ruff

SB886 Gas severance tax. Extends the sunset date from January 1, 2018, to January 1, 2020, for the local gas severance tax that is dedicated to (i) the local Coal and Gas Road Improvement Fund, (ii) the Virginia Coalfield Economic Development Fund, and (iii) water, sewer, and natural gas systems and lines. This bill is identical to HB 2169.

Patron - Chafin

SB912 Virginia taxable income of residents; reorganization of additions, subtractions, and deductions. Reorganizes the provisions of the Code of Virginia related to the calculation of Virginia taxable income of residents. Current law sets out the additions, subtractions, deductions, and other modifications in one lengthy section. The reorganization creates four new, smaller sections for additions, subtractions, deductions, and other modifications, respectively, but does not make any substantive changes to the calculation of Virginia taxable income. The bill contains numerous technical amendments. This bill is a recommendation of the Virginia Code Commission.

Patron - Edwards

SB934 Sales and use tax exemption; legal tender coins. Exempts legal tender coins whose total transaction sales price exceeds \$1,000 from sales and use tax and extends from January 1, 2019, to June 30, 2022, the same exemption for gold, silver, or platinum bullion. The bill has a delayed effective date of January 1, 2018. The provisions of the bill expire on June 30, 2022. This bill is identical to HB 1668.

Patron - Wagner

SB962 Sales and use tax; nexus for out-of-state businesses. Provides that storage of inventory in the Commonwealth is sufficient nexus to require out-of-state businesses to collect sales and use tax on sales to customers in the Commonwealth. The bill contains an emergency clause.

Patron - Hanger

SB963 Land preservation tax credit; per taxpayer limitation. Extends to taxable year 2017 the \$20,000 limit on the amount that a taxpayer may claim per year under the land preservation tax credit. The bill retains the \$50,000 limit for each subsequent taxable year.

Patron - Hanger

SB977 Commonwealth's tax code; conformity with federal law; emergency. Advances conformity with the federal tax code to December 31, 2016. The bill contains an emergency clause. This bill is identical to HB 1521.

Patron - Hanger

SB982 Motion picture production tax credit. Extends the sunset date of the motion picture production tax credit from January 1, 2019, to January 1, 2022. This bill is identical to HB 1665.

Patron - Stanley

SB1018 Temporary exemption periods from retail sales and use taxes for qualifying items; sunset dates.

Extends from July 1, 2017, to July 1, 2022, the sunset dates for the sales tax holiday periods for school supplies and clothing, Energy Star and WaterSense products, and hurricane preparedness products. This bill is identical to HB 1529.

Patron - Barker

SB1025 Payment of estimated taxes by certain public service corporations; repeal. Repeals provisions requiring that certain public service corporations make payments of estimated state licenses taxes to the State Corporation Commission. The bill has a delayed effective date of January 1, 2019.

Patron - Dunnivant

SB1033 Notification requirement; breach of payroll data. Requires employers and payroll service providers to notify the Office of the Attorney General without unreasonable delay after discovery of a breach of computerized employee payroll data that compromises the confidentiality of such data, regardless of whether the breach triggers other database breach notification requirements. The bill requires such notice to provide the affected employer's name and federal employer identification number. Upon receipt of such notice, the Office of the Attorney General is required to notify the Department of Taxation of the breach. This bill is identical to HB 2113.

Patron - Howell

SB1034 Historic rehabilitation tax credit. Limits the amount of historic rehabilitation tax credits that may be claimed by each taxpayer to \$5 million per year, including any amounts carried over from prior taxable years, for taxable years beginning on and after January 1, 2017, but before January 1, 2019. This bill is identical to HB 2460.

Patron - Howell

SB1045 Capital outlay plan. Updates the six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources. This bill is identical to HB 2248.

Patron - Hanger

SB1165 Neighborhood Assistance Act Tax Credit program; allocation of credits. Requires the Commissioner of Social Services and the Superintendent of Public Instruction to consider, in allocating credits under the Neighborhood Assistance Act tax credit program, the past performance of organizations requesting credits, pursuant to accountability measures established in regulations and guidelines.

Patron - DeSteph

SB1168 Neighborhood Assistance Act Tax Credit program. Reorganizes the provisions of the Neighborhood Assistance Act Tax Credit program to set out separate sections for the portions of the program administered by the State Department of Social Services and the Department of Education. The requirements of the two components of the program differ slightly, and separating the provisions provides clarity in understanding the application and allocation process.

The bill modifies the requirement that at least 10 percent of all available tax credits be allocated to organizations that have not previously received tax credits by providing that the allocation for such organizations is required only if the General Assembly increases the amount of available credits year over year. The bill requires that the allocation be at least 10 percent of credits created by the increase rather than 10 percent of all available

credits. Current law limits credits to \$9 million for education proposals approved by the Superintendent of Public Instruction and \$8 million for proposals approved by the Commissioner of Social Services.

The bill provides that, for proposals to the Department of Education, expenditures for teacher salaries shall count toward the requirement that at least 50 percent of a neighborhood organization's revenues be used to provide services to low-income persons or to eligible students with disabilities.

Patron - DeSteph

SB1205 Tangible personal property; commercial fishing vessels. Classifies commercial fishing vessels and property permanently attached to such vessels as a separate class of property for the purpose of local personal property tax.

Patron - Lewis

SB1248 Real property tax; deferral; Stafford County. Allows Stafford County, by ordinance, to restrict the deferral of real property taxes authorized under current law to a taxpayer's sole dwelling whose tax levy for 2016 exceeded the tax levy for 2015 by at least 25 percent due to improvements made to adjacent property by Stafford County. The amount of the deferral shall not exceed 95 percent of such excess. This bill is identical to HB 2219.

Patron - Stuart

SB1274 Local license taxes; exemption for certain defense production businesses. Clarifies that the exemption for wholesale manufacturers from local license taxes includes a manufacturer that is also a defense production business selling manufacturing, rebuilding, repair, and maintenance services at the place of manufacture to the United States or for which consent of the United States is required. This bill is identical to HB 1889.

Patron - McDougale

SB1286 Land preservation tax credits; withholding tax of nonresident owners. Provides that the two percent transfer fee for land preservation tax credits shall not apply to a distribution of credits to a nonresident owner of a pass-through entity when such credits are applied by the pass-through entity to the withholding tax of the nonresident owner.

Patron - Obenshain

SB1296 County food and beverage tax; referendum. Prohibits a county from holding a new referendum on the levy of a food and beverage tax in the three calendar years subsequent to its electoral defeat, but only if such referendum is initiated by a resolution of the board of supervisors. The bill also requires the ballot for any such referendum to state the total tax, as a percentage, that would be imposed on food and beverage if the referendum were to pass, based upon a four percent food and beverage tax and any other ad valorem taxes applicable to the purchase of prepared food and beverage in the county.

Patron - Vogel

SB1308 Collection of sales and use tax. Removes the exception that persons selling certain products, such as window shades, kitchen equipment, and countertops, are deemed to be retailers and not consuming contractors for purposes of collecting sales and use tax, even if they intend to install such items for contractors. Generally, tangible personal property incorporated into real property is deemed to have been purchased for

consumption by the contractor. This bill is identical to HB 1890.

Patron - McDougle

SB1320 Admissions tax; Washington County. Authorizes Washington County to impose a tax on admissions to a multi-sports complex and entertainment venue that (i) is located on land that contains at least 250 acres and (ii) is in business on or before June 30, 2027. For purposes of the tax, "entertainment venue" does not include a movie theater. The tax shall not exceed 10 percent of the amount of charge for admission to any such venue. The bill expires on July 1, 2027, if no such venue is in business on or before June 30, 2027.

Patron - Carrico

SB1350 Motor vehicle sales and use tax; refund. Allows a purchaser to be refunded any motor vehicle sales and use tax paid if the vehicle is returned pursuant to the Virginia Motor Vehicle Warranty Act, or if the vehicle is returned within 45 days of purchase, and the purchase price is refunded, due to a mechanical defect or failure. The bill requires a person claiming the refund due to a mechanical defect or failure to submit an affidavit to the Commissioner of the Department of Motor Vehicles stating that the vehicle was returned due to a mechanical defect or failure, the purchase price was refunded, the title was assigned to the person accepting the return, and the purchaser no longer has possession of the vehicle.

Patron - Deeds

SB1390 Purchase of cigarettes for resale; penalties. Creates a new requirement that purchasers of cigarettes for resale must apply for a special cigarette exemption certificate from the Department of Taxation in order to not be liable for the payment of sales tax at the time of purchase. The bill sets forth numerous requirements that a taxpayer must meet in order to qualify for a cigarette exemption certificate and establishes processes and procedures for the application, renewal, denial, and revocation of the certificates. The bill creates new recordkeeping requirements for the sale or distribution of more than 50 cartons of cigarettes, or with a value greater than \$10,000. The bill also makes technical changes. The provisions of the bill requiring the use of a cigarette exemption certificate have a delayed effective date of January 1, 2018. This bill is identical to HB 1913.

Patrons - Howell and Norment

SB1438 Virginia Tax Amnesty Program. Establishes the Virginia Tax Amnesty Program to be administered by the Department of Taxation (the Department) during the 2017-2018 fiscal year for not less than 60 nor more than 75 days, as determined by the Tax Commissioner. The Program will be open to any taxpayer that is required but has failed to file a return or to pay any tax administered by the Department. All civil or criminal penalties assessed or assessable and one-half of the interest assessed or assessable, resulting from nonpayment, underpayment, nonreporting, or underreporting of tax liabilities, will be waived upon payment of the taxes and interest. For purposes of implementing the Program, the Department is exempt from the project management and procurement oversight of the Virginia Information Technologies Agency. This bill is identical to HB 2246.

Patron - Norment

SB1459 Discharge of treasurer; legal pleadings. Provides that the attorney for a locality may prepare and file any pleadings necessary in a proceeding to discharge the treasurer. If the locality does not have an attorney, or the attorney

declines or is unable to perform this task, the circuit court shall assign legal counsel.

Patron - Edwards

SB1576 Tax credits for worker retraining and telework expenses. Extends from taxable years prior to January 1, 2018, to taxable years prior to January 1, 2022, the sunset date for the worker retraining tax credit and transfers the certification of eligible worker retraining programs from the Department of Small Business and Supplier Diversity to the Virginia Economic Development Partnership Authority. The bill also extends from taxable years prior to January 1, 2017, to taxable years prior to January 1, 2022, the sunset date for the telework expenses tax credit.

Patron - Hanger

Title 59.1 - Trade and Commerce

HB1422 Virginia Consumer Protection Act; storm-related repairs. Provides that it is a prohibited practice under the Virginia Consumer Protection Act for a supplier to engage in fraudulent or improper or dishonest conduct while engaged in a transaction that was initiated (i) during a declared state of emergency or (ii) to repair damage resulting from the event that prompted the declaration of a state of emergency, regardless of whether the supplier is a licensed contractor. This bill is identical to SB 839.

Patron - Ware

HB1542 Home service contract providers. Shifts responsibility for regulating home service contract providers from the State Corporation Commission to the Commissioner of the Department of Agriculture and Consumer Services. The measure provides that home service contracts are not contracts of insurance and are not subject to regulation under the Commonwealth's insurance laws. Home service contracts are agreements to perform the service repair, replacement, or maintenance, or indemnification therefor, with regard to components, parts, appliances, or systems of a residential home property. Providers of such contracts are required to register with the Commissioner, which registration shall not require filing of forms or rate information. Providers are required to maintain a funded reserve account for their obligations under the contracts that is not less than 40 percent of gross consideration received, less claims paid, on the sale of the home service contract for all in-force home service contracts sold in the Commonwealth. Providers are also required to file a bond with the Commissioner. In lieu of the requirements for a reserve account and bond, a provider may demonstrate financial responsibility by filing a copy of a liability insurance policy that covers 100 percent of the provider's home service contract liabilities. The measure includes provisions addressing the adoption of regulations, investigations, production of records, and penalties for violations that are similar to the existing provisions applicable to extended service contract providers. Providers with a net worth in excess of \$100 million are exempt from the provisions of the measure. Certain maintenance and service agreements are exempted. The measure includes a minimum tax provision that requires such entities to pay income tax at a level that provides the same revenue as is currently paid in gross premium tax. The minimum tax is in lieu of all other state and local license fees or license taxes on providers and home service contracts. The measure has a delayed effective date of January 1, 2018.

Patron - Kilgore

HB1825 Rights to resell tickets; civil penalty. Prohibits any person that issues tickets for admission to a professional concert, professional sporting event, or professional theatrical production, open to the public for which tickets are ordinarily sold, from issuing the ticket solely through a delivery method that substantially prevents the ticket purchaser from lawfully reselling the ticket on the Internet ticketing platform of the ticket purchaser's choice. The measure also prohibits a person from being discriminated against or denied admission to an event solely on the basis that the person resold a ticket, or purchased a resold ticket, on a specific Internet ticketing platform. A person violating these prohibitions is subject to a civil penalty of not less than \$1,000 nor more than \$5,000. This bill is identical to SB 1425.

Patron - Albo

SB839 Virginia Consumer Protection Act; storm-related repairs. Provides that it is a prohibited practice under the Virginia Consumer Protection Act for a supplier to engage in fraudulent or improper or dishonest conduct while engaged in a transaction that was initiated (i) during a declared state of emergency or (ii) to repair damage resulting from the event that prompted the declaration of a state of emergency, regardless of whether the supplier is a licensed contractor. This bill is identical to HB 1422.

Patron - Sturtevant

SB1309 Transacting business under assumed name; filing certificate; penalty. Prohibits a person from conducting or transacting business under any assumed or fictitious name unless such person files in the office of the clerk of the State Corporation Commission a certificate of assumed or fictitious name. The measure specifies the requirements for a certificate of assumed or fictitious name. A person who signs a certificate the person knows is false in any material respect with intent that the certificate be delivered to the Commission for filing is guilty of a Class 1 misdemeanor. The measure eliminates the existing requirement that a person conducting business under an assumed or fictitious name file a certificate with the clerk of the circuit court where the business is to be conducted. An enactment clause provides that the act shall be applied prospectively only, does not affect the validity of a certificate filed prior to the act's effective date, and does not require any person who was in compliance with applicable laws regarding fictitious or assumed name certificates prior to the act's effective date to take any action to comply with the act's requirements. The measure has a delayed effective date of May 1, 2019.

Patron - Norment

SB1328 Enterprise zone grants and tax credits; qualified real property improvement expenditures. Provides that an expenditure for an improvement to real property may qualify for a grant or tax credit regardless of whether it is capitalized or deducted as a business expense under federal Treasury Regulations.

Patron - Carrico

SB1425 Rights to resell tickets; civil penalty. Prohibits any person that issues tickets for admission to a professional concert, professional sporting event, or professional theatrical production, open to the public for which tickets are ordinarily sold, from issuing the ticket solely through a delivery method that substantially prevents the ticket purchaser from lawfully reselling the ticket on the Internet ticketing platform of the ticket purchaser's choice. The measure also prohibits a person from being discriminated against or denied admission to an event solely on the basis that the person resold a ticket, or purchased a resold ticket, on a specific Internet ticketing platform.

A person violating these prohibitions is subject to a civil penalty of not less than \$1,000 nor more than \$5,000. This bill is identical to HB 1825.

Patron - Stanley

Title 60.2 - Unemployment Compensation

SB988 Virginia Employment Commission; population projections. Eliminates the requirement that the Virginia Employment Commission prepare population projections for the Commonwealth for use by the General Assembly and certain state agencies.

Patron - Dance

Title 62.1 - Waters of the State, Ports and Harbors

HB1597 Local stormwater management utility; waiver of charges; stormwater retained on site. Requires any locality establishing a stormwater management utility to provide a full or partial waiver of charges for a person whose approved stormwater management plan indicates that the stormwater produced by his property is retained and treated on site.

Patron - Webert

HB1619 Watershed discharge permits; review of allocations. Directs the State Water Control Board to incorporate into the general permit procedures by which it will, every 10 years beginning in 2020, (i) review load allocations to determine whether changes in the use of a facility have halted or reduced nutrient discharges and (ii) determine, prior to reissuing the general permit, the need for reallocations based on a variety of factors, including changes in treatment technologies and land use.

Patron - Bulova

HB1774 Stormwater and erosion control; work group; stormwater laws. Directs the Commonwealth Center for Recurrent Flooding Resiliency (the Center) to convene a work group to consider alternative methods of stormwater management in rural Tidewater localities. The bill provides that the group is to be facilitated by the Virginia Coastal Policy Center at William and Mary Law School and is to include representatives of institutions of higher education, state agencies, local governments, private industry, and other groups. The bill provides that the work group is to review and consider the creation of rural development growth areas, the development of a volume credit program, the payment of fees to support regional best management practices, and the allowance of the use of stormwater in highway ditches to generate volume credits. The bill requires the Center to report the results of the work group's examination to the Governor and the Chairmen of the House Committee on Agriculture, Chesapeake and Natural Resources and the Senate Committee on Agriculture, Conservation and Natural Resources by January 1, 2018, which is the date the work group provisions of the bill are set to expire. The bill also delays from July 1, 2017, to July 1, 2018, the effective date of new stormwater laws enacted during the 2016 Session of the General Assembly.

Patron - Hodges

HB2009 Stormwater and erosion management; administration of program by certified third party. Authorizes the hiring of certified third-party professionals to administer any or all aspects of a program for the management of stormwater and erosion, including plan review and inspection but not including enforcement, on behalf of (i) an erosion and stormwater management program authority, which is the State Water Control Board or a locality approved by the State Water Control Board, or (ii) a stormwater management program authority, which can be a locality, a state entity, or another type of entity.

Patron - Hodges

HB2076 State Water Control Board; stormwater management programs; regulations; professional license. Directs the State Water Control Board to adopt regulations requiring that all final plan elements, specifications, or calculations whose preparation requires a license in engineering, architecture, soil science, or a related profession be signed and sealed by a licensed professional. The bill requires the regulations to be effective no later than July 1, 2018, and exempts them from certain provisions of the Administrative Process Act. This bill is identical to SB 1127.

Patron - Wilt

HB2367 Virginia Port Authority; Board of Commissioners. Provides that the 11 members of the Board of Commissioners of the Virginia Port Authority appointed by the Governor no longer serve at the pleasure of the Governor and may be removed prior to the expiration of a five-year term only for cause. The bill changes from nonvoting ex officio member to voting member the status of two members of the Board of Commissioners of the Virginia Port Authority appointed by the Governor, one of whom represents the Port of Richmond and is from the City of Richmond or the County of Chesterfield, Hanover, or Henrico and one of whom represents the Virginia Inland Port and is from the City of Winchester or the County of Clarke, Frederick, or Warren. This bill is identical to SB 1415.

Patron - Lindsey

HB2383 Department of Environmental Quality (DEQ); combined sewer overflow (CSO) outfalls; Chesapeake Bay Watershed. Directs DEQ to identify the owner of any combined sewer overflow outfall that discharges into the Chesapeake Bay Watershed and to determine what actions by the owner, if it is not under a state order, are necessary to bring such an outfall into compliance with Virginia law, the federal Clean Water Act, and the Presumption Approach described in the CSO Control Policy of the U.S. Environmental Protection Agency (EPA). The bill requires any owner of such an outfall to initiate construction activities by July 1, 2023, to bring it into compliance by July 1, 2025. Until compliance is achieved, the bill requires the outfall owner to annually report its progress to DEQ. The bill requires DEQ to provide all such reports to certain legislative committees, the Virginia delegation to the Chesapeake Bay Commission, the Secretary of Natural Resources, and the Governor. The bill does not apply to any outfall for which a higher level of control is necessary to comply with a Total Maximum Daily Load (TMDL). This bill is identical to SB 898.

Patron - Lingamfelter

SB898 Department of Environmental Quality (DEQ); combined sewer overflow (CSO) outfalls; Chesapeake Bay Watershed. Directs DEQ to identify the owner of any combined sewer overflow outfall that discharges into the Chesapeake Bay Watershed and to determine what actions by the owner, if it is not under a state order, are necessary to bring

such an outfall into compliance with Virginia law, the federal Clean Water Act, and the Presumption Approach described in the CSO Control Policy of the U.S. Environmental Protection Agency (EPA). The bill requires any owner of such an outfall to initiate construction activities by July 1, 2023, to bring it into compliance by July 1, 2025. Until compliance is achieved, the bill requires the outfall owner to annually report its progress to DEQ. The bill requires DEQ to provide all such reports to certain legislative committees, the Virginia delegation to the Chesapeake Bay Commission, the Secretary of Natural Resources, and the Governor. The bill does not apply to any outfall for which a higher level of control is necessary to comply with a Total Maximum Daily Load (TMDL). This bill incorporates SB 818 and is identical to HB 2383.

Patron - Stuart

SB1127 State Water Control Board; stormwater management programs; regulations; professional license. Directs the State Water Control Board to adopt regulations requiring that all final plan elements, specifications, or calculations whose preparation requires a license in engineering, architecture, soil science, or a related profession be signed and sealed by a licensed professional. The bill requires the regulations to be effective no later than July 1, 2018, and exempts them from certain provisions of the Administrative Process Act. This bill is identical to HB 2076.

Patron - Obenshain

SB1270 Ohio River Basin Commission; repeal. Repeals two sections of the Code of Virginia relating to the participation by the Commonwealth in the Ohio River Basin Commission. The Commission, established by federal executive order in 1971, was terminated by executive order in 1981. This bill is a recommendation of the Virginia Code Commission.

Patron - McDougle

SB1415 Virginia Port Authority; Board of Commissioners. Provides that the 11 members of the Board of Commissioners of the Virginia Port Authority appointed by the Governor no longer serve at the pleasure of the Governor and may be removed prior to the expiration of a five-year term only for cause. The bill changes from nonvoting ex officio member to voting member the status of two members of the Board of Commissioners of the Virginia Port Authority appointed by the Governor, one of whom represents the Port of Richmond and is from the City of Richmond or the County of Chesterfield, Hanover, or Henrico and one of whom represents the Virginia Inland Port and is from the City of Winchester or the County of Clarke, Frederick, or Warren. This bill is identical to HB 2367.

Patron - Spruill

Title 63.2 - Welfare (Social Services)

HB1451 Department of Social Services; survey for children aging out of foster care. Directs the Department of Social Services, in coordination with the Commission on Youth, to develop a process and standardized survey to gather feedback from children aging out of foster care.

Patron - Farrell

HB1568 Child care providers; criminal history background check; penalty. Requires the following individuals to undergo a fingerprint-based national criminal history back-

ground check: (i) applicants for employment by, employees of, applicants to serve as volunteers with, and volunteers with any licensed family day system, child day center exempt from licensure pursuant to § 63.2-1716, registered family day home, or family day home approved by a family day system; (ii) applicants for licensure as a family day system, registration as a family day home, or approval as a family day home by a family day system, as well as their agents and any adult living in such family day home; and (iii) individuals who apply for or enter into a contract with the Department of Social Services under which a child day center, family day home, or child day program will provide child care services funded by the Child Care and Development Block Grant, as well as the applicant's current or prospective employees and volunteers, agents, and any adult living in the child day center or family day home. The bill also mandates that all background checks required pursuant to §§ 63.2-1720.1 and 63.2-1721.1 be completed by September 30, 2017, or by the date specified on any federal waiver obtained by the Commonwealth, and every five years thereafter. The bill has an expiration date of July 1, 2018. The bill further provides that if any provision of the federal Child Care and Development Block Grant Act of 2014 establishing a corresponding requirement is repealed prior to July 1, 2018, the provision of the bill establishing such requirement shall expire upon the date of such repeal. This bill is identical to SB 897.

Patron - Orrock

HB1604 Foster care; reasonable efforts to prevent removal of child. Allows a local board of social services to take a child into immediate custody pursuant to an emergency removal order in cases in which the child is alleged to have been abused or neglected and allows a court to issue certain orders in such cases, without requiring that reasonable efforts be made to prevent removal of the child from his home if (i) the parental residual rights of the child's parent over a sibling were involuntarily terminated; (ii) the parent was convicted of murder or voluntary manslaughter, or a felony attempt, conspiracy, or solicitation to commit any such offense, if the victim was a child of or resided with the parent or was the other parent of the child; (iii) the parent was convicted of felony assault resulting in serious bodily injury or felony bodily wounding resulting in serious bodily injury or felony sexual assault, if the victim was a child of or resided with the parent; or (iv) on the basis of clear and convincing evidence, the parent has subjected any child to aggravated circumstances or abandoned a child under circumstances that would justify the termination of residual parental rights. The bill provides that, in each permanency planning hearing and in any hearing regarding the transition of the child from foster care to independent living, the court shall consult with the child, unless the court finds that such consultation is not in the best interests of the child. The bill makes other changes related to foster care to comply with federal requirements.

Patron - Bell, Richard P.

HB1786 In utero exposure to a controlled substance. Requires local departments of social services to collect information during a family assessment to determine whether the mother of a child who was exposed in utero to a controlled substance sought substance abuse counseling or treatment prior to the child's birth. The bill requires mandated reporters of suspected child abuse or neglect to make a report if a finding is made by a health care provider (i) within six weeks following a child's birth that the child was born affected by substance abuse or experiencing withdrawal symptoms resulting from in utero drug exposure; (ii) within four years following a child's birth that the child has an illness, disease, or condition that is attributable to maternal abuse of a controlled substance during preg-

nancy; or (iii) within four years following a child's birth that the child has a fetal alcohol spectrum disorder attributable to in utero exposure to alcohol. The bill provides that if a local department of social services receives a report or complaint of suspected child abuse or neglect on the basis of one or more of the aforementioned factors, the local department shall (a) conduct a family assessment, unless an investigation is required by law or is necessary to protect the safety of the child, and (b) develop a plan of safe care in accordance with federal law. The bill directs the State Board of Social Services to promulgate regulations to implement the provisions of the bill. This bill is identical to SB 1086.

Patron - Stolle

HB1795 Adoptive and foster placements; Mutual Family Assessment home study. Requires that home studies conducted by local boards of social services to determine the appropriateness of an adoptive or foster placement comply with the Mutual Family Assessment home study template and any addenda thereto developed by the Department of Social Services. The bill authorizes the Department to amend or update its Mutual Family Assessment home study template and any addenda thereto when necessary to improve the process of adoptive and foster placements, provided that such amendments or updates do not lessen the requirements of the home study process.

Patron - Bell, Richard P.

HB1837 Licensure exemptions; private preschool programs. Modifies the licensure exemption requirements for certified preschool programs operated by a private school that is accredited by an organization recognized by the Board of Education. The bill removes the list of accrediting associations from the licensure exemption language and provides a reference to the Code section that establishes the process for recognition of accrediting organizations by the Board of Education. The bill removes certain licensure exemption requirements that such preschool programs must meet and modifies others, including (i) increasing the amount of time children may attend such programs per day from four hours to five hours and (ii) lowering the minimum age of children permitted to attend the programs from age four to age three. The bill also allows the Commissioner of Social Services to inspect such preschool programs to ensure compliance with applicable requirements, either annually or in response to a complaint, and requires such schools to report all incidents involving serious injury to or death of a child attending the school.

Patron - Orrock

HB1919 Assisted living facilities; cap on civil penalties. Increases the aggregate amount of civil penalties that the Commissioner of Social Services may assess against an assisted living facility for noncompliance with the terms of its license from \$10,000 per 24-month period to \$10,000 per 12-month period. This bill is identical to SB 1191.

Patron - Robinson

HB1922 Financial exploitation of adults; reporting to local law enforcement. Clarifies that all cases involving suspected financial exploitation of an adult shall be immediately referred to a local law-enforcement agency for investigation. The bill directs local law-enforcement agencies to provide a preferred point of contact for referrals. This bill is identical to SB 1462.

Patron - Bell, Robert B.

HB1942 Fostering Futures program; background check. Requires any individual participating in the Fostering

Futures program to undergo a background check, which includes submitting to fingerprinting and a national criminal history record check. The bill provides that the results of such background check shall be used for the sole purpose of determining whether other children should be placed or remain in the same foster home as the individual subject to the background check. The bill defines "individual participating in the Fostering Futures program" as a person who is 18 years of age or older but has not reached 21 years of age and is receiving foster care services through the Fostering Futures program.

Patron - Peace

HB1945 Adult exploitation. Broadens the definition of "adult exploitation" for the purposes of social services laws to include the unauthorized, improper, or fraudulent use of an adult 60 years of age or older, or 18 years of age or older who is incapacitated, or his funds, property, benefits, or other assets for the benefit of another, including a caregiver or person serving in a fiduciary capacity, or that deprives the adult of his rightful use of or access to such funds, property, benefits, or other assets. The bill provides that "adult exploitation" includes (i) an intentional breach of a fiduciary obligation to an adult to his detriment or an intentional failure to use the financial resources of an adult in a manner that results in neglect of such adult; (ii) the acquisition, possession, or control of an adult's financial resources or property through the use of undue influence, coercion, or duress; and (iii) forcing or coercing an adult to pay for goods or services or perform services against his will for another's profit, benefit, or advantage if the adult did not agree, or was tricked, misled, or defrauded into agreeing, to pay for such goods or services or to perform such services. In addition, the requirement that such adult 60 years of age or older be incapacitated is removed from the definition, and the bill amends the definitions of "adult abuse," "adult neglect," and "adult protective services" to apply to adults 60 years of age or older, or 18 years of age or older who are incapacitated. The bill also broadens the definition of "financial institution staff" for the purposes of protecting aged or incapacitated adults to include any employee, agent, qualified individual, or representative of a bank, trust company, savings institution, loan association, consumer finance company, credit union, investment company, investment advisor, securities firm, accounting firm, or insurance company.

Patron - Peace

HB2156 Licensure of facilities operated by agencies of the Commonwealth. Provides for licensure of child welfare agencies operated by agencies of the Commonwealth.

Patron - Rasoul

HB2215 Adoption assistance for children with special needs. Moves the requirement that a child be a citizen or legal resident of the United States from the definition of "child with special needs" to the eligibility criteria for the adoptive parents of such child to receive adoption assistance. The bill modifies the exception to the eligibility requirement that efforts be made to place the child in an adoptive home without the provision of adoption assistance to include consideration of the child's best interest due to factors such as the child's development of significant emotional ties with his foster parents while in their care, provided that the foster parents wish to adopt the child. Under current law, the exception is limited to situations in which the child has developed emotional ties with his foster parents and the foster parents wish to adopt the child. The bill modifies other requirements for a child with special needs to receive certain types of adoption assistance and for a child who is between the ages of 18 and 21 to receive adoption assistance. The bill also provides that a representative of the Department of Social Services shall negotiate all adoption assistance agreements

with both existing and prospective adoptive parents on behalf of local departments of social services.

Patron - Toscano

HB2216 Putative Father Registry. Changes the name of the Putative Father Registry to the Virginia Birth Father Registry and modifies certain registration and notice provisions associated with such registry.

Patron - Toscano

HB2279 Child-protective services; complaints involving members of the United States Armed Forces. Requires local departments of social services to transmit information regarding reports, complaints, family assessments, and investigations involving children of active duty members of the United States Armed Forces or members of their household to family advocacy representatives of the United States Armed Forces. Under current law, local departments of social services may transmit such information but are only required to transmit information regarding founded complaints or family assessments. This bill is identical to SB 1164.

Patron - Hester

SB868 State Board of Social Services; complaints of child abuse or neglect where child is under the age of two. Requires the State Board of Social Services to promulgate regulations that require local departments of social services to respond to valid reports and complaints alleging suspected abuse or neglect of a child under the age of two within 24 hours of receiving such reports or complaints.

Patron - Favola

SB897 Child care providers; criminal history background check; penalty. Requires the following individuals to undergo a fingerprint-based national criminal history background check: (i) applicants for employment by, employees of, applicants to serve as volunteers with, and volunteers with any licensed family day system, child day center exempt from licensure pursuant to § 63.2-1716, registered family day home, or family day home approved by a family day system; (ii) applicants for licensure as a family day system, registration as a family day home, or approval as a family day home by a family day system, as well as their agents and any adult living in such family day home; and (iii) individuals who apply for or enter into a contract with the Department of Social Services under which a child day center, family day home, or child day program will provide child care services funded by the Child Care and Development Block Grant, as well as the applicant's current or prospective employees and volunteers, agents, and any adult living in the child day center or family day home. The bill also mandates that all background checks required pursuant to §§ 63.2-1720.1 and 63.2-1721.1 be completed by September 30, 2017, or by the date specified on any federal waiver obtained by the Commonwealth, and every five years thereafter. The bill has an expiration date of July 1, 2018. The bill further provides that if any provision of the federal Child Care and Development Block Grant Act of 2014 establishing a corresponding requirement is repealed prior to July 1, 2018, the provision of the bill establishing such requirement shall expire upon the date of such repeal. This bill is identical to HB 1568.

Patron - Wexton

SB1008 Criminal history records checks; barrier crimes. Clarifies the individual crimes that constitute a barrier for (i) individuals seeking employment at nursing homes, home care organizations, hospices, state facilities, and private providers licensed by the Department of Behavioral Health and

Developmental Services, community services boards, behavioral health authorities, assisted living facilities, adult day care centers, children's welfare agencies, family day homes approved by family day systems, and children's residential facilities; (ii) applicants for licensure, registration, or approval as assisted living facilities, child welfare agencies, or family day homes approved by family day systems; (iii) individuals with whom a local board of social services or child-placing agency is considering placing a child on an emergency, temporary, or permanent basis; (iv) foster and adoptive homes seeking approval from child-placing agencies; and (v) providers of adult services and adult foster care seeking approval by the Department of Social Services. The bill also adds certain offenses to the list of barrier crimes.

Patron - Hanger

SB1086 In utero exposure to a controlled substance. Requires local departments of social services to collect information during a family assessment to determine whether the mother of a child who was exposed in utero to a controlled substance sought substance abuse counseling or treatment prior to the child's birth. The bill requires mandated reporters of suspected child abuse or neglect to make a report if a finding is made by a health care provider (i) within six weeks following a child's birth that the child was born affected by substance abuse or experiencing withdrawal symptoms resulting from in utero drug exposure; (ii) within four years following a child's birth that the child has an illness, disease, or condition that is attributable to maternal abuse of a controlled substance during pregnancy; or (iii) within four years following a child's birth that the child has a fetal alcohol spectrum disorder attributable to in utero exposure to alcohol. The bill provides that if a local department of social services receives a report or complaint of suspected child abuse or neglect on the basis of one or more of the aforementioned factors, the local department shall (a) conduct a family assessment, unless an investigation is required by law or is necessary to protect the safety of the child, and (b) develop a plan of safe care in accordance with federal law. The bill directs the State Board of Social Services to promulgate regulations to implement the provisions of the bill. This bill is identical to HB 1786.

Patron - Wexton

SB1122 Applicants for public assistance; contact information. Requires local departments of social services to collect from every applicant for public assistance alternative contact information, such as the applicant's email address and cell phone number, and the applicant's preferred method of contact, including direct mail, email, text message, or phone call. Under current law, local departments of social services are required to obtain only the applicant's best available address and telephone number.

Patron - McPike

SB1164 Child-protective services; complaints involving members of the United States Armed Forces. Requires local departments of social services to transmit information regarding reports, complaints, family assessments, and investigations involving children of active duty members of the United States Armed Forces or members of their household to family advocacy representatives of the United States Armed Forces. Under current law, local departments of social services may transmit such information but are only required to transmit information regarding founded complaints or family assessments. This bill is identical to HB 2279.

Patron - Reeves

SB1191 Assisted living facilities; cap on civil penalties. Increases the aggregate amount of civil penalties that the Commissioner of Social Services may assess against an assisted living facility for noncompliance with the terms of its license from \$10,000 per 24-month period to \$10,000 per 12-month period. This bill is identical to HB 1919.

Patron - Sturtevant

SB1434 Assisted living facilities and adult day care centers; background checks. Allows licensed assisted living facilities and adult day care centers to continue to employ a person convicted of one misdemeanor barrier crime not involving abuse or neglect if five years have elapsed following the conviction.

Patron - Wexton

SB1461 Foster care; enrollment in the Commonwealth's program of medical assistance. Directs local departments of social services to ensure that any individual who was in foster care on his eighteenth birthday is enrolled, unless the individual objects, in the Commonwealth's program of medical assistance, provided that such individual is eligible to receive such health care services and was enrolled in such program on his eighteenth birthday. The bill requires local departments to provide basic information about such health care services and inform such individuals that, if eligible, they will be enrolled in the Commonwealth's program of medical assistance unless they object. The bill directs the State Board of Social Services to promulgate regulations to implement the provisions of the bill.

Patron - McPike

SB1462 Financial exploitation of adults; reporting to local law enforcement. Clarifies that all cases involving suspected financial exploitation of an adult shall be immediately referred to a local law-enforcement agency for investigation. The bill directs local law-enforcement agencies to provide a preferred point of contact for referrals. This bill is identical to HB 1922.

Patron - McPike

Title 64.2 - Wills, Trusts, and Fiduciaries

HB1516 Surviving spouse's elective share; homestead allowance benefit. Provides that if a surviving spouse of a decedent dying on or after January 1, 2017, claims and receives an elective share, the homestead allowance available to the spouse shall be in addition to any benefit or elective share passing to such surviving spouse. The bill provides consistency with other provisions of Article 1.1 (§ 64.2-308.1 et seq.) of Chapter 3 of Title 64.2, which governs the elective share of the surviving spouse of a decedent dying on or after January 1, 2017, which was enacted in 2016. The bill contains an emergency clause. This bill is identical to SB 1177.

Patron - Leftwich

HB1608 Uniform Fiduciary Access to Digital Assets Act. Creates the Uniform Fiduciary Access to Digital Assets Act. The bill allows fiduciaries to manage digital property such as computer files, web domains, and virtual currency, and restricts a fiduciary's access to electronic communications such as email, text messages, and social media accounts unless the original user consented to such access in a will, trust, power of attorney, or other record. The bill repeals the Privacy Expecta-

tion Afterlife and Choices Act, which was enacted in 2015. This bill is identical to SB 903.

Patron - Leftwich

HB1617 Legal malpractice; estate planning. Provides that the statute of limitations for legal malpractice related to estate planning is five years if the legal representation was based on a written contract and three years if the legal representation was based on an unwritten contract. The bill provides that the accrual date for such an action is the date of completion of the representation. The bill further provides that a person who is not party to the representation shall have standing to maintain such an action only if there is a written agreement between the individual who is the subject of the estate planning and the defendant that expressly grants standing to such person. This bill is in response to *Thorsen v. Richmond Society for the Prevention of Cruelty to Animals*, 786 S.E.2d 453 (Va. 2016) and is identical to SB 1140.

Patron - Habeeb

HB1618 Nonexoneration of debts on property of decedent; notice to creditor and beneficiaries. Provides a procedure by which a personal representative of a decedent's estate may notify a creditor of a debt on certain property in the decedent's estate that such property passes without the right of exoneration. The bill provides the method by which such notice shall be sent. The bill provides that if such procedure is used, the creditor may file a claim for such debt with the commissioner of accounts, and if the creditor does not timely file such claim, the personal representative shall be liable for the debt up to an amount not exceeding the assets of the decedent remaining in possession of the personal representative and available for application to the debt. The bill does not have an effect on either the liability of the estate for such debt to the extent of the decedent's assets remaining at the time a claim is filed or the liability of the beneficiaries that receive the decedent's assets to the extent of such receipt. This bill is identical to SB 1176.

Patron - Habeeb

HB1654 Examining and approving a statement in lieu of the settlement of accounts; fee for commissioner of accounts. Removes the provision that allows the commissioner of accounts to charge a fee of up to \$75 for the examination and approval of a statement in lieu of the settlement of accounts. This bill is a recommendation of the Judicial Council.

Patron - Loupassi

SB815 Priority of debts to be paid from decedent's assets; child support arrearages. Prioritizes debts owed for child support arrearages over debts and taxes due to localities and other, unenumerated claims against the estate of a decedent.

Patron - Surovell

SB903 Uniform Fiduciary Access to Digital Assets Act. Creates the Uniform Fiduciary Access to Digital Assets Act. The bill allows fiduciaries to manage digital property such as computer files, web domains, and virtual currency, and restricts a fiduciary's access to electronic communications such as email, text messages, and social media accounts unless the original user consented to such access in a will, trust, power of attorney, or other record. The bill repeals the Privacy Expectation Afterlife and Choices Act, which was enacted in 2015. This bill is identical to HB 1608.

Patron - Obenshain

SB913 Uniform Trust Decanting Act; creation. Codifies the Uniform Trust Decanting Act, which governs a trustee's ability to distribute assets from one trust into a second trust.

Patron - Edwards

SB1140 Legal malpractice; estate planning. Provides that the statute of limitations for legal malpractice related to estate planning is five years if the legal representation was based on a written contract and three years if the legal representation was based on an unwritten contract. The bill provides that the accrual date for such an action is the date of completion of the representation. The bill further provides that a person who is not party to the representation shall have standing to maintain such an action only if there is a written agreement between the individual who is the subject of the estate planning and the defendant that expressly grants standing to such person. This bill is in response to *Thorsen v. Richmond Society for the Prevention of Cruelty to Animals*, 786 S.E.2d 453 (Va. 2016) and is identical to HB 1617.

Patron - Sturtevant

SB1176 Nonexoneration of debts on property of decedent; notice to creditor and beneficiaries. Provides a procedure by which a personal representative of a decedent's estate may notify a creditor of a debt on certain property in the decedent's estate that such property passes without the right of exoneration. The bill provides the method by which such notice shall be sent. The bill provides that if such procedure is used, the creditor may file a claim for such debt with the commissioner of accounts, and if the creditor does not timely file such claim, the personal representative shall be liable for the debt up to an amount not exceeding the assets of the decedent remaining in possession of the personal representative and available for application to the debt. The bill does not have an effect on either the liability of the estate for such debt to the extent of the decedent's assets remaining at the time a claim is filed or the liability of the beneficiaries that receive the decedent's assets to the extent of such receipt. This bill is identical to HB 1618.

Patron - Chafin

SB1177 Surviving spouse's elective share; homestead allowance benefit. Provides that if a surviving spouse of a decedent dying on or after January 1, 2017, claims and receives an elective share, the homestead allowance available to the spouse shall be in addition to any benefit or elective share passing to such surviving spouse. The bill provides consistency with other provisions of Article 1.1 (§ 64.2-308.1 et seq.) of Chapter 3 of Title 64.2, which governs the elective share of the surviving spouse of a decedent dying on or after January 1, 2017, which was enacted in 2016. The bill contains an emergency clause. This bill is identical to HB 1516.

Patron - Chafin

Title 65.2 - Workers' Compensation

HB1571 Workers' compensation; fees for medical services. Provides that the pecuniary liability of an employer for a medical service provided for the treatment of a traumatic injury or serious burn includes liability for any professional service rendered during the dates of service of the admission or transfer to a Level I or Level II trauma center or to a burn center, as applicable. The measure increases the initial charge out-

lier threshold, which under the stop-loss feature allows hospitals to receive payments or reimbursements that exceed the fee schedule amount for certain claims, from 150 percent of the maximum fee for the service set forth in the applicable fee schedule to 300 percent of such amount. The measure allows the Workers' Compensation Commission to adjust the charge outlier threshold percentage; under existing law, it is allowed only to decrease the percentage. The measure also (i) expands the definition of codes, as used in the provision directing the Commission to establish fee schedules for scheduled medical services, to include revenue codes, which are defined in the bill; (ii) clarifies the definition of "HCPCS codes"; (iii) directs the Commission to use the regulatory advisory panel on all matters involving or related to the fee schedule as deemed necessary by the Commission; (iv) adds a definition of "new type of technology"; and (v) extends the deadline by which the regulatory advisory panel is required to meet, review, and make recommendations to the Commission from July 1, 2017, to July 1, 2018. The bill contains an emergency clause.

Patron - Farrell

HB1659 Workers' compensation; employer's lien; third party actions. Requires that any arbitration proceeding regarding the exercise of an employer's right of subrogation to an employee's claim against a third party shall be limited solely to arbitrating the amount and validity of the employer's lien and shall not affect the employee's rights in any way. Such arbitration shall not be held unless (i) any contested expenses remaining have been submitted to the Virginia Workers' Compensation Commission (the Commission) for a determination of their validity and the Commission has made such determination of validity prior to the commencement of the arbitration; (ii) prior to the commencement of such arbitration the employer has provided the injured employee and his attorney, if any, with an itemization of the expenses associated with the lien that is the subject of the arbitration; (iii) upon receipt of the itemization of the lien, the employee shall have 21 days to provide a written objection to any expenses included in the lien to the employer, and if the employee does not do so any objections to the lien to be arbitrated shall be deemed waived; and (iv) the employer shall have 14 days after receipt of the written objection to notify the employee of any contested expenses that the employer does not agree to remove from the lien, and if the employer does not do so any itemized expense objected to by the employee shall be deemed withdrawn and not included in the arbitration. This bill is identical to SB 1175.

Patron - Habeeb

SB1175 Workers' compensation; employer's lien; third party actions. Requires that any arbitration proceeding regarding the exercise of an employer's right of subrogation to an employee's claim against a third party shall be limited solely to arbitrating the amount and validity of the employer's lien and shall not affect the employee's rights in any way. Such arbitration shall not be held unless (i) any contested expenses

remaining have been submitted to the Virginia Workers' Compensation Commission (the Commission) for a determination of their validity and the Commission has made such determination of validity prior to the commencement of the arbitration; (ii) prior to the commencement of such arbitration the employer has provided the injured employee and his attorney, if any, with an itemization of the expenses associated with the lien that is the subject of the arbitration; (iii) upon receipt of the itemization of the lien, the employee shall have 21 days to provide a written objection to any expenses included in the lien to the employer, and if the employee does not do so any objections to the lien to be arbitrated shall be deemed waived; and (iv) the employer shall have 14 days after receipt of the written objection to notify the employee of any contested expenses that the employer does not agree to remove from the lien, and if the employer does not do so any itemized expense objected to by the employee shall be deemed withdrawn and not included in the arbitration. This bill is identical to HB 1659.

Patron - Chafin

SB1201 Workers' compensation; suitably equipped automobile. Authorizes the Workers' Compensation Commission to require an employer to provide funds for the purchase of a suitably equipped automobile for an incapacitated employee if it finds that it is medically necessary and that modifications to the employee's automobile are not technically feasible or will cost more than the funds available for a replacement automobile. The total of the costs of the automobile and of any bedside lifts, adjustable beds, and modification of the employee's principal home are limited to \$42,000, which is the amount of the existing cap on expenses for modifications to the injured employee's automobile and home.

Patron - Lewis

Title 67 - Virginia Energy Plan

SB1258 Virginia Solar Energy Development and Energy Storage Authority. Continues the Virginia Solar Energy Development Authority and renames it the Virginia Solar Energy Development and Energy Storage Authority. The measure expands the purposes of the authority to include positioning the Commonwealth as a leader in research, development, commercialization, manufacturing, and deployment of energy storage technology. The powers of the Authority are expanded to include (i) promoting collaborative efforts among Virginia's public and private institutions of higher education in research, development, and commercialization efforts related to energy storage; (ii) monitoring relevant developments nationally and globally; and (iii) identifying and working with the Commonwealth's industries and nonprofit partners. The size of the Authority is expanded from 11 to 15 members.

Patron - Ebbin

Miscellaneous Bills and Resolutions

Constitutional Amendments

HJ545 Constitutional amendment (first resolution); powers of General Assembly; suspension or nullification of administrative rule or regulation. Provides that the General

Assembly may suspend or nullify any or all portions of any administrative rule or regulation by a joint resolution agreed to by a majority of the members elected to each house. The amendment also grants to the General Assembly the authority to authorize a legislative committee or legislative committees acting jointly or a legislative commission to suspend any or all portions of any administrative rule or regulation while the Gen-

eral Assembly is not in a regular session. Such suspension would continue until the end of the next regular session.

Patron - Head

HJ562 Constitutional amendment (first resolution); real property tax; exemption for surviving spouse of a disabled veteran. Provides that the real property tax exemption for the principal residence of the surviving spouse of a disabled military veteran applies without any restriction on the spouse's moving to a different principal place of residence.

Patron - Miyares

HJ693 Constitutional amendment (first resolution); Transportation Funds. 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, and other funds established by general law for transportation. The amendment directs that revenues dedicated to Transportation Funds on January 1, 2018, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The amendment specifies that the General Assembly may borrow from the Funds for other purposes only by an affirmative vote of two-thirds of the members elected to each house and that the loan must be repaid with reasonable interest within four years.

Patron - LaRock

SJ295 Constitutional amendment (first resolution); legislative review of administrative rules. Grants to the General Assembly the authority to review any administrative rule to ensure it is consistent with the legislative intent of the statute that the rule was written to interpret, prescribe, implement, or enforce. The amendment provides that after such review, the General Assembly may approve or reject, in whole or in part, any rule as provided by law and that the approval or rejection of a rule by the General Assembly shall not be subject to veto by the Governor.

Patron - Vogel

SJ331 Constitutional amendment (first resolution); property tax; exemption for flooding remediation, abatement, and resiliency efforts. Provides that the General Assembly may authorize a county, city, or town to partially exempt any real subject to recurring flooding upon which flooding abatement, mitigation, or resiliency efforts have been undertaken.

Patron - Lewis

Budgets, Bonds, and Claims

HB1500 Budget Bill. Amends Chapter 780, 2016 Acts of Assembly.

Patron - Jones

HB1650 Claims; Keith Allen Harward. Provides relief in the amount of \$1,548,439 to Keith Allen Harward, who was incarcerated from 1983 until 2016 after being convicted of first degree murder. In 2016 he was granted a Writ of Actual Innocence by the Supreme Court of Virginia based upon DNA evidence that excluded Mr. Harward as the perpetrator of the crime. Mr. Harward's relief would be paid as follows: (i) an ini-

tial lump sum of \$309,688 to be paid within 60 days immediately following the execution of a release by Mr. Harward from any present or future claims he may have and (ii) the sum of \$1,238,751 to purchase an annuity before October 1, 2017, for the primary benefit of Mr. Harward with the terms structured in his best interests. In addition, the bill entitles Mr. Harward to receive up to \$10,000 for tuition for career and technical training within the Virginia Community College System. This bill is identical to SB 1479.

Patron - Sullivan

HB2248 Capital outlay plan. Updates the six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources. This bill is identical to SB 1045.

Patron - Jones

HB2249 Prior authorization of bonds to fund certain revenue-producing capital projects at institutions of higher learning; Virginia State University. Expands the scope of a revenue-producing capital project at Virginia State University funded by a prior bond authorization. The bill has an emergency clause.

Patron - Jones

HB2250 Bonds for institutions of higher education. Authorizes issuance of bonds in an amount up to \$13,637,000 for revenue-producing capital projects at institutions of higher education. The bill contains an emergency clause. This bill is identical to SB 1369.

Patron - Jones

SB1369 Bonds for institutions of higher education. Authorizes issuance of bonds in an amount up to \$13,637,000 for revenue-producing capital projects at institutions of higher education. The bill contains an emergency clause. This bill is identical to HB 2250.

Patron - Norment

SB1370 Prior authorization of bonds to fund certain revenue-producing capital projects at institutions of higher education; Virginia State University. Expands the scope of a revenue-producing capital project at Virginia State University funded by a prior bond authorization. The bill contains an emergency clause.

Patron - Norment

SB1479 Claims; Keith Allen Harward. Provides relief in the amount of \$1,548,439 to Keith Allen Harward, who was incarcerated from 1983 until 2016 after being convicted of first degree murder. In 2016 he was granted a Writ of Actual Innocence by the Supreme Court of Virginia based upon DNA evidence that excluded Mr. Harward as the perpetrator of the crime. Mr. Harward's relief would be paid as follows: (i) an initial lump sum of \$309,688 to be paid within 60 days immediately following the execution of a release by Mr. Harward from any present or future claims he may have and (ii) the sum of \$1,238,751 to purchase an annuity before October 1, 2017, for the primary benefit of Mr. Harward with the terms structured in his best interests. In addition, the bill entitles Mr. Harward to receive up to \$10,000 for tuition for career and technical training within the Virginia Community College System. This bill is identical to HB 1650.

Patron - Howell

Charters

HB1396 Charter; Town of Grottoes. Authorizes the town council to appoint a member to the office of vice-mayor, to serve in the event of the mayor's absence or inability to act. This bill is identical to SB 786.

Patron - Landes

HB1461 Charter; Town of Quantico; town officers. Removes the town treasurer, town clerk, and town sergeant as officers of the town elected by the town council.

Patron - Dudenhefer

HB1958 Charter; County of Chesterfield. Corrects or repeals numerous outdated provisions and makes technical amendments to the County of Chesterfield charter. Other changes include (i) eliminating provisions relating to the departments of budget and management, accounting, and fire and replacing a listing of these and other county departments with a general statement that provides, in part, that the board of supervisors, in consultation with the county administrator, may create or abolish existing departments; (ii) eliminating various requirements related to appointment of a committee on the future and replacing it with an authorization to appoint committees as the board deems advisable; and (iii) providing that once a public facility has been determined to be in substantial accord with the county's comprehensive plan or is shown on the public facilities plan, then additional property for such facility may be added without submittal and approval and that "small cell" telecommunications facilities shall be exempt from certain requirements for substantial accord approval if the facilities are located within a zoning district where such use is either permitted by right or permitted with restrictions.

Patron - Ingram

HB1977 Charter; City of Williamsburg. Expands membership on the redevelopment and housing authority from five members to up to seven members, no more than five of whom shall be members of the city council. This bill is identical to SB 1134.

Patron - Mullin

HB2152 Charter; City of Hopewell; water renewal commission. Changes the membership of the Hopewell Water Renewal Commission (the Commission) from a total of eight members appointed by the city council, five of whom are nominees of five manufacturers, to up to nine members, three of whom shall be a member of the city council, the city manager, and the city attorney, and the remainder of whom shall be appointed by the city council from nominees each submitted by a manufacturer who shall provide a capital contribution in an amount determined by the city council. The bill removes the city council's authority to provide for additional nominees to the Commission by manufacturers not involved in planning assistance and requires the Commission to assist in the maintenance and expansion of the city's regional wastewater treatment facility. This bill is identical to SB 992.

Patron - Aird

SB786 Charter; Town of Grottoes. Authorizes the town council to appoint a member to the office of vice-mayor, to serve in the event of the mayor's absence or inability to act. This bill is identical to HB 1396.

Patron - Hanger

SB992 Charter; City of Hopewell; water renewal commission. Changes the membership of the Hopewell Water Renewal Commission (the Commission) from a total of eight members appointed by the city council, five of whom are nominees of five manufacturers, to up to nine members, three of whom shall be a member of the city council, the city manager, and the city attorney, and the remainder of whom shall be appointed by the city council from nominees each submitted by a manufacturer who shall provide a capital contribution in an amount determined by the city council. The bill removes the city council's authority to provide for additional nominees to the Commission by manufacturers not involved in planning assistance and requires the Commission to assist in the maintenance and expansion of the city's regional wastewater treatment facility. This bill is identical to HB 2152.

Patron - Dance

SB1073 Charter; Town of Bridgewater. Updates the town's charter and sets out various powers that are typically exercised by towns.

Patron - Obenshain

SB1083 Charter; Town of Herndon. Amends the town's boundary description.

Patron - Wexton

SB1084 Charter; Town of Herndon; elections. Shifts the town's municipal elections from May to November.

Patron - Wexton

SB1134 Charter; City of Williamsburg. Expands membership on the redevelopment and housing authority from five members to up to seven members, no more than five of whom shall be members of the city council. This bill is identical to HB 1977.

Patron - Mason

SB1318 Charter; Town of Troutdale. Specifies the terms of office of the mayor and the recorder as four years.

Patron - Carrico

SB1319 Charter; Town of Wytheville. Removes provisions that would require a special election to fill certain vacancies in the office of mayor or on the town council, thus subjecting all such vacancies to the existing requirement that vacancies be filled for the remainder of the unexpired term by majority vote of the remaining members on the council.

Patron - Carrico

SB1429 Charter; Town of Onley. Shifts the town's municipal elections from May to November.

Patron - Lewis

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