

[P] HB1949 Secondary highways; resumption of responsibilities by counties. Provides a mechanism by which counties may resume responsibility for some or all of state secondary highways within their boundaries. This bill is the same as HB 2049 (Rollison) and SB 1045 (Williams).

Patron - Hull

[P] HB1966 Urban system highway funds. Authorizes cities and towns to use up to one-third of their allocation of urban system highway funds for debt service on bonds or costs to be incurred on approved urban projects. Under current law, one-third of the urban system highway funds allocated to a city or town may be used to reimburse the city or town for debt service and costs already paid.

Patron - Wardrup

[P] HB2018 "Pave-in-Place" program. Repeals the July 1, 2001, "sunset" on VDOT's "Pave-in-Place" program. This bill is the same as SB 1299 (Mims).

Patron - May

[P] HB2044 Value engineering. Increases from \$2 million to \$5 million the minimum cost of highway projects in connection with which value engineering must be used by the Department of Transportation. This bill is the same as SB 1050 (Williams).

Patron - Rollison

[P] HB2045 Highway projects cancelled by counties. Requires counties that cancel secondary system highway construction or improvement projects included in their six-year plans to reimburse the Commonwealth Transportation Board (CTB) for funds expended for planning, engineering, right-of-way acquisition, demolition, relocation, and construction. The bill also allows the CTB to waive the reimbursement. This bill is the same as SB 1051 (Williams).

Patron - Rollison

[P] HB2049 Secondary highways; resumption of responsibilities by counties. Provides a mechanism by which counties may resume responsibility for some or all of state secondary highways within their boundaries. This bill is the same as HB 1949 (Hull) and SB 1045 (Williams).

Patron - Rollison

[P] HB2082 Tree-trimming policies of Commonwealth Transportation Board. Requires the Commonwealth Transportation Board to adopt policies governing the trimming of roadside trees that do not adversely affect highway operations, maintenance, or safety. These policies would apply to pruning and trimming trees by the employees and agents of and contractors with the Virginia Department of Transportation. These policies must be consistent with generally accepted standards.

Patron - Van Yahres

[P] HB2159 Beryl R. Newman Memorial Highway. Designates Virginia Route 227 between the Town of Urbanna and Cooks Corner in Middlesex County the "Beryl R. Newman Memorial Highway."

Patron - Morgan

[P] HB2160 Beryl R. Newman Memorial Bridge. Designates the Virginia Route 227 bridge over Urbanna Creek in Middlesex County the "Beryl R. Newman Memorial Bridge."

Patron - Morgan

[P] HB2303 VDOT contracts. Mandates that Virginia Department of Transportation contracts require that contractors comply with all requirements, conditions, and terms of such contracts, including environmental permits that are part of the contracts. If a contractor violates a contract provision that results in environmental damage or violates environmental laws or environmental permits, the Department may suspend the contractor from future bidding or initiate debarment. In such cases, the Department may recover either (i) the loss or damage that the Department suffers as a result of such violation or (ii) any liquidated damages established in such contract plus (iii) reasonable attorney's fees and expert witness fees. This bill is the same as SB 1052 (Williams).

Patron - Wardrup

[P] HB2406 John Lewis/Andrew Lewis Memorial Highway. Designates portions of I-81 the "John Lewis Memorial Highway" and the "Andrew Lewis Memorial Highway."

Patron - Griffith

[P] HB2418 Submission of claims to the Department of Transportation and Commonwealth Transportation Board. Provides for reconsideration of contractor claims against VDOT when claims are denied because of administrative oversight.

Patron - Rollison

[P] HB2419 Management of the Commonwealth's central vehicle fleet. Transfers from the Commonwealth Transportation Commissioner to the Director of the Department of General Services the responsibility for managing the Commonwealth's central vehicle fleet. This bill is the same as SB 1048 (Williams).

Patron - Wardrup

[P] HB2420 Statewide Transportation Plan. Requires the Secretary of Transportation to develop a statewide transportation plan with a 20-year horizon and update that plan at least every five years. This plan supersedes the quinquennial assessment of highway needs by the Virginia Department of Transportation. This bill is the same as SB 1047 (Williams).

Patron - Wardrup

[P] HB2422 Assistant commissioner for the environment, transportation planning, and regulatory affairs. Requires the Commonwealth Transportation Commissioner to employ an assistant commissioner for the environment, transportation planning, and regulatory affairs. This bill is the same as SB 1046 (Williams).

Patron - Wardrup

[P] HB2524 Dr. Ralph Stanley Highway. Designates Va. Rte. 652 between Toms Creek and Nora the "Dr. Ralph Stanley Highway."

Patron - Phillips

[P] HB2559 Henderson Road. Designates Henderson Road in Fairfax County a Virginia byway.

Patron - O'Brien

[P] HB2563 Woodrow Wilson Memorial Bridge. Prohibits use of Virginia revenues for repairs to or replacement of the Woodrow Wilson Memorial Bridge if the repair or replacement project is subject to a project labor agreement.

Patron - O'Brien

[P] HB2599 Senator M. M. Long Highway. Designates US 58A between Hansonville and Norton the "Senator M. M. Long Highway."

Patron - Phillips

[P] HB2656 Gordon C. Willis, Sr., Smart Highway. Designates the so-called "Smart Road," constructed by VDOT and VPISU, the "Gordon C. Willis, Sr., Smart Road."

Patron - Cranwell

[P] HB2670 Outdoor advertising. Allows variable message signs if their messages do not change more than once every four seconds.

Patron - Wardrup

[P] HB2671 Special transportation/taxing district. Creates a special transportation/taxing district, modeled on the existing Route 28 District, to provide a means of financing an extension of commuter rail service from the East Falls Church Metro Station to the vicinity of Dulles Airport. Applicability of the bill is limited to Fairfax County.

Patron - Callahan

[P] HB2688 Hampton Veterans' Highway. Designates the entire length of Hampton Roads Center Parkway in the City of Hampton, including any future extensions, the "Hampton Veterans' Highway."

Patron - Christian

[P] HJ576 Transportation in Reston. Requests the Secretary of Transportation, the Commonwealth Transportation Board, the Department of Transportation, the Department of Rail and Public Transportation, the County of Fairfax, WMATA, LINK, the Dulles Corridor Rail Association, the Dulles Corridor Task Force, local elected officials, and Reston community and business leaders to continue the work begun under SJR 193 and HJR 166 of the 2000 Session to ensure that a coordinated transportation plan is implemented for the Reston community. This resolution is identical to SJR 341 (Howell).

Patron - Plum

[P] HJ603 Chesapeake Bay Bridge Tunnel. Expresses the sense of the General Assembly that any change in the toll for the Chesapeake Bay Bridge Tunnel be delayed until completion of the bi-county impact study initiated by Northampton and Accomack Counties to assess the potential impact of a commuter toll discount on the region, provided that study has been completed by October 1, 2001.

Patron - Bloxom

[P] HJ624 VDOT's Intelligent Transportation System. Encouraging the Virginia Department of Transportation to continue implementing its Intelligent Transportation System, known as Smart Travel, and to draft guidelines for that implementation in consultation with localities.

Patron - Plum

[P] HJ689 Coalfields Expressway. Requests the Virginia Department of Transportation and the Commonwealth Transportation Board to make a decision on the Brown and Root proposal to build the Coalfields expressway as soon as possible following the issuance of the Record of Decision by the Federal Highway Administration.

Patron - Phillips

[P] SB291 Joseph V. Gartlan, Jr., Parkway. Designates the Franconia-Springfield Parkway in Fairfax County

from Rolling Road to Beulah Street the "Joseph V. Gartlan, Jr., Parkway."

Patron - Puller

[P] SB822 No-truck route; US 17. Prohibits operation of tractor truck/semitrailer combinations on US 17 in Fauquier County between US 50 and Interstate 66, except for deliveries, pickups, or transactions within 25 miles. This act expires on June 30, 2002.

Patron - Potts

[P] SB861 Policy of the Commonwealth; use of highways by motorcycles. Prohibits closure by political subdivisions of the Commonwealth of any highway to motorcycles if public funds were used in the highway's construction. This bill is a duplicate of HB 2217 (Stump).

Patron - Houck

[P] SB1045 Secondary highways; resumption of responsibilities by counties. Provides a mechanism by which counties may resume responsibility for some or all of state secondary highways within their boundaries. This bill is the same as HB 1949 (Hull) and HB 2049 (Rollison).

Patron - Williams

[P] SB1046 Assistant commissioner for the environment, transportation planning, and regulatory affairs. Requires the Commonwealth Transportation Commissioner to employ an assistant commissioner for the environment, transportation planning, and regulatory affairs. This bill is the same as HB 2422 (Wardrup).

Patron - Williams

[P] SB1047 Statewide Transportation Plan. Requires the Secretary of Transportation to develop a statewide transportation plan with a 20-year horizon and update that plan at least every five years. This plan supersedes the quinquennial assessment of highway needs by the Virginia Department of Transportation. This bill is the same as HB 2420 (Wardrup). This bill incorporates SB 1213.

Patron - Williams

[P] SB1048 Management of the Commonwealth's central vehicle fleet. Transfers from the Commonwealth Transportation Commissioner to the Director of the Department of General Services the responsibility for managing the Commonwealth's central vehicle fleet. This transfer, however, is inapplicable to the Virginia Department of Transportation (VDOT); VDOT will continue to control its own vehicle fleet.

Patron - Williams

[P] SB1049 Powers and duties of Commonwealth Transportation Board (CTB). Allows the Commonwealth Transportation Board to award contracts for the construction of transportation projects on a design-build basis. The Board may annually award five design-build contracts valued at no more than \$20 million. The Board may also award design-build contracts valued at more than \$20 million, provided that no more than five of these latter contracts are in force at the same time. The bill also requires the CTB to recommend to the General Assembly objective criteria to be used by the CTB in selecting those transportation projects to be advanced from the feasibility to the construction stage. These criteria must include requirements for prequalification of contractors and competitive bidding processes. The contracts have to be of such size and scope as to encourage competition. If such criteria are enacted into law, the criteria will apply to the interstate, primary, and urban systems of highways.

Patron - Williams

P SB1050 Value engineering. Increases from \$2 million to \$5 million the minimum cost of highway projects in connection with which value engineering must be used by the Department of Transportation. This bill is the same as HB 2044 (Rollison).

Patron - Williams

P SB1051 Highway projects cancelled by counties. Requires counties that cancel secondary system highway construction or improvement projects included in their six-year plans to reimburse the Commonwealth Transportation Board (CTB) for funds expended for planning, engineering, right-of-way acquisition, demolition, relocation, and construction. The bill also allows the CTB to waive the reimbursement. This bill is the same as HB 2045 (Rollison).

Patron - Williams

P SB1052 VDOT contracts. Mandates that Virginia Department of Transportation contracts require that contractors comply with all requirements, conditions, and terms of such contracts, including environmental permits that are part of the contracts. If a contractor violates a contract provision that results in environmental damage or violates environmental laws or environmental permits, the Department may suspend the contractor from future bidding or initiate debarment. In such cases, the Department may recover either (i) the loss or damage that the Department suffers as a result of such violation or (ii) any liquidated damages established in such contract plus (iii) reasonable attorney's fees and expert witness fees. This bill is the same as HB 2303 (Wardrup).

Patron - Williams

P SJ341 Transportation in Reston. Requests the Secretary of Transportation, the Commonwealth Transportation Board, the Department of Transportation, the Department of Rail and Public Transportation, the County of Fairfax, WMATA, LINK, the Dulles Corridor Rail Association, the Dulles Corridor Task Force, local elected officials, and Reston community and business leaders to continue the work begun under SJR 193 and HJR 166 of the 2000 Session to ensure that a coordinated transportation plan is implemented for the Reston community.

Patron - Howell

F Failed

F HB1593 Mount Pleasant National Scenic Area. Requires VDOT to install and maintain signs along primary and interstate highways in its vicinity to provide motorists with directions to the Mount Pleasant National Scenic Area.

Patron - Bryant

F HB1650 Drainage easements. Requires the Virginia Department of Transportation to maintain highway drainage easements, both on and off highway right-of-way.

Patron - Armstrong

F HB1670 Distribution of funds in highway condemnation cases. Changes the timetable for distribution of funds in highway condemnation cases to require use of facsimile and overnight delivery services to ensure timely delivery of court orders and transfer of funds. The bill also establishes a 25 percent penalty imposed upon any payment made pursuant to this section if the payment is not timely made.

Patron - Cranwell

F HB1676 Subdivision streets. Changes from July 1, 1988, to July 1, 1991, the date by which subdivision streets must have been open to the public in order to be brought up to

standards for being taken into the state secondary system. This bill has been incorporated into HB 1645.

Patron - Dudley

F HB1695 Subdivision streets. Changes from July 1, 1988, to July 1, 1991, the date by which subdivision streets must have been open to the public in order to be brought up to standards for being taken into the state secondary system. This bill has been incorporated into HB 1645.

Patron - Cranwell

F HB1965 Allocation of urban highway system construction funds. Provides that, if requested by a resolution adopted by the local governing body, urban highway system construction allocations will be paid directly to the locality in the form of quarterly block grants. The locality would then be responsible for construction of projects funded with the grants, subject to such accounting procedures and standards as may be prescribed by the Commonwealth Transportation Commissioner. This process would be terminated if requested by another resolution of the local governing body.

Patron - Wardrup

F HB1990 Transportation revenue bonds; Northern Virginia Transportation District Program. Increases the maximum principal amount of transportation revenue bonds that may be issued for the Northern Virginia Transportation District Program by \$29 million, from \$471.2 million to \$500.2 million, and designates the projects for the increased funding.

Patron - Black

F HB2031 Chesapeake Bay Bridge Tunnel Commission; membership. Provides that appointments and reappointments of individual members of the Chesapeake Bay Bridge Tunnel Commission shall be made by the Governor from a list of at least three individuals provided by the local governing body for which the appointment or reappointment is being made. The bill also provides that elected officials of the Commonwealth or any political subdivision shall not be eligible for appointment to the Commission. The bill does not affect current members of the Commission whose terms have not expired as of July 1, 2001.

Patron - Bloxom

F HB2047 Asset management by the Virginia Department of Transportation (VDOT). Provides a definition of "asset management" and requires VDOT to implement outcome-based asset management practices in operating, maintaining, and upgrading state highways.

Patron - Rollison

F HB2048 Powers and duties of Commonwealth Transportation Board. Allows the Commonwealth Transportation Board to award contracts for the construction of transportation projects on a design-build basis. The Board may annually award five design-build contracts valued at no more than \$20 million. The Board may also award design-build contracts valued at more than \$20 million, provided that no more than five of these latter contracts are in force at the same time.

Patron - Rollison

F HB2089 Hunter Mill Road. Designates Hunter Mill Road in Fairfax County a scenic highway and Virginia byway.

Patron - Devolites

[F] HB2240 Drainage easements. Requires the Virginia Department of Transportation to maintain highway drainage easements, both on and off highway right-of-way.

Patron - Day

[F] HB2291 Subdivision streets. Decreases from one-half to one-quarter the county share of the costs associated with bringing subdivision streets up to standards for inclusion in the state secondary highway system.

Patron - Tate

[F] HB2361 Richmond Metropolitan Authority; maintenance of facilities; application of net savings to debt service and reduction. Requires the Commonwealth Transportation Board to use state highway maintenance funds for maintenance of highway facilities controlled by the Richmond Metropolitan Authority. The bill also requires the Richmond Metropolitan Authority to apply the net savings achieved as the result of this bill toward service and reduction of its outstanding debt.

Patron - Ware

[F] HB2368 Public-Private Transportation Act; imposition of tolls on certain facilities. Limits the number of Public-Private Transportation Act facilities that may be tolled by defining "reconstructed to provide for increased capacity."

Patron - Joannou

[F] HB2437 HOV lanes. Provides a mechanism by which vehicles used by professional firefighters, professional emergency medical technicians, volunteer rescue squad members and volunteer firefighters can be exempted from vehicle occupancy requirements on HOV lanes when traveling to or from a duty shift or responding to an emergency call.

Patron - Drake

[F] HB2520 VDOT; procurement of professional services. Authorizes VDOT, when procuring professional services for projects contained in the Virginia Transportation Development Plan, to negotiate with all offerors deemed qualified and experienced to arrive at a fair and reasonable price for the contract. The bill requires VDOT to comply with federal law and regulations governing transportation procurement activities. Currently, under the Virginia Public Procurement Act, a public body may only negotiate with one offeror at a time and if no contract can be reached, the public body must terminate negotiations with that offeror and begin negotiations with the next offeror. This bill would carve out an exception to this type of procurement for VDOT.

Patron - Reid

[F] HB2544 HOV lanes. Directs the Commonwealth Transportation Commissioner to implement a pilot project to allow volunteer firefighters and members of volunteer rescue squads to use HOV lanes, regardless of the number of occupants in their vehicles.

Patron - Katzen

[F] HB2587 Transportation revenue bonds; Northern Virginia Transportation District Program. Increases the maximum principal amount of transportation revenue bonds that may be issued for the Northern Virginia Transportation District Program by \$29 million, from \$471.2 million to \$500.2 million, and designates the projects for the increased funding.

Patron - Scott

[F] HB2725 Sales and use tax; additional tax in Eighth Planning District to fund transportation projects.

Increases the state sales and use tax by one-half percent in all cities and counties within the Eighth Planning District. The revenues from such increase shall be deposited into the Northern Virginia Transportation Fund to fund transportation projects in the Eighth Planning District. The bill also increases the maximum principal amount of transportation revenue bonds that may be issued for the Northern Virginia Transportation District Program from \$471.2 million to \$2.65 billion, specifies additional transportation projects to be funded by such bonds, and authorizes the Commonwealth Transportation Board to designate additional transportation projects to be paid for from the Northern Virginia Transportation Fund under certain conditions. The bill has a delayed effective date of January 1, 2002, and is contingent upon approval by a majority of persons voting in a joint referendum of all the cities and counties in the Eighth Planning District on November 6, 2001.

Patron - Rollison

[F] HB2736 Virginia Department of Transportation (VDOT); reimbursement for certain lost revenues. Requires VDOT to reimburse utilities for customer revenue losses experienced because of relocation of the utility's lines required by or carried out in connection with a VDOT project.

Patron - Kilgore

[F] HB2740 Department of Transportation review of transportation needs. Requires the Department to report to the General Assembly and local officials those current transportation needs that are unmet under existing plans. The Department, working in cooperation with the Secretary of Transportation, shall further recommend a plan to help alleviate the unmet transportation needs. The recommendation shall include a means by which regions of the Commonwealth may be afforded greater flexibility to address such unmet needs, with appropriate state oversight, including the ability to establish regional transportation entities having broader authority with respect to planning, prioritizing, funding, and implementing transportation solutions for the region.

Patron - Moss

[F] HB2745 Minors of school age and driver's licenses. Authorizes any school board supervising a school in which an unmarried or unemancipated minor is enrolled to file a written request with the Department of Motor Vehicles to cancel a learner's permit or license of the minor because of failure to comply with the Compulsory School Attendance Law or because the minor has received a long-term suspension or expulsion from regular school attendance. A minor enrolled in an alternative education program or having a job may file a written request to retain driving privileges for the purpose of transportation to and from the alternative education program or the job.

Patron - Keister

[F] HB2846 Transportation projects; Harrisonburg - southeast corridor improvements. Changes the name of one of the transportation projects designated in last year's Acts of Assembly from "Harrisonburg - Southeast Bypass" to "Harrisonburg - Southeast Corridor Improvements."

Patron - Landes

[F] HJ797 Interstate Route 64. Memorializes VDOT, in widening I-64 in the vicinity of Williamsburg, to retain the highway's grassy median.

Patron - Grayson

[F] SB978 Chesapeake Bay Bridge and Tunnel Commission. Prohibits appointment or reappointment of local elected officials and members of the General Assembly to the

Chesapeake Bay Bridge and Tunnel Commission, effective July 1, 2001.

Patron - Norment

[F] SB1053 Asset management by the Virginia Department of Transportation (VDOT). Provides a definition of "asset management" and requires VDOT to implement outcome-based asset management practices in operating, maintaining, and upgrading state highways.

Patron - Williams

[F] SB1149 Subdivision streets. Decreases from one-half to one-quarter the county share of the costs associated with bringing subdivision streets up to standards for inclusion in the state secondary highway system.

Patron - Puckett

[F] SB1155 Hunter Mill Road. Designates Hunter Mill Road in Fairfax County a scenic highway and Virginia byway.

Patron - Howell

[F] SB1230 VDOT; procurement of professional services. Authorizes VDOT, when procuring professional services for projects contained in the Virginia Transportation Development Plan, to negotiate with all offerors deemed qualified and experienced to arrive at a fair and reasonable price for the contract. The bill requires VDOT to comply with federal law and regulations governing transportation procurement activities. Currently, under the Virginia Public Procurement Act, a public body may only negotiate with one offeror at a time and if no contract can be reached, the public body must terminate negotiations with that offeror and begin negotiations with the next offeror. This bill would carve out an exception to this type of procurement for VDOT.

Patron - Trumbo

[F] SB1278 HOV lanes. Eliminates the one-year limit on the pilot project, authorized by the 2000 Session, for HOV facilities in the Hampton Roads Planning District, providing for temporary lifting HOV restrictions when one or more lanes of the same highway carrying traffic in the same direction are blocked for a period of time. The bill also shortens this period from 10 minutes to five minutes.

Patron - Wagner

[F] SB1326 Evaluation of highway construction impacts. Requires the Department of Transportation to evaluate the effectiveness and impact of all proposed new highways, new lanes added to existing highways, and new interchanges, wherever such proposed projects are estimated to cost \$20 million or more.

Patron - Houck

[F] SB1345 Drainage easements. Requires the Virginia Department of Transportation to maintain highway drainage easements, both on and off highway right-of-way.

Patron - Reynolds

[F] SB1362 Directional signs for Natural Tunnel State Park. Requires the Virginia Department of Transportation to install and maintain prominent signs providing motorists directions to Natural Tunnel State Park on (i) U.S. Route 23 in the vicinity of Moccasin Gap and (ii) U.S. Route 58 in the vicinity of Pound Gap.

Patron - Wampler

[F] SB1389 Highway maintenance payments to cities and towns. Provides for use of a depreciation factor in calculating highway maintenance payments to cities and towns.

Patron - Williams

[F] SB1401 HOV lanes. Provides a mechanism by which vehicles used by professional firefighters, professional emergency medical technicians, volunteer rescue squad members and volunteer firefighters can be exempted from vehicle occupancy requirements on HOV lanes when traveling to or from a duty shift or responding to an emergency call.

Patron - Wagner

[F] SJ392 Study; Highway safety in Loudoun County. Requests a special panel comprised of affected state and local governmental agencies and concerned elected officials and citizens to work together to improve traffic safety at the most dangerous intersections in Loudoun County.

Patron - Mims

Hotels, Restaurants, Summer Camps and Campgrounds

[F] Failed

[F] HB1854 Health; restaurant rating. Provides for the development of a system of grading for restaurant health inspections, which grade shall be posted in a conspicuous place within each restaurant. Regulations shall provide for license revocation for establishments that receive a rating considered not acceptable.

Patron - McQuigg

Housing

[P] Passed

[P] HB2344 Uniform Statewide Building Code; inspection warrants. Establishes the authority for the issuance of inspection warrants for the enforcement of the Virginia Uniform Statewide Building Code under certain circumstances.

Patron - Almand

[P] HB2438 Housing; powers of redevelopment and housing authorities; eminent domain and redevelopment plans. Provides that a redevelopment and housing authority, when identifying real property to be acquired for redevelopment, must also identify anticipated funding sources that may be sufficient to acquire the property. The bill also provides that (i) any real property that has not been acquired or for which condemnation proceedings have not been instituted within five years from the redevelopment plan approval date are no longer eligible to be so acquired unless the parties agree to the acquisition; (ii) localities must reaffirm a redevelopment plan within three years of their approval of the plan; (iii) localities are not precluded from adopting a new redevelopment plan that includes real property previously included within a redevelopment area under a previously adopted redevelopment plan; and (iv) upon written request of a property owner, a redevelopment and housing authority that decides against acquiring previously identified property shall reimburse the property owner for reasonable expenses he incurred in connection with the proposed acquisition. The bill also provides for alternative dispute reso-

lution in cases where eminent domain is used to acquire real property under an approved redevelopment plan. The bill is a recommendation of the Housing Study Commission.

Patron - Drake

[P] HB2735 Eligibility for Industrial Site Development Program. Requires the Department of Housing and Community Development, in determining eligibility for the Industrial Site Development Program, to allow exceptions to the Department's minimum requirement of 200 net developable acres because of geographic, topographic or land availability limitations.

Patron - Kilgore

[P] SB1006 Spot blight abatement. Allows the use of the spot blight abatement procedures anywhere in a locality, whether inside or outside of a conservation or redevelopment area.

Patron - Ticer

[P] SB1233 Uniform Statewide Building Code; effect on local ordinances. Restricts localities from incorporating certain building design requirements in their local zoning ordinances by providing that the USBC supercedes such ordinances. The bill also specifies that the USBC does not supercede (i) proffered conditions accepted as a part of a rezoning application, conditions imposed upon the grant of special exceptions, special or conditional use permits or variances; (ii) land use requirements in airport or highway overlay districts, or historic districts; or (iii) local flood plain regulations adopted as a condition of participation in the National Flood Insurance Program. This bill is a recommendation of the Housing Study Commission.

Patron - Williams

[P] SB1325 Low-income housing tax credit. Expands the state taxes against which the low-income housing tax credit may be taken to include estate and trust taxes, and bank franchise taxes, for taxable years beginning on or after January 1, 2001. The bill also provides for a five year carry-over period of any tax credit that may not be used in a taxable year. The bill reduces the total maximum amount of low-income housing credits which may be approved by the Board of Housing and Community Development in any calendar year from \$3.5 million to \$500,000.

Patron - Stosch

[P] SB1416 Grant to localities; harvesting and collection of rainwater. Provides, subject to appropriation, grants to local governments from the Alternate Water Supply Assistance Fund to be used by such localities for entering into agreements with businesses and individuals to harvest and collect rainwater for such uses as determined necessary by the locality. The Department of Housing and Community Development shall administer the fund and shall develop a process for determining what areas and localities shall qualify for the grants.

Patron - Marye

[F] Failed

[F] HB1697 Department of Housing and Community Development; low interest loans for teachers. Requires the Director of the Department of Housing and Community Development to develop and administer, with such funds as may be made available or may be used for such purposes, a mortgage loan program for teachers under contract with a Virginia school board that shall provide for interest rates below the prevailing rate of interest in Virginia for similar programs and be conditioned on the agreement by such teachers to teach

in Virginia for a minimum of three years. The program may provide for penalties for breaching the agreement to teach in Virginia for a minimum of three years that may include, but need not be limited to, increases in interest rates. The Board will advise the Department and the Director in the development of this teacher loan program.

Patron - Baskerville

[F] HB2188 Housing; heating supply for rental premises. Requires the owner or operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either express or implied, to furnish heat to the occupants, to supply sufficient heat during the period from October 15 to April 1 to maintain room temperature of 65 degrees Fahrenheit during the hours between 6:30 a.m. and 10:30 p.m. of each day and not less than 60 degrees Fahrenheit during other hours.

Patron - Watts

[F] HB2364 Uniform Statewide Building Code; definition of "owner." Adds to the definition of "owner" any person, agent, operator, firm or corporation having control of a building or structure. This expanded definition of "owner" makes this definition under the USBC consistent with that term as defined in the BOCA National Property Maintenance Code, thereby making such persons having property maintenance responsibility liable for violations of the USBC.

Patron - Jones, D.C.

[F] HB2760 Uniform Statewide Building Code; application of rehabilitation code to commercial properties. Requires the Board of Housing and Community Development to make amendments to the building code to allow for the application of rehabilitation standards to commercial properties as a way to revitalize urban areas. The bill also requires the Board to adequately train building officials and Code enforcement personnel and design professionals throughout the Commonwealth on these new building code provisions and report to the 2003 Session of the General Assembly on its progress to comply with the requirements of this new law.

Patron - McEachin

[F] SB1002 Housing Development Authority; regulations. Requires the Housing Development Authority to develop regulations providing that single-family mortgage loans may be made to more than one person if the persons to whom the loan is to be made are living together in the dwelling as a single, nonprofit housekeeping unit.

Patron - Ticer

[F] SB1411 Virginia Resources Authority. Authorizes the Virginia Resources Authority, with the prior approval of the Board of Health and the state treasurer, to pledge funds in the Water Supply Assistance Grant Fund as security for bonds of the Authority, provided that the Environmental Protection Agency approves the bill's provisions as they pertain to the Commonwealth's qualifications for full funding from the federal government.

Patron - Wampler

[F] SB1414 Virginia Water Supply Revolving Fund. Transfers administration of the Virginia Water Supply Revolving Fund from the Board of Health to the Department of Housing and Community Development. In addition, the bill requires the Department of Housing and Community Development to enter into a memorandum of agreement with the Department of Health to develop the intended use plan required by the federal Safe Water Drinking Act. The bill also provides that the provisions of the act will not become effective until the memoran-

dum of agreement is approved by the Environmental Protection Agency.

Patron - Wampler

Institutions for the Mentally Ill; Mental Health Generally

P Passed

P HB1578 Service upon guardian ad litem in guardianship cases. Provides that a respondent in a guardianship proceeding may be served by the guardian ad litem, as well as by ordinary personal service, with the notice, a copy of the petition and a copy of the order appointing a guardian ad litem and that such service constitutes valid personal service.

Patron - Howell

P HB1898 Persons with mental illness, mental retardation or substance abuse problems; state and local human rights committees. Clarifies that the two consumers that must serve on state or local human rights committees may be individuals who are receiving (as in current law) or individuals who have received, within five years of their initial appointment, public or private mental health, mental retardation, or substance abuse treatment or habilitation services.

Patron - Johnson

P HB1904 Mental health; Alzheimer's Commission. Changes the duties of the Alzheimer's Disease and Related Disorders Commission to better reflect its advisory capacity to the Secretary of Health and Human Resources. This bill authorizes the Commission to recommend funding initiatives, statutory and regulatory changes, and such other issues that the Commission feels would assist people with Alzheimer's disease and related disorders and their caregivers. Currently, the Commission is charged with developing a plan for funding local initiatives. An annual report is still required by September 1 of each year. This bill is identical to SB 1332.

Patron - Plum

P HB1981 Guardians and conservators. Requires the Executive Secretary of the Supreme Court to provide instructions regarding the duties, powers and liabilities of guardians and conservators to each clerk of court; the clerk must then provide such information to each guardian and conservator upon notice of appointment.

Patron - Orrock

P HB2491 Involuntary commitment hearing. Eliminates the 72- or 96-hour maximum extension periods for a commitment hearing to conform to the duration of a temporary detention order, which was changed in 1998. The bill provides that when the maximum 48-hour period of temporary detention would expire on a Saturday, Sunday or legal holiday, the person may be detained until the next day that is not a Saturday, Sunday or legal holiday.

Patron - Brink

P HB2595 Department of Mental Health, Mental Retardation and Substance Abuse Services; licensing. Clarifies and updates the statutory provisions for licensing operations of the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS). The bill defines providers that are licensed and the services that they provide. The Commissioner of DMHMRSAS is granted access at all reasonable times to all services and records, including

medical records. Records that are confidential under federal or state law shall be maintained as confidential by the Department; however, there shall be no right of access to peer review communications that are privileged. The bill clarifies inspections shall be focused on preventing specific risks to consumers, including an evaluation of the physical facilities in which the services are provided. Further, the bill states the Commissioner shall promptly investigate all complaints. The bill clarifies the maximum term of provisional and conditional licenses shall be six months. Such licenses may be renewed for a total period of provisional or conditional licensing of 12 successive months. Finally, the bill provides that the State Mental Health, Mental Retardation and Substance Abuse Services Board may promulgate regulations specifying the maximum number of residents to be served by any intermediate care facility for the mentally retarded. This bill is identical to SB 1159.

Patron - McDonnell

P HB2610 Authority for release of mental health information for concealed handgun permit. Assures that the State Police and issuing localities have access to mental health information on those seeking a concealed handgun permit. This bill is identical to SB 1337.

Patron - Abbitt

P HB2836 Criminal background checks; adult substance abuse treatment programs. Permits community services boards, behavioral health authorities, and agencies licensed by the Department of Mental Health, Mental Retardation and Substance Abuse Services to hire for adult substance abuse treatment programs persons who were convicted of a felony for distribution of drugs or burglary where the building was not occupied at the time of the incident resulting in the conviction upon a determination, by the hiring agency, based upon a screening assessment, that such criminal behavior was substantially related to the applicant's use of substances, and that the person has been successfully rehabilitated and is not a risk to consumers based on his criminal history background and substance use, abuse or addiction histories. The Department of Mental Health, Mental Retardation and Substance Abuse Services will designate the screening contractor. To be eligible for such screening, the applicant must have completed all prison or jail terms; not be under probation or parole supervision, or any suspended sentence; have no pending charges in any locality; have paid all fines, restitution, and court costs for any prior convictions; and have been free of any suspended sentence, parole or probation for at least seven years for drug convictions and five years for all other convictions. In addition to any such additional information as the hiring agency or the screening contractor may require or the prospective applicant wishes to present, the prospective applicant must provide to the state screening contractor a statement from his most recent probation or parole officer, if any, outlining his period of supervision, together with a copy of any pre-sentencing or post-sentencing report in connection with each felony conviction. The prospective applicant must pay the cost of such screening, unless the board, authority, local department or licensed agency decides, at its option, to pay such cost.

P SB1159 Department of Mental Health, Mental Retardation and Substance Abuse Services; licensing. Clarifies and updates the statutory provisions for licensing operations of the Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS). The bill defines providers that are licensed and the services that they provide. The Commissioner of DMHMRSAS is granted access at all reasonable times to all services and records, including medical records. Records that are confidential under federal or state law shall be maintained as confidential by the Department; however, there shall be no right of access to peer review

communications that are privileged. The bill clarifies inspections shall be focused on preventing specific risks to consumers, including an evaluation of the physical facilities in which the services are provided. Further, the bill states the Commissioner shall promptly investigate all complaints. The bill clarifies the maximum term of provisional and conditional licenses shall be six months. Such licenses may be renewed for a total period of provisional or conditional licensing of 12 successive months. Finally, the bill provides that the State Mental Health, Mental Retardation and Substance Abuse Services Board may promulgate regulations specifying the maximum number of residents to be served by any intermediate care facility for the mentally retarded. This bill is identical to HB 2595.

Patron - Hanger

[P] SB1332 Mental health; Alzheimer's Commission. Changes the duties of the Alzheimer's Disease and Related Disorders Commission to better reflect its advisory capacity to the Secretary of Health and Human Resources. This bill authorizes the Commission to recommend funding initiatives, statutory and regulatory changes, and such other issues that the Commission feels would assist people with Alzheimer's disease and related disorders and their caregivers. Currently, the Commission is charged with developing a plan for funding local initiatives. An annual report is still required by September 1 of each year. This bill is identical to HB 1904.

Patron - Barry

[P] SB1337 Mental health; possession of firearms. Expands the requirement that the clerk of the appropriate court send a record of adjudication of incapacity, commitment or order of restoration of capacity to the Central Criminal Records Exchange for the purpose determining a person's eligibility to possess, purchase or transfer a firearm. This bill is identical to HB 2701 (Armstrong).

Patron - Stolle

[F] Failed

[F] HB1626 Mental health, mental retardation and substance abuse services. Requires community services boards (CSBs) and behavioral health authorities (BHAs) to submit to their local governing bodies performance contracts for mental health, mental retardation and substance abuse services in accordance with the schedule determined by the governing body or at least 15 days before the meeting at which the governing body is scheduled to consider approval of that contract. The bill clarifies that the submission of the performance contract to the Department of Mental Health, Mental Retardation and Substance Abuse Services shall include the approval by formal vote of operating or administrative policy CSBs and BHAs.

Patron - Tate

[F] HB1702 Appointment of a guardian ad litem for an incapacitated person. Provides that on the filing of every petition for guardianship or conservatorship, the court may appoint a guardian ad litem to represent the interests of the respondent and, if the value of the respondent's estate is more than \$5,000, shall appoint a guardian ad litem. Currently, a guardian ad litem must be appointed in every case, regardless of the value of the estate.

Patron - Howell

[F] HB1779 Mental health; licensure. Expands the definition of "facility" or "institution" to include organizations, agencies, or programs that provide treatment or care for men-

tally ill, mentally retarded, or substance addicted or abusing persons. Also defines the term "care" or "treatment."

Patron - Hamilton

[F] HB1919 Names of mental health facilities. Updates the authority of the Board of Mental Health, Mental Retardation and Substance Abuse Services to change the names of mental health facilities operated by the Department of Mental Health, Mental Retardation and Substance Abuse Services. Notwithstanding the Board's discretion to change the names of such facilities, the second enactment clause requires the Board to change the name of the DeJarnette Center to the Carrie Buck Center, effective on July 1, 2001.

Patron - Van Yahres

[F] HB2192 DMHMRSAS; caregiver training. Requires the Department of Mental Health, Mental Retardation and Substance Abuse Services to develop a voluntary training program for unlicensed caregivers of persons with mental illness or mental retardation who have been discharged from a publicly funded mental health or mental retardation institutional placement. The program, which shall be administered through the local community services boards and behavioral health authorities, is to include training, supervision, assistance and other services to assist the caregiver and the individual in dealing with the challenges of living in the community and to ensure that the individual is receiving adequate and responsible care. DMHMRSAS will be responsible for funding this program, participation in which is voluntary for unlicensed caregivers.

Patron - Crittenden

[F] HB2258 Involuntary temporary detention. Requires that each petition for involuntary temporary detention be accompanied by a clinical certificate executed by an independent psychiatrist or physician who personally examined within the previous 72 hours the person who is the subject of such petition, in addition to the current statutory requirement of a prescreening report recommending involuntary detention prepared by an employee or designee of a local community services board who performed an in-person evaluation of the person within the previous 72 hours. A clinical certificate shall be signed by the examining psychiatrist or physician, shall be dated the day of the personal examination, shall contain the results of the medical examination including any significant or life-threatening medical conditions that require immediate treatment, and shall contain the facts and circumstances upon which the psychiatrist or physician bases his judgment that the person examined is mentally ill and in need of involuntary detention. An employee or designee of the local community services board shall determine the facility of temporary detention for all individuals detained in accordance with the admission criteria of that facility or obtain the oral or written approval by the director of the facility prior to designating such facility on the prescreening report. Each community services board shall provide to each general district court and magistrate's office within its jurisdiction a list of psychiatrists or physicians available on a 24-hour basis in state hospitals or private hospital emergency facilities who are available to perform the requisite evaluations.

Patron - Watts

[F] HB2596 Restructuring of mental health care system. Provides for targeted facility restructuring of the mental health care system, giving the Commissioner the authority to close Southern Virginia Mental Health Institute by July 1, 2002, Piedmont Geriatric Hospital by July 1, 2006, Catawba Hospital by July 1, 2006, and the inpatient geriatric services at Eastern State Hospital by July 1, 2004. The Commissioner is authorized to relocate rehabilitation services from Eastern

State Hospital to a site more central to the current geographical regions served by the hospital, provided that there is not a reduction in the services for extended rehabilitation to consumers. The Commissioner is also authorized to operate DeJarnette Center as a public facility for youth requiring services under the Comprehensive Services Act (CSA). The bill gives the Commissioner the authority, with the approval of the Governor and Secretary of Health and Human Resources, to make any necessary decisions and enter into any necessary contracts and other agreements relative to mental health care system restructuring and state mental health facility closures that may have the effect of closing state facilities or programs or beds within state facilities; converting the use of facilities; changing the nature of the services currently provided in state mental health facilities; selling state facility land and buildings; or otherwise providing for the maximum protection, safety and appropriate care and treatment of consumers and the well-being of state facility employees. The Commissioner shall authorize the delivery of acute care inpatient psychiatric services in local community hospitals and provide for the transfer of consumers from geriatric inpatient mental health services in state mental health facilities to community gero-psychiatric residential placements under certain conditions. The bill calls for an amendment to the State Medical Assistance Plan for community gero-psychiatric residential services. The bill also calls for the Commissioner to create a Gero-Psychiatric Behavioral Health Institute. Finally, the Commissioner shall develop an operational model, in collaboration with representatives of the CSA program, local governments and other key stakeholders, to convert DeJarnette Center to a CSA residential facility and shall report the results to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees on or before September 30, 2001. This bill is identical to HB 1158.

Patron - McDonnell

[F] SB1158 Restructuring of mental health care system. Provides for targeted facility restructuring of the mental health care system, giving the Commissioner the authority to close Southern Virginia Mental Health Institute by July 1, 2002, Piedmont Geriatric Hospital by July 1, 2006, Catawba Hospital by July 1, 2006, and the inpatient geriatric services at Eastern State Hospital by July 1, 2004. The Commissioner is authorized to relocate rehabilitation services from Eastern State Hospital to a site more central to the current geographical regions served by the hospital, provided that there is not a reduction in the services for extended rehabilitation to consumers. The Commissioner is also authorized to operate DeJarnette Center as a public facility for youth requiring services under the Comprehensive Services Act (CSA). The bill gives the Commissioner the authority, with the approval of the Governor and Secretary of Health and Human Resources, to make any necessary decisions and enter into any necessary contracts and other agreements relative to mental health care system restructuring and state mental health facility closures that may have the effect of closing state facilities or programs or beds within state facilities; converting the use of facilities; changing the nature of the services currently provided in state mental health facilities; selling state facility land and buildings; or otherwise providing for the maximum protection, safety and appropriate care and treatment of consumers and the well-being of state facility employees. The Commissioner shall authorize the delivery of acute care inpatient psychiatric services in local community hospitals and provide for the transfer of consumers from geriatric inpatient mental health services in state mental health facilities to community gero-psychiatric residential placements under certain conditions. The bill calls for an amendment to the State Medical Assistance Plan for community gero-psychiatric residential services. The bill also calls for the Commissioner to create a Gero-Psychiatric Behavioral Health Institute. Finally, the Commissioner shall develop an

operational model, in collaboration with representatives of the CSA program, local governments and other key stakeholders, to convert DeJarnette Center to a CSA residential facility and shall report the results to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees on or before September 30, 2001. This bill is identical to HB 2596.

Patron - Hanger

[F] SB1311 Community services boards and behavioral health authorities. Provides that a consumer's refusal of case management services shall not affect his receipt of other services.

Patron - Newman

Insurance

[P] Passed

[P] HB1648 Insurance agents; continuing education requirements. Authorizes the Insurance Continuing Education Board to exempt from continuing education requirements a resident agent who is over age 65 and has held a Virginia resident license continuously and without interruption for at least the four years immediately preceding, and has held equivalent license authority for at least 20 of the preceding 30 years and any unlabeled period was not the result of a license revocation or termination.

Patron - Armstrong

[P] HB1661 Insurance; discrimination against victims of domestic violence. Prohibits life and health insurers from discriminating against victims of domestic violence, which is defined as the occurrence of specified acts by a current or former family member, household member, person against whom the victim obtained a protective order or caretaker. The provision does not prohibit an insurer or insurance professional from asking about a medical condition even if the medical information is related to a medical condition that such person knows resulted from domestic violence to the extent otherwise permitted.

Patron - Watts

[P] HB1800 Health insurance; additional care by obstetrician-gynecologists. Eliminates a health insurer's authority to require that a patient have an office visit to the primary care physician before the patient may be referred to a specialist by her obstetrician-gynecologist. Prior consultation and authorization by the primary care physician may still be required, and the bill provides that such consultation may be made electronically.

Patron - Hamilton

[P] HB1892 Health care provider panels. Requires provider panel contracts to permit providers to refuse participation in the panel of an unaffiliated carrier if the unaffiliated carrier may impose participation terms that differ materially in reimbursement rates or managed care procedures, such as conducting economic profiling or requiring primary care physician referral to a specialist, from those of the original contract. This measure applies only to provider panels utilized by health maintenance organizations and preferred provider organizations.

Patron - Griffith

[P] HB1922 Health insurance; health services plans, marriage and family therapists. Requires health insurers and health service plan providers, whose policies or contracts cover

services that may be provided by marriage and family therapists, to provide equal coverage for such services when provided by marriage and family therapists. This mandate was recommended by the Special Advisory Commission on Mandated Benefits.

Patron - Shuler

[P] HB1939 Uninsured motorist insurance coverage; subrogation claims. Provides that no action, verdict or release arising out of a suit brought by an insurer subrogated to the insured against an uninsured motorist shall give rise to any defenses in any other action brought in the subrogated party's name, including res judicata and collateral estoppel.

Patron - Kilgore

[P] HB2042 Health insurance; assessment for utilization review. Clarifies that only companies subject to the statutory external appeal program for adverse health decisions are subject to an assessment to fund appeals.

Patron - Rust

[P] HB2063 Health insurance; breast cancer as a preexisting condition. Prohibits (i) insurers proposing to issue group accident and sickness insurance policies or individual health insurance coverage providing hospital, medical and surgical, major medical or cancer-only coverage on an expense-incurred basis, and Medicare or similar plans; (ii) corporations providing individual or group accident and sickness subscription contracts; and (iii) health maintenance organizations providing a health care plan for health care services from denying the issuance or renewal of, or cancelling, a policy, contract or plan, or including an exception or exclusion of benefits, for persons who have a high risk of breast cancer or who have had breast cancer but have been free of the disease for at least five years. Benefits shall be provided with durational limits, deductibles, coinsurance factors, and copayments that are no less favorable than for physical illness generally. Such carriers shall not consider routine follow-up care after a person has been determined cancer-free for purposes of determining a preexisting condition unless laboratory evidence of breast cancer is found during or as a result of the follow-up care.

Patron - McQuigg

[P] HB2075 Fire Programs Fund. Allows localities to use funds from the Fire Programs Fund for purchasing emergency medical care and equipment for fire personnel and for payment of personnel costs related to fire and medical training for fire personnel.

Patron - Landes

[P] HB2078 Managed care health insurance plans; external appeals fee. Authorizes the State Corporation Commission's Bureau of Insurance to refund the \$50 filing fee paid by covered persons or health care providers who have appealed a managed care health insurance plan's final adverse decision, if the appeal is not accepted for review.

Patron - Melvin

[P] HB2157 Insurance transactions; privacy; consumer protection. Establishes standards for consumer privacy protection that states are allowed to implement under the federal Gramm-Leach-Bliley Act relating to sales of insurance by depository institutions. These provisions are made applicable to any person who lends money or extends credit and who solicits insurance in connection with the transaction. The measure also amends existing privacy protection provisions to provide consumers with additional notices required by the Act. Insurers or agents are required to give a financial information practices notice not less than once in any consecutive 12-month period, which notice will explain the individual's right

to "opt out" of having his financial information disclosed to a nonaffiliated third party. The notice also describes the types of financial information that may be disclosed to affiliates and nonaffiliated third parties and the categories of persons to whom financial information may be disclosed. Medical record information and privileged claim information may not be disclosed to affiliates or nonaffiliated third parties unless prior written authorization is obtained. An information practices notice that describes the types of personal information (including medical record information) that may be collected and disclosed will still have to be given every two years as required under current law.

Patron - Morgan

[P] HB2228 Long-term care insurance; rating practices disclosure. Requires the State Corporation Commission's standards for provisions of long-term care insurance policies to address the disclosure of rating practices to consumers. The Joint Commission on Health Care and the Bureau of Insurance are required to (i) monitor the implementation of the revisions to the NAIC's Long-Term Care Insurance Model Regulation dealing with Initial Filing Requirements and Premium Rate Schedule Increases, (ii) document the experience of other states that have implemented the revised regulation, and (iii) recommend whether Virginia should adopt the revised regulation.

Patron - Hall

[P] HB2255 Mutual insurers; formation of mutual holding companies. Establishes a procedure for the formation of mutual insurance holding companies. The measure also provides for the conversion of mutual insurance holding companies to stock holding companies. Plans must be approved by the State Corporation Commission and receive the approval of two-thirds of the votes cast by eligible members at a meeting in person or by proxy.

Patron - Woodrum

[P] HB2654 Health insurance; prescription benefit cards. Requires each health insurer, corporation providing individual or group accident and sickness subscription contracts, and health maintenance organization that provides coverage for prescription drugs on an outpatient basis to issue a prescription benefit card, health insurance benefit card, or other technology that complies with standards set forth in the National Council for Prescription Drug Programs Pharmacy ID Card Implementation Guide. Alternatively, such card or other technology shall include specific data elements. The same requirement is imposed under the state employee's health insurance plan and the Virginia Medicaid program. The measure applies to contracts, policies or plans delivered, issued for delivery or renewed on and after July 1, 2002.

Patron - Reid

[P] HB2657 Insurance; unfair claim settlement practices in appraisals. Provides that it is an unfair claim settlement practice for a repair facility to engage in a general business practice of paying kickbacks, rebates, commissions or other consideration to an insurer in connection with appraisal services. The bill also provides that it is an unfair claim settlement practice to make appraisals of the cost of repairing an automobile that has been damaged as a result of a collision, unless the appraisal is based upon a personal inspection by a representative of the repair facility or insurer.

Patron - Cranwell

[P] HB2678 Uniform referral form. Repeals the requirement that the State Corporation Commission adopt a uniform referral form for managed care health insurance plans.

Patron - Rust

P HB2704 Insurance payments for services by pharmacists. Prohibits health insurers and health service plan providers, whose policies or contracts cover services that may be legally performed by licensed pharmacists, from denying reimbursement because the service is rendered by the licensed pharmacist if the service is performed under the terms of a collaborative agreement between a pharmacist and physician or the service is for a vaccination.

Patron - Watts

P HB2720 Annuities. Amends the definition of what constitutes an annuity. Rather than applying only to agreements to make periodic payments in fixed dollar amounts, the term "annuities" includes agreements to make payments in specified or calculable sums.

Patron - Bryant

P HB2721 Insurance; hedging transactions. Authorizes domestic insurers to effect bona fide hedging transactions pertaining to certain foreign securities. Currently, hedging transactions may pertain to other categories of domestic and Canadian obligations. The measure also expands the definition of a bona fide hedging transaction to include the purchase or sale of a contract, warrant, option, call, put or right that seeks to (i) minimize foreign currency risks or (ii) offset currency risks and other items that qualify for hedge accounting.

Patron - Bryant

P HB2801 Insurance; optional uninsured motorist coverage. Permits insurers to require that a policyholder's request to reduce uninsured and underinsured motorist insurance coverage be in writing.

Patron - Ware

P SB913 Insurance agents; licensing. Incorporates the reciprocal agent licensing provisions of the NAIC Producer Licensing Model legislation that are necessary to comply with the Gramm-Leach-Bliley Act (GLBA). The measure also updates current laws, makes them more consistent with the laws of other states, and clarifies internal inconsistencies. Specific changes include (i) consolidating six current restricted licenses into one limited life and health license; (ii) consolidating five current restricted licenses into one limited property and casualty license; (iii) consolidating five types of credit insurance licenses into one new license; (iv) creating new specific nonresident license types to allow for full reciprocal licensing with other states; (v) creating a new "personal lines" license aimed primarily at those entering the insurance business and customer service representatives at insurance companies and insurance agencies who, while involved in sales, deal only with personal lines; (vi) creating a new "life and annuities" license and a new "health" license; (vii) liberalizing reciprocity for licensing nonresident agents based upon their qualifications in their home state; (viii) making the grounds upon which a license may be denied, suspended or revoked more consistent with the grounds utilized in other states; and (ix) making continuing education requirements fully reciprocal for agents and consultants who provide satisfactory certification that they have satisfied the level of continuing education required in their home state. Among other changes not mandated by GLBA, the measure repeals the 45-hour prelicensing study course requirement and changes the current appointment fee to an appointment processing fee applicable to each transaction, regardless of whether the appointment is successfully processed. The statutory maximum for the appointment fee is raised from \$15 to \$25. While most of the measure will become effective on September 1, 2002, some continuing education provisions will become effective January 1, 2003, and

others will be effective July 1, 2001. This bill incorporates SB 1035.

Patron - Wampler

P SB987 Insurance. Defines insurance, for purposes of Title 38.2, as the business of transferring risk by contract wherein a person, for a consideration, undertakes to indemnify another person, to pay or provide a specified or ascertainable amount of money, or to provide a benefit or service upon the occurrence of a determinable risk contingency. Insurance specifically includes the issuance of group and individual contracts, certificates, or evidences of coverage by health services plans, health maintenance organizations, legal services organizations or legal services plans, and dental or optometric services plans.

Patron - Miller, Y.B.

P SB1088 Insurance agents; continuing education. Directs the continuing education board for insurance agents to approve instruction programs that include technical courses or agency management and operations courses.

Patron - Bolling

P SB1102 Insurance; confidentiality of information. Conforms provisions regarding the confidential treatment of information regarding insurance companies held by the State Corporation Commission. The circumstances when such information may be disclosed by the Commission are standardized. Disclosures may generally be made to (i) a regulatory official of any state or country; (ii) the National Association of Insurance Commissioners, its affiliate, or its subsidiary; or (iii) a law enforcement authority of any state or country. Disclosures by the Commission shall not constitute a waiver of confidentiality of information. The measure also provides that information denominated in writing as confidential by a federal regulator and received by the Commission pursuant to the Gramm-Leach-Bliley Act shall be excluded from subpoena or public inspection. The Commission may provide a federal regulator with information with respect to any insurance business that is an affiliate or agent of a depository institution or financial holding company if the federal regulator agrees in writing to maintain such information in confidence and to take all reasonable steps to oppose any effort to secure its disclosure.

Patron - Colgan

P SB1200 Health care coverage; infant hearing screenings. Requires health insurers, health maintenance organizations, and corporations providing subscription contracts for health care coverage to provide coverage for infant hearing screenings and certain other audiological examinations. These requirements are also made applicable to the state's health care coverage plan for state employees, and to the state plan for medical assistance (Medicaid).

Patron - Forbes

P SB1224 Fire Programs Fund. Provides that any funds remaining at the end of an annual reporting period due to a receiving locality's failure to submit required documentation be allocated to localities for the improvement of fire services. Currently, such funds must be retained until the documents are submitted by the receiving locality.

Patron - Whipple

F Failed

F HB1637 Accident and sickness insurance; coverage for EEG biofeedback. Requires health insurers, health care subscription plans and health maintenance organizations to provide coverage for training and education in the use of

EEG biofeedback equipment and techniques. EEG biofeedback is defined as electroencephalogram biofeedback or neurofeedback prescribed as a treatment for attention deficit disorder or attention deficit-hyperactivity disorder. The bill's provisions are applicable to policies and plans issued on and after July 1, 2001.

Patron - Diamonstein

[F] HB1671 Discriminatory insurance contracting; private cause of action. Authorizes a person aggrieved by unfair discrimination between individuals of the same class and equal life expectation, or of essentially the same hazard, in rates charged, benefits payable, or other terms and conditions of any life insurance or annuity contract or contract or policy of accident or health insurance to bring an action to recover actual damages, costs and attorneys' fees against the person committing or permitting the unfair discrimination. Such discrimination is currently a prohibited insurance practice.

Patron - Jones, J.C.

[F] HB1938 Motor vehicle insurance; proof of insurance. Requires insurance companies issuing liability policies to provide insureds with proof of liability insurance and requires operators of vehicles registered as insured vehicles to carry proof of insurance when driving on the public highways. Failure, refusal, or inability to produce such proof of insurance when requested by a law-enforcement officer constitutes a traffic infraction (fine up to \$200). The bill also makes it a class 6 felony to alter or falsify such proof of insurance, or to carry such proof knowing the applicable insurance policy to be expired or cancelled.

Patron - Armstrong

[F] HB2266 Insurance unfair trade practices; illegal rebates. Creates a new category of practices considered illegal rebates. The bill prohibits the giving or offering to give, as an inducement to purchase or renew insurance, any special favor related to the line of credit or loan portfolio of an applicant for insurance or an insured policyholder. This bill is identical to HB 2434.

Patron - Ware

[F] HB2434 Insurance unfair trade practices; illegal rebates. Creates a new category of practices considered illegal rebates. The bill prohibits the giving or offering to give, as an inducement to purchase or renew insurance, any special favor related to the line of credit or loan portfolio of an applicant for insurance or an insured policyholder. This bill is identical to HB 2266.

Patron - Bolvin

[F] HB2604 Insurance agents; continuing education. Eliminates the limitation that no more than 75 percent of an agent's required continuing education credit hours be from courses provided by insurance companies or agencies and allows excess credit hours to be carried forward to the next two biennia. Currently, excess credit hours may be carried forward only to the next biennium.

Patron - Cranwell

[F] HB2625 Insurance policies; creditors claims. Exempts the cash surrender or loan value of any life insurance policy from the claims of creditors without regard to whether the owner of the policy has the right to change the beneficiary. It repeals an existing provision that protects the cash surrender or loan value of a policy from creditors' claims only if the insured cannot change the beneficiary.

Patron - Bryant

[F] HB2768 Managed care health insurance plans; freedom of choice. Requires any operator of a managed care health insurance plan (MCHIP), whether a carrier offering preferred provider contracts, a corporation offering subscription contracts, or a health maintenance organization, to allow covered persons to choose their health care services provider. This right of choice extends to any provider that is not a member of the MCHIP's provider panel if the provider has previously notified the carrier of its agreement to accept, as payment in full, the reimbursement for health care services at the rates applicable to providers that are members of the MCHIP's provider panel. In addition, if the carrier requests in writing, an outside provider must execute the form of contract or agreement that the carrier requires all of the members of its provider panel to execute. Such agreement or contract must be signed by the outside provider within 30 days of the provider's receipt of the carrier's request. The bill prohibits reduced or disparate coverage and the imposition of monetary penalties if individuals receive their health care services from an outside provider. The bill also bars carriers from (i) denying immediate access to electronic claims filing to an outside provider that has executed the carrier's provider panel contract or agreement and (ii) requiring a covered person to make payment at point of service unless members of the MCHIP's provider panel are subject to the same requirement. A similar freedom to choose provision is added to the state employee's health insurance plan. The existing provision requiring HMO plans to offer optional point of service coverage is repealed.

Patron - Cranwell

[F] SB816 Health insurance; nonparticipating ancillary services providers. Prohibits an accident and sickness insurer, health maintenance organization, or health services plan from denying coverage or refusing to pay in full for an ancillary service provided by a nonparticipating provider, unless the health care plan obtains from the covered person a written acknowledgement that (i) services by a nonparticipating ancillary service provider may not be fully covered and (ii) the covered person is responsible for the difference between the amount that is billed and the amount that the insurer or plan pays or reimburses for the service. This measure applies where an insurer or plan has pre-approved a medical service provided at a participating hospital or outpatient treatment facility, but an ancillary service is provided by a nonparticipating provider.

Patron - Byrne

[F] SB938 Insurance; licensing of public adjusters. Provides for State Corporation Commission licensing of public adjusters. "Public adjusting" means investigating, negotiating or providing advice to an insured in relation to first-party claims arising under insurance contracts that insure the real or personal property of an insured. No person shall act as a public adjuster without first obtaining a license from the Commission. Conditions for licensing include paying an annual fee, passing a prelicensing examination, having at least two years' experience adjusting claims of the type for which a license is applied for, and posting a \$10,000 bond. Adjusters for, or agents or employees of, insurers who adjust losses or damages under policies issued by the insurer, independent contractors of insurers, and licensed attorneys are exempt from the licensing requirements. The Commission may suspend or revoke licenses under certain conditions. The measure will become effective September 1, 2002.

Patron - Byrne

[F] SB1035 Insurance; types of agent licenses. Requires the licenses of all individuals and business entities who on July 1, 2001, hold certain limited licenses to write insurance to be converted to the nearest equivalent license type

currently issued in the Commonwealth, and subjects those converted licenses to all of the preclicensing and continuing education requirements of the converted license type. This bill has been incorporated into SB 913.

Patron - Norment

[F] SB1191 Health care coverage; hearing aids. Requires health insurers, health maintenance organizations and corporations providing health care coverage subscription contracts to provide coverage for hearing aids and related services. Such coverage shall include one hearing aid per hearing-impaired ear, up to a cost of \$1,200, every 48 months. The insured may choose a higher priced hearing aid and pay the difference in cost above \$1,200, with no penalty to the insured or the hearing aid provider.

Patron - Houck

Labor and Employment

[P] Passed

[P] HB2481 Labor and employment; remedies for discrimination. Extends the statute of limitations for filing a claim for discrimination based on reporting an employer's safety or health violations from 30 days to 60 days.

Patron - Moran

[P] SB1044 Industrial Hygiene and Safety Profession Title Protection Act. Prohibits a person from representing to the public that he is a Certified Industrial Hygienist, Certified Associate Industrial Hygienist, Industrial Hygienist in Training, Certified Safety Professional, Certified Associate Safety Professional, Construction Health and Safety Technologist, or Occupational Health and Safety Technologist unless the proper certification has been obtained. The bill further provides for injunctive relief to restrain a person from representing himself as possessing one of the titles without having first obtained the required certification. The bill exempts employees of the Virginia Department of Labor and Industry while they are engaged in the business of the Commonwealth. The measure does not bar an otherwise-qualified expert witness from testifying in court proceedings.

Patron - Williams

[F] Failed

[F] HB2723 Hobby and model boilers; inspection and testing. Permits a hobby or model boiler inspected and certified in the Commonwealth between 1995 and 2000 at a maximum allowable working pressure between 100 and 150 pounds per square inch to continue to be operated at its previously certified pressure until a reduction in pressure is required by the inspector. This bill contains an emergency clause.

Patron - Armstrong

[F] SB1317 Employee-employer cooperation act. Permits employees of the Commonwealth, its political subdivisions, or any governmental agency of any of them, to form associations for the purpose of discussing their interests with their employing agencies whenever such agencies agree to engage in such discussions. Current law permits these governmental employees to form such associations for the purpose of promoting their interests before their employing agencies.

Patron - Byrne

Libraries

[F] Failed

[F] HB2316 State Library Board; powers and duties. Requires the State Library Board to develop standards for granting waivers from the specifications for plats and maps submitted for recordation in the circuit courts of the Commonwealth as required by the Board's regulations.

Patron - Jones, S.C.

Mechanics' and Certain Other Liens

[P] Passed

[P] SB1406 Mechanics' lien agent; building permits. Adds a provision requiring a successor agent to be named upon the death, resignation or incapacity of the originally named mechanics' lien agent.

Patron - Barry

Military and Emergency Laws

[P] Passed

[P] HB1993 Officers of the Virginia militia. Allows the officers of the Virginia Women's Institute for Leadership at Mary Baldwin College to be commissioned officers of the Virginia militia. In addition, the bill allows the Governor the authority to commission professors at the Virginia Women's Institute for Leadership at Mary Baldwin College, and for those persons so commissioned to hold such commissions for as long as they are officers.

Patron - Landes

[F] Failed

[F] HJ756 Service of the Virginia National Guard. Urges the Congress and President of the United States to examine the present commitment of the United States military and enact and pursue policies that will reduce the demand for federal service by members of the Virginia National Guard.

Patron - McClure

Mines and Mining

[F] Failed

[F] HB1941 The Virginia Gas and Oil Act; distance limitations and permit applications; coalbed methane gas wells. Removes coalbed methane gas wells from the requirement that for approval of a permit or drilling unit, well operators and coal owners must agree upon a drilling unit or location for a new well within 2,500 linear feet of the location of an existing well, or a well for which a permit application is on file. The bill also deletes the requirement that coalbed methane gas

well operators include in their permit applications a signed consent from the coal operator of each coal seam located within certain distances of a proposed well location, or coal bearing stratum, that the applicant proposes to stimulate.

Patron - Kilgore

[F] HB2529 Mining activity; surface effects of underground coal mining operation. Provides that the Director shall suspend ongoing underground coal mining under an impoundment of water used for public water supply purposes if he finds imminent danger to the public water supply.

Patron - Phillips

[F] HB2854 Virginia Gas and Oil Act; coalbed methane gas wells. Provides that a coal owner who objects to the location of a coalbed methane gas well may designate an alternate location for the well within the same drilling unit or leasehold interest of a coalbed methane gas well operator. The Virginia Gas and Oil Board shall determine the reasonableness of any objections to the alternate location raised by other affected coal owners. The bill also provides that a coal owner and a coalbed methane gas well operator may agree on the posting of a bond before the well is operated for any damage caused by the stimulation of a coal seam. If the coal owner and the well operator have a dispute regarding the stimulation of a coal seam, the dispute shall be referred to an arbitration panel consisting of a representative appointed by the coal owner, a representative of the well operator, and an arbitrator appointed by the Department of Mines, Minerals and Energy. The decision of the arbitration panel shall be issued within 60 days of the submission of the dispute to arbitration and the decision shall be binding on the parties. The bill contains a sunset date of July 1, 2003, and a requirement that the Department evaluate the success of the provisions of this act and report its findings to the chairmen of House Committee on Mining and Mineral Resources and the Senate Committee on Agriculture, Conservation and Natural Resources by December 1, 2002.

Patron - Stump

[F] HB2868 Virginia Gas and Oil Act; permit applications. Provides that a coal operator may require that the location of a proposed coalbed methane gas well be moved to an alternate location not greater than 800 feet from the proposed location on the same lease and within the same drilling unit. Once an alternate location has been designated by the coal owner, the coalbed methane gas well operator shall not be required to again move the well location until after a hearing has been held before the Department of Mines, Minerals and Energy. The bill also provides that the location of a proposed well location or drilling unit within 2,500 feet of an existing well shall be refused unless consent is obtained from affected coal owners or the Department finds that the proposed location or unit will not unreasonably interfere with the safe recovery of coal, oil, gas, or coalbed methane gas. In an application for a permit to drill a coalbed methane gas well, the coal owner's consent to stimulate shall be deemed to be granted if the applicant has obtained the consent from any coal owner or coal owners holding at least 50 percent interest in the acreage for which consent is required. The bill also clarifies that an applicant may appeal a decision made by the Director of the Department of Mines, Minerals and Energy to the Virginia Gas and Oil Board.

Patron - Bryant

[F] SB1153 Mining activity; surface effects of underground coal mining operation. Provides that the Director shall suspend ongoing underground coal mining under an impoundment of water used for public water supply purposes if he finds imminent danger to the public water supply.

Patron - Puckett

Motor Vehicles

[P] Passed

[P] HB1556 Disabled parking placards. Requires that only original applications (and not renewal applications) for permanent disabled parking placards need be accompanied by a physician's certification of the applicant's disability.

Patron - Byron

[P] HB1568 Motorcycle rider safety training courses and training centers. Provides that motorcycle rider safety training courses must be approved by the Department of Motor Vehicles (DMV), rather than meet the requirements of DMV regulations. The bill also requires DMV approval of facilities and equipment of regional motorcycle rider safety training centers and requires that the curriculum, accreditation, and geographic areas served by these centers must be approved by DMV, rather than meet the requirements of DMV regulations. Training centers additionally must maintain such records and provide such reports as DMV determines. This bill is a duplicate of SB 835 (Watkins).

Patron - Wardrup

[P] HB1585 No proof of financial responsibility for first offender license reinstatement. Provides that any juvenile found guilty and any adult whose proceedings have been deferred under the first (drug) offender statute and whose driver's license, registration card, and license plates are thus revoked shall no longer be required to show proof of financial responsibility prior to reinstatement of his driver's license, etc. Any such person shall still be required to pay a reinstatement fee in order to have his driver's license restored. The bill provides that any person who previously filed a certificate of insurance for an offense prior to the effective date of the act does not have to file further certificates.

Patron - Armstrong

[P] HB1617 Appeals from order suspending or revoking license or registration. Provides that in the case of manifest injustice a person aggrieved by an order or act of the Commissioner of the Department of Motor Vehicles requiring suspension or revocation of a license is entitled to judicial review and adds that the court may order that the Commissioner modify a suspension or issue a restricted license. Manifest injustice is defined as those instances where the Commissioner's order was the result of an error, was issued without authority or jurisdiction or conflicts with a final court order. There is no appeal from the circuit court's determination. HB 1812 was incorporated into this bill.

Patron - Griffith

[P] HB1627 Vehicle safety inspections; fees. Increases maximum fees chargeable for inspection of (i) tractor trucks, (ii) trucks that have gross vehicle weight ratings of 26,000 pounds or more, and (iii) buses that seat more than sixteen passengers, including the driver. The new maximum fee will be \$30 for inspections performed prior to July 1, 2002, and \$50 for inspections performed on or after July 1, 2002. Inspection fees for other vehicles are not changed.

Patron - Black

[P] HB1638 Trip permits issued by Department of Motor Vehicles (DMV). Eliminates the requirement that vehicles operated under trip permits issued by DMV be operated only "... between the beginning and destination points." The bill also changes the term "one-trip permits" to "trip permits"

and allows issuance of these permits on the same basis, regardless of whether the trip is from an origin outside Virginia to a destination inside Virginia or wholly within Virginia.

Patron - Suit

HB1679 Motor vehicles; license fees. Permits localities to charge an additional license fee of no more than one dollar per motor vehicle, trailer, and semi-trailer. The funds from such fees must be paid into the Volunteer Firefighters' and Rescue Squad Workers' Pension Fund ("Fund") for the benefit of volunteer firefighters and members of rescue squads.

Patron - Tate

HB1806 Parking. Adds Greene County to the list of counties that may regulate parking, stopping, and standing of vehicles within its boundaries. This bill is the same as SB 958 (Couric).

Patron - Broman

HB1817 Parking; local vehicle licenses. Adds Scott County to the list of counties authorized to regulate parking within their boundaries.

Patron - Kilgore

HB1857 Parking in certain counties. Allows Prince William County the same powers as Fairfax County to regulate or prohibit parking of watercraft, boat trailers, motor homes, and camping trailers on any public highway in the county.

Patron - McQuigg

HB1872 Vehicle speed and stopping distance tables. Revises the table of vehicle speeds and stopping distances contained in the Code of Virginia, according to recommendations of the Virginia Transportation Research Council.

Patron - Deeds

HB1881 Driver's licenses; licensees less than 18 years old. Provides that it is the date of the violation, not the date of the conviction, that will subject a driver who is less than 18 years old to requirements and restrictions not applicable to drivers who are 18 years old or older.

Patron - Albo

HB1956 All-terrain vehicles. Allows over-the-road operation of all-terrain vehicles by law-enforcement officers, firefighters, and rescue squad personnel responding to emergencies.

Patron - Louderback

HB1958 Uncollectable electronic payments to Department of Motor Vehicles (DMV). Treats uncollectable electronic payments to DMV the same way as uncollectable checks.

Patron - Rollison

HB1959 Driver's licenses; organ donors. Eliminates the requirement that persons who want to rescind their willingness to be organ donors appear in person at a Department of Motor Vehicles office to make the change on their driver's licenses.

Patron - Rollison

HB1962 Motor vehicle dealers; coercion by manufacturers and distributors. Prohibits certain coercive practices by motor vehicle manufacturers and distributors in connection with vehicle financing and leasing by motor vehicle dealers.

Patron - Wardrup

HB1963 Motor Vehicle Transaction Recovery Fund. Provides that where dealer's surety is liable for claims against a dealer, the surety remains liable for the first \$25,000, but the Motor Vehicle Transaction Recovery Fund will be liable for the next \$75,000 (instead of \$50,000). In claims against the Fund involving a single transaction, the maximum claim is increased from \$15,000 to \$20,000 and for multiple transactions from \$75,000 to \$100,000. The minimum amount at which claims become prorated is increased from \$50,000 to \$75,000.

Patron - Wardrup

HB2019 "Photo-toll" toll payment photo-monitoring program. Allows operators of toll facilities to send vehicle owners bills or invoices prior to pursuing other remedies provided for collecting unpaid tolls. This bill is a duplicate of SB 1291 (Mims).

Patron - May

HB2040 Motor vehicle dealers. Prohibits motor vehicle manufacturers, factory branches, distributors, distributor branches, or subsidiaries from requiring any motor vehicle dealer to waive any substantive or procedural rights afforded him by Virginia law. The bill's provision, however, does not apply to good faith settlement of disputes. This bill is the same as SB 1413 (Wampler).

Patron - Rust

HB2046 Vehicle weight limits; liquidated damages, procedures for weighing vehicles. Increases amounts of liquidated damages imposed for overweight violations. The bill also authorizes, with the exception of certain vehicles' operation on non-interstate highways, assessment of liquidated damages based on pre-shifting axle weights when shifting of a vehicle's cargo brings it into compliance with axle weight limits. This bill is the same as SB 1097 (Mims).

Patron - Rollison

HB2056 Speed limits. Authorizes 65-mile-per-hour speed limits, subject to traffic engineering studies, on HOV lanes that are physically separated from normal travel lanes and on highways constructed under the Public-Private Transportation Act of 1995.

Patron - Albo

HB2065 Clerks of court; notice of driver's license suspension for nonpayment of fines. Changes the provision that says the clerk of court must "send" notice to say that the clerk of court must "cause to be sent" notice. This change will allow the court system to have notices prepared and delivered from a central office should technology develop so that that process would be more efficient. This bill is a recommendation of the Committee on District Courts.

Patron - Howell

HB2088 Vehicle lengths and widths. Permits, under certain circumstances, over-the-road operation of travel trailers and motor homes that exceed the length and/or width limits generally applicable to vehicles on the public highways.

Patron - Plum

HB2097 Motor vehicle warranty obligations. Provides that motor vehicle dealers shall not be charged back or otherwise liable for sales incentives or charges related to motor vehicles sold by them to purchasers other than licensed, franchised motor vehicle dealers and subsequently exported or resold, provided that such dealers can demonstrate that they exercised due diligence and that the sales were made in good

faith and without knowledge of any intention to export or resell the motor vehicle. This bill is the same as SB 1013 (Williams).

Patron - Abbott

[P] HB2103 School crossing guards. Allows uniformed school crossing guards to control traffic at all marked school crossings, whether at intersections or elsewhere. This bill is a duplicate of SB 1222 (Whipple).

Patron - Darner

[P] HB2140 Motor carrier service centers. Makes the Department of Motor Vehicles responsible for operation of permanent and mobile motor carrier service centers (weigh stations). This bill is the same as SB 1092 (Mims).

Patron - Drake

[P] HB2173 Use of devices on wheels or runners on certain highways. Authorizes Arlington County by ordinance to permit use of "devices on wheels or runners" (rollerskates, sleds, scooters, skateboards, etc.) on highways under the county's control.

Patron - Brink

[P] HB2198 Warning devices on certain vehicles. Requires self-propelled vehicles used to sell ice cream, snacks, and similar products in residential neighborhoods to be equipped with warning devices that give audible and light signals whenever the vehicle is operated in reverse gear.

Patron - Crittenden

[P] HB2217 Policy of the Commonwealth; use of highways by motorcycles. Prohibits closure by political subdivisions of the Commonwealth of any highway to motorcycles if public funds were used in the highway's construction. This bill is the same as SB 861 (Houck).

Patron - Stump

[P] HB2219 Trucks hauling gravel, sand, or crushed stone. Extends from July 1, 2001, to July 2, 2002, the "sunset" on legislation that temporarily applied coal truck weight limits to trucks hauling gravel, sand, or crushed stone in counties authorized to impose a coal severance tax.

Patron - Stump

[P] HB2239 Motor vehicles; penalty for failure to stop at accident. Increases from a Class 6 to a Class 5 felony the penalty for the failure of a driver of a vehicle to stop at an accident.

Patron - Day

[P] HB2307 Motor vehicle dealers; use of surveys, etc., by manufacturers to evaluate dealership performance. Requires that any performance standard or program that is used by a manufacturer or distributor for measuring dealership performance and may have a material effect on a dealer, and the application of any such standards or program by a manufacturer or distributor, be fair, reasonable, and equitable and, if based upon a survey, be based upon a statistically valid sample. Upon the request of any dealer, a manufacturer or distributor shall disclose in writing to the dealer a description of how a performance standard or program is designed and all relevant information used in the application of the performance standard or program to that dealer. This bill is the same as SB 1133 (Marsh).

Patron - Bolvin

[P] HB2322 Farm-use vehicles. Allows unregistered farm-use vehicles to be operated up to 30 miles along the public highways to obtain agricultural or horticultural supplies.

Patron - Jones, S.C.

[P] HB2332 Motor vehicle dealers; damages caused by statutory violations. Adds a new section that allows a motor vehicle dealer to recover actual damages, court costs and attorney's fees for a statutory violation resulting in injury to its business or property. This bill is the same as SB 1095 (Mims).

Patron - Howell

[P] HB2379 Dissemination of criminal history record information. Authorizes dissemination of criminal history record information to DMV for the purpose of evaluating applicants for a motor carrier certificate or license.

Patron - Landes

[P] HB2380 Motor carriers. Revises Virginia statutes dealing with property and passenger carriers operating for-hire on an intrastate basis. The bill is based on recommendations of the Motor Carrier Reform Task Force of the Department of Motor Vehicles.

Patron - Landes

[P] HB2444 Parking fines; personal property taxes on vehicles. Allows local governing bodies to enter into regional compacts for the inter-jurisdictional enforcement of local parking and vehicular personal property tax ordinances.

Patron - Almand

[P] HB2482 Motor vehicle dealers. Prohibits manufacturers and distributors to discriminate in favor of or against particular dealers who sell the same line-make. This bill is identical to SB 1182 (Norment).

Patron - Moran

[P] HB2554 Operation of motor vehicles by person less than 20 years old. Requires that driver training programs include a minimum number of miles to be driven during the behind-the-wheel portion of the training; this number will be determined by the State Board of Education. The bill further provides that, to be eligible to receive a driver's license, an applicant less than 18 years old must present a certification, signed by a parent or guardian or adult spouse, that he has driven at least 40 hours (10 of them after dark) while he held a learner's permit. In addition, the bill prohibits operation of a motor vehicle between midnight and 4:00 a.m. under a learner's permit. Also, the minimum age for obtaining a learner's permit is increased from 15 years to 15 years and six months; the minimum "hold period" for a learner's permit is increased from 6 months to 9 months. As to driver's licenses, to receive a driver's license, an applicant must be at least 16 years and three months old (instead of 16 years old). Drivers less than 17 years old cannot transport more than one passenger who is less than 18 years old; drivers who are at least 17 but less than 18 years old cannot transport more than three passengers who are less than 18 years old. These limitations do not apply to members of the driver's family or household. Drivers less than 18 years old cannot drive between midnight and 4:00 a.m., except for going to or from businesses where they are employed, going to or from a school-sponsored activity, when accompanied by adult parents, guardians, or spouses, or in emergencies. Violations of the passenger restrictions and hours-of-operation restrictions are secondary offenses. Drivers who are at least 18 but less than 20 must attend driver improvement clinics if they are convicted of a moving violation, a safety belt violation, or a child restraint violation. The increase in the minimum age for issuance of a driver's licenses does not apply to persons who received learner's permits prior to July 1, 2001. This bill is identical to SB 1329 (Mims) and incorporates HB 475, HB 2283, HB 2819, and HB 2843.

Patron - O'Brien

[P] HB2649 Overweight permits; trucks hauling concrete. Allows weight limit extensions for trucks that haul concrete to apply to interstate highways as well as other highways, but only if the extensions are not inconsistent with federal law and will not jeopardize, bar, or reduce federal transportation funding otherwise available to the Commonwealth or any of its political subdivisions. This bill is the same as SB 1343 (Williams).

Patron - Robinson

[P] HB2706 Truck covers. Requires that covers used to prevent the escape of material from commercial vehicles used to transport solid waste be of such design, installation, and construction to contain all of the vehicle's cargo within the vehicle, regardless of the vehicle's speed or weather conditions.

Patron - Morgan

[P] HB2754 School buses; speed limits. Allows school buses to go up to 65 mph on interstate highways where the speed limit is 65 mph.

Patron - Jackson

[P] SB798 License plates. Prohibits covering any portion of a vehicular license plate that indicates where the vehicle is registered and when its registration expires.

Patron - Reynolds

[P] SB823 License plates; reserved numbers and letters. Repeals authority for use of up to eight alpha-numeric characters on reserved-number license plates.

Patron - Potts

[P] SB835 Motorcycle rider safety training courses and training centers. Provides that motorcycle rider safety training courses must be approved by the Department of Motor Vehicles (DMV), rather than meet the requirements of DMV regulations. The bill also requires DMV approval of facilities and equipment of regional motorcycle rider safety training centers and requires that the curriculum, accreditation, and geographic areas served by these centers must be approved by DMV, rather than meet the requirements of DMV regulations. Training centers additionally must maintain such records and provide such reports as DMV determines. This bill is a duplicate of HB 1568 (Wardrup) and incorporates SB 787 and SB 788.

Patron - Watkins

[P] SB836 Electric power-assisted bicycles. Defines "electric power-assisted bicycle" and provides, generally, for its treatment as an ordinary bicycle, except that it is explicitly limited to speeds of no more than 25 miles per hour and is limited to unsupervised operation by persons at least 14 years old (with an allowance of operation by younger persons under the supervision of persons at least 18 years old). Batteries for electric power-assisted bicycles must be spill-proof, sealed, or gel batteries.

Patron - Watkins

[P] SB905 Passing a stopped school bus. Provides that for the purposes of being convicted of reckless driving or having a civil penalty imposed, the testimony of the school bus driver, the supervisor of school buses or a law-enforcement officer that the vehicle was yellow, conspicuously marked as a school bus, and equipped with warning devices as prescribed in § 46.2-1090 is prima facie evidence that the vehicle is a school bus.

Patron - Mims

[P] SB958 Parking. Adds Greene County to the list of counties that may regulate parking, stopping, and standing of vehicles within its boundaries. This bill is a duplicate of HB 1806 (Broman).

Patron - Couric

[P] SB979 Motor vehicle dealers. Allows the Motor Vehicle Dealer Board to provide discounts and other incentives to encourage its licensees to conduct their business with the Board by means of electronic technologies and for multi-year periods.

Patron - Rerras

[P] SB1013 Motor vehicle warranty obligations. Provides that motor vehicle dealers shall not be charged back or otherwise liable for sales incentives or charges related to motor vehicles sold by them to purchasers other than licensed, franchised motor vehicle dealers and subsequently exported or resold, provided that such dealers can demonstrate that they exercised due diligence and that the sales were made in good faith and without knowledge of any intention to export or resell the motor vehicle. This bill is the same as HB 2097 (Abbitt).

Patron - Williams

[P] SB1092 Motor carrier service centers. Makes the Department of Motor Vehicles responsible for operation of permanent and mobile motor carrier service centers (weigh stations). This bill is the same as HB 2140 (Drake).

Patron - Mims

[P] SB1095 Motor vehicle dealers; damages caused by statutory violations. Adds a new section that allows a motor vehicle dealer to recover actual damages, court costs and attorney's fees for a statutory violation resulting in injury to its business or property. This bill is the same as HB 2332 (Howell).

Patron - Mims

[P] SB1097 Vehicle weight limits; liquidated damages, procedures for weighing vehicles. Increases amounts of liquidated damages imposed for overweight violations. The bill also authorizes, with the exception of certain vehicles' operation on non-interstate highways, assessment of liquidated damages based on pre-shifting axle weights when shifting of a vehicle's cargo brings it into compliance with axle weight limits. This bill is the same as HB 2046 (Rollison).

Patron - Mims

[P] SB1133 Motor vehicle dealers; use of surveys, etc, by manufacturers to evaluate dealership performance. Requires that any performance standard or program that is used by a manufacturer or distributor for measuring dealership performance and may have a material effect on a dealer, and the application of any such standards or program by a manufacturer or distributor, be fair, reasonable, and equitable and, if based upon a survey, be based upon a statistically valid sample. Upon the request of any dealer, a manufacturer or distributor shall disclose in writing to the dealer a description of how a performance standard or program is designed and all relevant information used in the application of the performance standard or program to that dealer. This bill is the same as HB 2307 (Bolvin).

Patron - Marsh

[P] SB1150 Motor vehicles; license fees. Permits localities to charge an additional license fee of no more than one dollar on motor vehicles. The funds from such fees must be paid into the Volunteer Firefighters' and Rescue Squad Workers' Pension Fund ("Fund"). The legislation clarifies that

contributions to the Fund by a locality must be made on behalf of all members of the Fund who are volunteers for fire departments or rescue squads within the jurisdiction of the locality. This bill is the same as HB 1679 (Tate).

Patron - Puckett

[P] SB1182 Motor vehicle dealers. Prohibits manufacturers and distributors to discriminate in favor of or against particular dealers who sell the same line-make. This bill is the same as HB 2482 (Moran).

Patron - Norment

[P] SB1222 School crossing guards. Allows uniformed school crossing guards to control traffic at all marked school crossings, whether at intersections or elsewhere. This bill is the same as HB 2103 (Darner).

Patron - Whipple

[P] SB1236 Driver's licenses of minors. Provides that, where a minor's legal custodians have been awarded joint custody, both must sign a request before the Department of Motor Vehicles will cancel the minor's driver's license. If they cannot agree, one custodian may petition a Juvenile and Domestic Relations Court for a determination.

Patron - Barry

[P] SB1291 "Photo-toll" toll payment photo-monitoring program. Allows operators of toll facilities to send vehicle owners bills or invoices prior to pursuing other remedies provided for collecting unpaid tolls. This bill is the same as HB 2019 (May).

Patron - Mims

[P] SB1312 Overhead highway obstructions. Requires installation of warning signs in advance of overhead highway structures that are 14 feet tall or less instead of 13 feet, 6 inches or less.

Patron - Newman

[P] SB1318 Commercial Motor Vehicles used to transport municipal solid waste. Allows local governing bodies to adopt ordinances to regulate commercial motor vehicles used to transport municipal solid waste by prohibiting their being parked at locations other than those specified in their ordinances and requiring leak-proof construction of their cargo compartments. The term "municipal solid waste" would have the meaning provided by regulation by the Virginia Waste Management Board. Penalties could be no more stringent than those allowed for traffic infractions (fine up to \$200).

Patron - Byrne

[P] SB1329 Operation of motor vehicles by person less than 20 years old. Requires that driver training programs include a minimum number of miles to be driven during the behind-the-wheel portion of the training; this number will be determined by the state Board of Education. The bill further provides that, to be eligible to receive a driver's license, an applicant less than 18 years old must present a certification, signed by a parent or guardian or adult spouse, that he has driven at least 40 hours (10 of them after dark) while he held a learner's permit. In addition, the bill prohibits operation of a motor vehicle between midnight and 4:00 a.m. under a learner's permit. Also, the minimum age for obtaining a learner's permit is increased from 15 years to 15 years and six months; the minimum "hold period" for a learner's permit is increased from 6 months to 9 months. As to driver's licenses, to receive a driver's license, an applicant must be at least 16 years and three months old (instead of 16 years old). Drivers less than 17 years old cannot transport more than one passenger who is less than 18 years old; drivers who are at least 17

but less than 18 years old cannot transport more than three passengers who are less than 18 years old. These limitations do not apply to members of the driver's family or household. Drivers less than 18 years old cannot drive between midnight and 4:00 a.m., except for going to or from businesses where they are employed, going to or from a school-sponsored activity, when accompanied by adult parents, guardians, or spouses, or in emergencies. Violations of the passenger restrictions and hours of operation restrictions are secondary offenses. Drivers who are at least 18 but less than 20 must attend driver improvement clinics if they are convicted of a moving violation, a safety belt violation, or a child restraint violation. The increase in the minimum age for issuance of a driver's license does not apply to persons who received learner's permits prior to July 1, 2001. This bill is identical to HB 2554 (O'Brien) and incorporates SB 937, SB 1066, SB 1330, and SB 1357.

Patron - Mims

[P] SB1343 Overweight permits; trucks hauling concrete. Allows weight limit extensions for trucks that haul concrete to apply to interstate highways as well as other highways, but only if the extensions are not inconsistent with federal law and will not jeopardize, bar, or reduce federal transportation funding otherwise available to the Commonwealth or any of its political subdivisions. This bill is the same as HB 2649 (Robinson).

Patron - Williams

[P] SB1398 Funeral processions; hazard lights. Allows vehicles participating in a funeral procession to use their hazard lights (four-way flashers) to identify themselves as such.

Patron - Watkins

[P] SB1413 Motor vehicle dealers. Prohibits motor vehicle manufacturers, factory branches, distributors, distributor branches, or subsidiaries from requiring any motor vehicle dealer to waive any substantive or procedural rights afforded him by Virginia law. The bill's provision, however, does not apply to good faith settlement of disputes. This bill is the same as HB 2040 (Rust).

Patron - Wampler

[F] Failed

[F] HB475 Nighttime driving restriction. Prohibits persons under age 18 from operating a motor vehicle between the hours of midnight and 5:00 a.m. unless they are driving to or from work or a school-sponsored activity, are driving when accompanied by a parent or spouse, or are driving in the case of an emergency. This bill conflicts with HB 2554 (O'Brien), SB 1329 (Mims), and HB 1618 (Jones, J.C.). This bill has been incorporated into SB 1329 (Mims).

Patron - Parrish

[F] HB1562 Mopeds. Replaces authority of localities by ordinance to require wearing of helmets, etc., by moped operators and passengers with a statute, effective statewide, to that effect. Violations are not to constitute negligence, be considered in mitigation of damages of whatever nature, be admissible in evidence or be the subject of comment by counsel in any action for the recovery of damages arising out of the operation, ownership, or maintenance of a moped or motor vehicle. The provisions of this bill are not to be construed to change any existing law, rule, or procedure pertaining to any such civil action. Violations are traffic infractions punishable by fines of not more than \$50.

Patron - Parrish

[F] HB1570 Special license plates; members of the Izaak Walton League. Authorizes the issuance of special license plates to members of the Izaak Walton League. This bill incorporates HB 1570, HB 1601, HB 1614, HB 1620, HB 1622, HB 1641, HB 1651, HB 1780, HB 1787, HB 1795, HB 1844, HB 1974, HB 1986, HB 2164, HB 2191, HB 2263, HB 2263, HB 2284, HB 2556, HB 2557, HB 2560, HB 2608, HB 2609, HB 2622, HB 2648, HB 2652, and HB 2773.

Patron - Black

[F] HB1571 Special license plates; members of the 1600 Communications Association. Authorizes the issuance of special license plates to members of the 1600 Communications Association. This bill has been incorporated into HB 1570.

Patron - Callahan

[F] HB1574 Special license plates; supporters of the Lynchburg Center for Independent Living. Authorizes the issuance of "revenue sharing" license plates to supporters of the Lynchburg Center for Independent Living. For each set of plates issued (after the first 1,000 sets), \$15 will go to the Lynchburg Center for Independent Living to be used to cover the costs of its programs and operations. See HB 1641.

Patron - Bryant

[F] HB1598 Special license plates. Repeals authorization for issuance of special license plates as to which insufficient applications have been received within the time (three years; see subdivision 1. of subsection B of § 46.2-725) provided by law. The affected plates are those for participants in Operation Desert Shield/Desert Storm; those for Virginia Scuba divers and law-enforcement officers; those bearing the legends: GLOUCESTER COUNTY and HISTORIC YORK-TOWN; those for members of the Disabled American Veterans organization, the Gold Wing Road Riders Association, the Old Dominion Boat Club, the State Fire Chiefs Association of Virginia, and the Virginia State Firefighters Association; and those for supporters of D.A.R.E., Inc., parental involvement in local public school programs, Operation Smile, the Virginia Education Foundation, the Virginia's Western Highlands Travel Council, and the Washington D.C. United Soccer team.

Patron - Landes

[F] HB1614 Special license plates; persons awarded the Combat Infantryman Badge. Authorizes the issuance of special license plates to persons awarded the Combat Infantryman Badge. This bill has been incorporated into HB 1570.

Patron - Louderback

[F] HB1615 Overweight vehicles. Provides for civil penalties for repeat violations of vehicle weight limits: \$1,000 for a second offense within a 12-month period, \$5,000 for a third offense within a 12-month period, and \$10,000 for a fourth or subsequent offense within a 12-month period. These penalties are in addition to all other penalties and fees imposed or assessed for such violations, and may be assessed by the court against the operator of the vehicle, the owner or lessee of the vehicle, or the owner or consignor of the good being shipped, as the interests of justice may appear. The bill also provides for transmission to the Department of Motor Vehicles of records or abstracts of convictions for overweight violations so as to create a record of convictions that courts can use in assessing the additional penalties for repeat violations.

Patron - Robinson

[F] HB1618 Drivers under 18. Prohibits operation of motor vehicles by persons under 18 (i) between midnight and 5 a. m or (ii) with more than three other persons under 18 in the

vehicle, unless they are members of the driver's family or household. This bill conflicts with both HB 2554 (O'Brien), SB 1329 (Mims), and HB 475 (Parrish).

Patron - Jones, J.C.

[F] HB1619 Vehicles owned by local governments. Allows government-owned vehicles used exclusively by chief administrative officers of local governments, at their request, to display license plates other than "local government use" license plates.

Patron - Sherwood

[F] HB1620 Special license plates; Virginia Breast Cancer Foundation supporters. Provides for special license plates whose design is a combination of the Virginia Breast Cancer Foundation supporter special license plate design and the House of Delegates or Senate special license plate design. This bill has been incorporated into HB 1570.

Patron - Amundson

[F] HB1621 Special license plates: supporters of the positions of the "Million Mom March." Authorizes the issuance of special license plates for supporters of the positions of the Mother's Day, 2000, "Million Mom March" for sensible gun laws and safe children.

Patron - Darner

[F] HB1622 Special license plates; supporters of Virginia zoos. Authorizes the issuance of "revenue sharing" license plates to supporters of Virginia zoos. For each set of plates issued (after the first 1,000 sets) \$15 will go, in equal shares, to the Blue Ridge Zoological Society and the Virginia Zoological Society to be spent at their discretion to support their programs and activities. This bill has been incorporated into HB 1570.

Patron - Woodrum

[F] HB1629 Use of wireless communications devices while driving. Prohibits use of hand-held wireless communications devices while turning on to or off of highways, from one highway to another, or entering or leaving controlled access highways.

Patron - Darner

[F] HB1641 Special license plates; supporters of the Virginia Association of Centers for Independent Living. Authorizes the issuance of "revenue sharing" license plates to supporters of the Virginia Association of Centers for Independent Living. For each set of plates issued (after the first 1,000 sets), \$15 will go to the Virginia Association of Centers for Independent Living to be used to cover the costs of its programs and operations. This bill has been incorporated into HB 1570.

Patron - Bryant

[F] HB1646 Passing on highways. Prohibits, except for specific situations, use of left-most lane on limited access highways for anything but passing other vehicles going in the same direction.

Patron - Johnson

[F] HB1651 Special license plates; 173rd Airborne Brigade. Authorizes issuance of special license plates to members and former members of the 173rd Airborne Brigade, instead of to members of the Society of the 173rd Airborne Brigade. These license plates would be exempt from minimum order requirements generally applicable to special license plates. This bill has been incorporated into HB 1570.

Patron - Ware

[F] HB1672 Safety lap belts and shoulder harnesses. Provides that a law-enforcement officer may stop a vehicle for failure of the driver or passengers to wear a seatbelt. However, the officer is not allowed to search or inspect a vehicle, its contents, the driver or a passenger because of a safety belt violation alone.

Patron - Jones, J.C.

[F] HB1698 Disabled parking placards. Prohibits charging of fees for issuance of disabled parking placards.

Patron - Pollard

[F] HB1714 Special license plates; prisoner of war medal. Authorizes the issuance of special license plates to persons awarded the prisoner of war medal. These license plates would be issued free of charge and would not be subject to the standard requirement for presentation of at least 350 prepaid applications prior to production and issuance.

Patron - Abbitt

[F] HB1725 Motorcycle rider safety training courses and training centers. Provides that motorcycle rider safety training courses must be approved by the Department of Motor Vehicles (DMV), rather than meet the requirements of DMV regulations. The bill also requires DMV approval of facilities and equipment of regional motorcycle rider safety training centers and requires that the curriculum, accreditation, and geographic areas served by these centers must be approved by DMV, rather than meet the requirements of DMV regulations. Training centers additionally must maintain such records and provides such reports as DMV determines.

Patron - Black

[F] HB1780 Special license plates; supporters of professional motor sports. Authorizes the issuance of special license plates to supporters of professional motor sports. The annual surcharge for these plates would be \$25, instead of the standard \$10 for most other non-revenue-sharing special license plates. This bill has been incorporated into HB 1570.

Patron - Dudley

[F] HB1787 Special license plates; Soldier's Medal, Airman's Medal, and Navy/Marine Corps Medal. Authorizes issuance of special license plate to persons awarded either the Soldier's Medal, Airman's Medal, or Navy/Marine Corps Medal. All such license plates would be of a single design, would be exempt from the minimum order requirements (contained in § 46.2-725), and could be issued to unremarried surviving spouses of recipients of these medals. This bill has been incorporated into HB 1570.

Patron - Hull

[F] HB1795 Special license plates; soccer enthusiasts. Authorizes issuance of special license plates for soccer enthusiasts. Standard requirements as to fees and minimum number of applications required, contained in § 46.2-725, apply to license plates authorized by this bill. This bill has been incorporated into HB 1570.

Patron - Jones, J.C.

[F] HB1812 Judicial approval for DMV revocation or suspension. This bill was incorporated in HB 1617.

Patron - Cranwell

[F] HB1844 Special license plates; education begins at home. Authorizes the issuance of special license plates bearing the legend: EDUCATION BEGINS AT HOME. This bill has been incorporated into HB 1570.

Patron - Marshall

[F] HB1860 "Photo-red" traffic light signal enforcement programs. Authorizes implementation of "photo-red" traffic light signal enforcement programs in Manassas, Manassas Park, and Prince William County. The bill also requires that certificates of inspection of images produced by "photo-red" monitoring systems be sworn to by law-enforcement officers, rather than by technicians or other local government employees.

Patron - McQuigg

[F] HB1884 Use of certain communication devices by motor vehicle drivers. Prohibits driver use of hand-held communication devices while the vehicle is in motion.

Patron - Rhodes

[F] HB1911 Department of Motor Vehicles (DMV) Records. Allows release of certain DMV records for vehicle recall, statistical, and vehicle history preparation purposes.

Patron - Rollison

[F] HB1912 License plates; vehicles owned by the Commonwealth. Provides that vehicles owned by the Commonwealth and used by the Department of Game and Inland Fisheries will have license plates that incorporate the design of "Wildlife Conservationist" license plates, but still have a legend indicating that the vehicles are for official state use only.

Patron - Rollison

[F] HB1913 Special license plates; clean special fuel vehicles. Allows issuance of "clean special fuel vehicle" special license plates for use on hybrid gasoline/electric-powered motor vehicles.

Patron - Rollison

[F] HB1916 "Photo red" traffic light signal enforcement program. Adds Charlottesville and Albemarle County to the list of localities authorized to have "photo-red" traffic light signal enforcement programs.

Patron - Van Yahres

[F] HB1937 Drivers less than 18 years old. Prohibits any driver under 18 from operating a motor vehicle between midnight and 5:00 a.m. or with more than two passengers under 18 who are not members of his family or household, unless he is traveling to or from school or work.

Patron - Armstrong

[F] HB1950 Potomac Region Transportation Development Authority. Creates the Potomac Region Transportation Development Authority, representing the Counties of Arlington, Fairfax, Loudoun, and Prince William, and the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park. The Authority is empowered to issue bonds with applicable law, including the issuance of bonds and other evidences of debt, in order to finance or assist in the financing of transportation projects undertaken pursuant to the Public-Private Transportation Act of 1995 (§ 56-556 et seq.) within one or more of the Northern Virginia localities represented in the Authority.

Patron - Hull

[F] HB1964 Special license plates; generally. Revises the general "ground rules" under which most special license plates are issued to provide that 500 (instead of the current 350) prepaid applications would have to be received by the DMV Commissioner within two years (instead of the current three years) of authorization by the General Assembly in order for the plates to be issued. The bill also provides for payment of an administrative fee to the Commissioner by the person,

organization, or group seeking the issuance of the license plates, prior to the issuance of the plates, in an amount determined by the Commissioner, not to exceed \$10,000.

Patron - Wardrup

[F] HB1974 Special license plates; National Law-Enforcement Officers Memorial. Authorizes issuance of special license plates for supporters of the National Law-Enforcement Officers Memorial. Standard requirements as to fees and minimum number of applications required, contained in § 46.2-725, apply to license plates authorized by this bill. This bill has been incorporated into HB 1570.

Patron - McClure

[F] HB1986 Special license plates; unlocking autism. Authorizes the issuance of special license plates bearing the legend: UNLOCKING AUTISM. This bill has been incorporated into HB 1570.

Patron - Black

[F] HB1991 Recordation of security instrument upon transfer of vehicle title. Provides that when a motor vehicle dealer places, or is required to place, a statement of a security interest on a certificate of title to a motor vehicle, trailer or semitrailer that has been transferred or assigned to a purchaser, the dealer may submit the properly transferred or assigned title directly to the Department of Motor Vehicles on behalf of the purchaser or transferee.

Patron - Black

[F] HB2058 Requirements for the use of photo-monitoring system to enforce traffic light signals. Provides that prior to considering any ordinance authorizing an authority to use a photo-monitoring system to enforce traffic light signals, also known as "photo-red," the locality must first hold a public hearing and adopt a resolution explaining that certain requirements have been met for each intersection under consideration. The bill further provides that the localities that were already authorized to use photo-red until July 1, 2005, may continue to do so until July 1, 2005. After July 1, 2005, such localities must also adopt an ordinance authorizing the use of photo-red pursuant to the requirements of this bill.

Patron - McQuigg

[F] HB2143 Intermodal chassis. Provides procedures for ensuring safety of intermodal chassis and containers pulled by truckers.

Patron - Drake

[F] HB2164 Special license plates; Virginia scuba divers. Reauthorizes issuance of special license plates. This bill has been incorporated into HB 1570.

Patron - Van Landingham

[F] HB2191 Special license plates; Fork Union Military Academy. Authorizes issuance of special license plates for supporters of the Fork Union Military Academy. Standard requirements as to fees and minimum number of applications required, contained in § 46.2-725, apply to license plates authorized by this bill. This bill has been incorporated into HB 1570.

Patron - Bloxom

[F] HB2197 "Photo-red" traffic light signal enforcement programs. Adds Newport News to the list of localities authorized to establish "photo-red" traffic light signal enforcement programs. The bill also repeals the July 1, 2005, sunset on these demonstration programs.

Patron - Crittenden

[F] HB2214 Local vehicle licenses. Allows localities to issue local vehicle licenses free of charge for vehicles owned by active duty military personnel.

Patron - Barlow

[F] HB2218 Overweight permits; vehicles hauling Virginia-grown farm or forest products. Allows vehicles used to haul Virginia-grown farm or forest products from the place where they are first produced, cut, harvested, or felled to the location where they are first processed to exceed 80,000 pounds if their owners purchase weight for the vehicles.

Patron - Stump

[F] HB2232 Motorcycle rider safety training courses and training centers. Provides that motorcycle rider safety training courses must be approved by the Department of Motor Vehicles (DMV), rather than meet the requirements of DMV regulations. The bill also requires DMV approval of facilities and equipment of regional motorcycle rider safety training centers and requires that the curriculum, accreditation, and geographic areas served by these centers must be approved by DMV, rather than meet the requirements of DMV regulations. Training centers additionally must maintain such records and provides such reports as DMV determines. See HB 1568.

Patron - Stump

[F] HB2263 Special license plates; Parrothead Club. Authorizes issuance of special license plates for members and supporters of the Parrothead Club. Standard requirements as to fees and minimum number of applications required, contained in § 46.2-725, apply to license plates authorized by this bill. This bill has been incorporated into HB 1570.

Patron - Marshall

[F] HB2270 "Photo-red" traffic light signal photo-enforcement programs. Adds Blacksburg to the list of localities authorized to use a "photo-red" traffic light signal photo-enforcement program. The bill also requires installation of signs on primary and interstate highways, at or near the boundaries of localities with "photo-red" programs, indicating that compliance with traffic light signals in the locality may be monitored by photo-monitoring systems, and provides for a prima facie presumption that required signs were in place at the time of any alleged traffic light signal violations observed by the photo-monitoring system.

Patron - Shuler

[F] HB2275 Business, Professional and Occupational Licensing Tax (BPOL); license fees, rates and requirements. Requires localities that impose the BPOL tax to (i) eliminate license fees by January 1, 2004, (ii) exempt the first \$100,000 of gross receipts from taxation by January 1, 2004, and (iii) reduce the several different rates currently in the Code to a flat rate of 20 cents per \$100 of gross receipts for license years beginning on and after January 1, 2004.

Patron - Shuler

[F] HB2283 Learner's permits. Requires licensed drivers accompanying persons driving under learner's permits to be "alert and able to assist the driver." This bill has been incorporated into HB 2554.

Patron - Barlow

[F] HB2284 Special license plates; Soldier's Medal recipients. Authorizes issuance of special license plates to recipients of the Soldier's Medal and their unmarried surviv-

ing spouses. See HB 1787. This bill has been incorporated into HB 1570.

Patron - Barlow

[F] HB2295 Commercial driver training schools. Requires the Department of Motor Vehicles to provide for toll-free access to its Customer Contact Center to receive complaints against commercial driver training schools and instructors. The bill also requires that commercial driver training schools conspicuously post signs indicating the telephone number of the Customer Contract Center, and include this information in their contracts and enrollment forms as well. The DMV Commissioner is authorized to provide for details of these signs, contracts, and enrollment forms by regulation.

Patron - Brink

[F] HB2381 Drivers less than 18 years old. Prohibits any driver under 18 who is driving under a learner's permit or has held his driver's license for less than 12 months from operating a motor vehicle between sunset and sunrise or using a hand-held wireless communication device while his vehicle is in motion.

Patron - Rhodes

[F] HB2398 Accident reports. Increases the minimal damage for reportability of motor vehicle accidents from the present \$1,000 threshold to \$2,500.

Patron - Tata

[F] HB2400 Motor vehicles; failure to stop upon signal by police officer. Provides for the mandatory suspension of a person's driver's license for failing to stop, driving in willful disregard, or escaping or eluding a police officer after the officer has given a visible or audible signal.

Patron - Tata

[F] HB2413 Possession of open container of alcohol in a motor vehicle; penalty. Provides that it is unlawful for any person, knowingly or intentionally, to possess any alcoholic beverage in the passenger area of a motor vehicle upon a public highway or the right-of-way thereof in other than the manufacturer's unopened, original container. If the seal on a container of an alcoholic beverage is broken or some of the contents have been removed, the container is presumed to be open. The penalty for a violation is a \$25 civil penalty.

Patron - May

[F] HB2507 Failure to wear seat belt partial bar to recovery of damages. Provides that failure to wear a seat belt while in a moving motor vehicle is negligence. The bill also provides that the fact that a person in a motor vehicle involved in an accident failed to wear a seat belt shall not bar recovery for an injury to or death of such person, nor for an injury to or the destruction of property in his charge, but the failure of the person to wear a seat belt may be considered in mitigation of damages.

Patron - Reid

[F] HB2508 Motorcycles; helmets. Limits the application of the "motorcycle helmet law" to operators and passengers less than 18 years old.

Patron - Reid

[F] HB2518 Vision examinations for issuance or renewal of driver's licenses. Repeals authority of the DMV Commissioner to waive vision tests for applicants for driver's license renewals.

Patron - Reid

[F] HB2556 Special license plates; supporters of the Virginia War Memorial Foundation, etc. Authorizes issuance of special license plates (i) for members of Rotary International, supporters of the Virginia War Memorial Foundation and (ii) bearing the legend "Home of the Internet." The bill also re-authorizes "Historic Yorktown" special license plates. This bill has been incorporated into HB 1570.

Patron - O'Brien

[F] HB2557 Special license plates; Rotary International. Authorizes issuance of special license plates for members of Rotary International. Standard requirements as to fees and minimum number of applications required, contained in § 46.2-725, apply to license plates authorized by this bill. See HB 2556. This bill has been incorporated into HB 1570.

Patron - O'Brien

[F] HB2560 Special license plates; Home of the Internet. Authorizes the issuance of special license plates bearing the legend: HOME OF THE INTERNET. See HB 2556. This bill has been incorporated into HB 1570.

Patron - O'Brien

[F] HB2562 Driver improvement clinics. Prohibits persons who are directed to driver improvement clinics by a court or by the DMV Commissioner to attend more than one such clinic via the Internet.

Patron - O'Brien

[F] HB2584 Special license plates; I SUPPORT EDUCATION. Authorizes the issuance of "revenue sharing" license plates bearing the legend: I SUPPORT EDUCATION. For each set of plates issued (after the first 1,000 sets), \$15 will go to the local school division of the locality in which the vehicle is registered to be spent as the division's School Board determines.

Patron - Byron

[F] HB2600 Fog lights. Allows use of fog lights only at times when the law requires use of headlights.

Patron - Phillips

[F] HB2608 Special license plates; clergy. Authorizes issuance of special license plates bearing the legend: CLERGY. This bill has been incorporated into HB 1570.

Patron - Putney

[F] HB2609 Special license plates; Rotary International. Authorizes issuance of special license plates for members of Rotary International. The bill also re-authorizes "Historic Yorktown" license plates. Standard requirements as to fees and minimum number of applications required, contained in § 46.2-725, apply to license plates authorized by this bill. This bill has been incorporated into HB 1570.

Patron - Devolites

[F] HB2622 Special license plates; Holstein dairy cow. Authorizes issuance of special license plates depicting a Holstein dairy cow. Standard requirements as to fees and minimum number of applications required, contained in § 46.2-725, apply to license plates authorized by this bill. This bill has been incorporated into HB 1570.

Patron - Weatherholtz

[F] HB2648 Special license plates; supporters of Deep Creek High School. Authorizes the issuance of "revenue sharing" license plates to supporters of Deep Creek High School. For each set of plates issued (after the first 1,000 sets), \$15 will go to Deep Creek High School to be used to support

its operation, programs, and activities. This bill has been incorporated into HB 1570.

Patron - Jones, S.C.

[F] HB2652 Special license plates; clergy. Authorizes issuance of special license plates bearing the legend: CLERGY. See HB 2608. This bill has been incorporated into HB 1570.

Patron - Spruill

[F] HB2689 Safety belts in school buses. Requires school buses purchased by, or for use by, any school or school division on or after January 1, 2003, to be equipped with safety belts or safety belts and shoulder harnesses of types approved by the Superintendent of State Police. The Board of Education must adopt policies, guidelines, and regulations to ensure that all passengers, including the driver, wear these belts or harnesses or both whenever the bus is in motion.

Patron - Spruill

[F] HB2713 Stop signs; yield right-of-way signs; traffic light signals. Makes failure to obey stop signs, yield right-of-way signs, or traffic light signals a Class 3 misdemeanor (fine up to \$500) instead of a traffic infraction (fine up to \$200).

Patron - Orrock

[F] HB2724 Special license plate; Virginia Wildlife Federation. Reauthorizes issuance of special license plate bearing the legend: VIRGINIA WILDLIFE FEDERATION.

Patron - Rollison

[F] HB2773 Special license plates; Air Medal recipients. Authorizes issuance of special license plates to recipients of the Air Medal. Standard provisions as to minimum orders, etc., would apply to these plates. This bill has been incorporated into HB 1570.

Patron - Katzen

[F] HB2809 Drivers under 18 years old. Prohibits use of wireless communications devices by drivers under 18 years old while their vehicles are in motion.

Patron - Bolvin

[F] HB2810 Drivers under 18 years old. Provides additional penalties for motor vehicle "moving violations" committed by drivers less than 18 years old: for a first offense, 30-day suspension of driving privilege; for a second offense, 90-day suspension; for a third or subsequent offense, six-month suspension. In addition, these drivers would also be prohibited from driving between midnight and 5 a.m. until they turn 18. However, if the offense is reckless driving or driving while intoxicated, the suspension will last until the person turns 18. All suspensions are to run consecutively to any suspension imposed by a court for the offense itself.

Patron - Bolvin

[F] HB2811 Learner's permits. Increases the minimum age for learner's permits from 15 years to 15 years, six months. The bill also requires that applicants for driver's licenses who are under 18 years old must have certification from a parent or guardian that they have had at least 25 hours of driving experience, at least five of which were at night.

Patron - Bolvin

[F] HB2819 Learner's permits. Increases the minimum age for obtaining a learner's permit from 15 years to 15 years, six months. This bill has been incorporated into HB 2554 (O'Brien).

Patron - Scott

[F] HB2843 Driving age; limitations on drivers under 18. Increases from 15 to 15 and one-half the minimum age for issuance of learner's permits; increases from 16 to 16 and one-half the minimum age for issuance of driver's license; increases from 16 to 16 and one-half the minimum age for limited over-the-road operation of golf carts. The bill also prohibits persons under 18 from driving between midnight and 5:00 a.m. except to and from his place of employment or during the course of his employment, or transporting more than three other persons under 18 (unless they are members of his family or household). Persons under 18 who are married or otherwise emancipated would not be subject to this latter restriction. This bill has been incorporated into HB 2554 (O'Brien).

Patron - O'Bannon

[F] HB2866 Special license plates. Repealing section providing for special license plates for members of the Sons of Confederate Veterans.

Patron - McEachin

[F] SB786 Special license plates; supporters of the Girl Scouts of America. Authorizes the issuance of special license plates for supporters of the Girl Scouts of America. This bill has been incorporated into SB 1010.

Patron - Puckett

[F] SB787 Motorcycle rider safety training courses and training centers. Provides that motorcycle rider safety training courses must be approved by the Department of Motor Vehicles (DMV), rather than meet the requirements of DMV regulations. The bill also requires DMV approval of facilities and equipment of regional motorcycle rider safety training centers and requires that the curriculum, accreditation, and geographic areas served by these centers must be approved by DMV, rather than meet the requirements of DMV regulations. Training centers additionally must maintain such records and provides such reports as DMV determines. This bill has been incorporated into SB 835.

Patron - Puckett

[F] SB788 Motorcycle rider safety training courses and training centers. Provides that motorcycle rider safety training courses must be approved by the Department of Motor Vehicles (DMV), rather than meet the requirements of DMV regulations. The bill also requires DMV approval of facilities and equipment of regional motorcycle rider safety training centers and requires that the curriculum, accreditation, and geographic areas served by these centers must be approved by DMV, rather than meet the requirements of DMV regulations. Training centers additionally must maintain such records and provides such reports as DMV determines. This bill has been incorporated into SB 835.

Patron - Houck

[F] SB811 Special license plates; Supporters of the Shenandoah National Park Association. Authorizes issuance of special license plates for supporters of the Shenandoah National Park Association. Standard requirements as to fees and minimum number of applications required, contained in § 46.2-725, apply to license plates authorized by this bill. This bill has been incorporated into SB 1010.

Patron - Potts

[F] SB819 Special license plates; Distributive Education Clubs of America (DECA). Authorizes issuance of special license plates for supporters of the Distributive Education Clubs of America (DECA). Standard requirements as to fees and minimum number of applications required, contained in §

46.2-725, apply to license plates authorized by this bill. This bill has been incorporated into SB 1010.

Patron - Whipple

[F] SB846 "Photo-red" traffic light signal enforcement program. Adds Charlottesville and Albemarle County to the list of localities authorized to have "photo-red" traffic light signal enforcement programs.

Patron - Couric

[F] SB910 Motor vehicle dealers; coercion by manufacturers and distributors. Prohibits certain coercive practices by motor vehicle manufacturers and distributors in connection with vehicle financing and leasing by motor vehicle dealers. See HB 1962.

Patron - Norment

[F] SB937 Drivers less than eighteen years old. Prohibits any driver under 18 from operating a motor vehicle between midnight and 5:00 a.m. or with more than two passengers under 18 who are not members of his family or household, unless he is traveling to or from school or work. This bill has been incorporated into SB 1329 (Mims).

Patron - Howell

[F] SB947 "Photo-red" traffic light signal enforcement programs. Adds Albemarle, James City, Prince William, and York Counties and the cities of Charlottesville, Hampton, Manassas, Manassas Park, and Newport News to the list of localities authorized to have "photo-red" traffic light signal enforcement programs. The bill also requires that certificates of inspection of images produced by "photo-red" monitoring systems be sworn to by law-enforcement officers, rather than by technicians or other local government employees.

Patron - Colgan

[F] SB991 Special license plates; soccer enthusiasts. Authorizes issuance of special license plates for soccer enthusiasts. Standard requirements as to fees and minimum number of applications required, contained in § 46.2-725, apply to license plates authorized by this bill. This bill has been incorporated into SB 1010.

Patron - Stolle

[F] SB1010 Special license plates; recipients of the Air Medal or Air Medal with "V" for valor. Authorizes the issuance of special license plates for recipients of the Air Medal or Air Medal with "V" for valor. Standard requirements as to fees and minimum number of applications required, contained in § 46.2-725, apply to license plates authorized by this bill. This bill incorporates SB 786, SB 811, SB 819, SB 991, SB 1054, SB 1316, SB 1338, and SB 1379.

Patron - Williams

[F] SB1041 Safety lap belts and shoulder harnesses. Amends the law to allow a law-enforcement officer to stop a vehicle for failure of the driver or passengers to wear a seat-belt. However, the officer is not allowed to search or inspect a vehicle, its contents, the driver or a passenger because of a violation of this section alone.

Patron - Stolle

[F] SB1054 Special license plates; supporters of the Monitor-Merrimac Memorial Foundation; supporters of The Mariners' Museum. Changes references to "supporters of the Monitor-Merrimac Memorial Foundation" to "supporters of The Mariners' Museum." A portion of the revenues derived from these plates (once a minimum of 1,000 sets have been sold) would still be used exclusively to further the devel-

opment and operation of the USS Monitor Center at The Mariners' Museum. This bill has been incorporated into SB 1010.

Patron - Williams

[F] SB1066 Learner's permits. Requires licensed drivers accompanying persons driving under learner's permits to be "alert and able to assist the driver." This bill has been incorporated into SB 1329 (Mims).

Patron - Quayle

[F] SB1108 Requirements for the use of photo-monitoring system to enforce traffic light signals. Provides that prior to considering any ordinance authorizing an authority to use a photo-monitoring system to enforce traffic light signals, also known as "photo-red," the locality must first hold a public hearing and adopt a resolution explaining that certain requirements have been met for each intersection under consideration. The bill further provides that the localities that were already authorized to use photo-red until July 1, 2005, may continue to do so until July 1, 2005. After July 1, 2005, such localities must also adopt an ordinance authorizing the use of photo-red pursuant to the requirements of this bill.

Patron - Couric

[F] SB1113 Motor vehicle dealers. Prohibits motor vehicle manufacturers, factory branches, distributors, distributor branches, or subsidiaries from requiring any motor vehicle dealer to waive any substantive or procedural rights afforded him by Virginia law. The bill's provision, however, does not apply to good faith settlement of disputes. See SB 1413.

Patron - Wampler

[F] SB1131 Driving age. Increase from 15 to 16 the minimum age for issuance of learner's permits; increases from 16 to 17 the minimum age for issuance of driver's license; increases from 16 to 17 the minimum age for limited over-the-road operation of golf carts.

Patron - Marsh

[F] SB1194 Intermodal chassis. Provides procedures for ensuring safety of intermodal chassis and containers pulled by truckers.

Patron - Forbes

[F] SB1220 Pedestrians. Eliminates the requirement that pedestrians shall not carelessly or maliciously interfere with traffic. The bill also requires that (i) pedestrians cross highways only at intersections or marked crosswalks; (ii) when pedestrians cross highways other than at intersections or marked crosswalks, they must yield the right-of-way to vehicles in the roadway; (iii) pedestrians who cross highways at locations where pedestrian tunnels or overpasses are provided must yield the right-of-way to vehicles on the roadway; (iv) pedestrians shall not cross intersections diagonally except in localities where the practice is allowed by local ordinance; and (v) drivers of vehicles exercise due diligence in not colliding with pedestrians.

Patron - Whipple

[F] SB1238 Driver's licenses; licensure of persons 70 years old or older. Provides that the vision examination cannot be waived for persons who are 70 years old or older. The bill also replaces the term "visual examination" with "vision examination."

Patron - Barry

[F] SB1274 Over-dimensional loads. Grants vehicles hauling over-dimensional loads and travelling under police or sheriff's escort the right-of-way and prohibits interference with them by other vehicles or their operators. The bill also requires

use of flashing high-intensity amber warning lights on over-dimensional vehicles of loads traveling under excessive size permits.

Patron - Wagner

[F] SB1279 Vehicle license plates. Provides for only one license plate on registered vehicles.

Patron - Wagner

[F] SB1314 Vehicle safety inspections; fees. Allows safety inspection stations to set their own fees for inspections, provided the fees are fair and reasonable, based on the service provided, and do not exceed \$20 for inspection of a passenger car or \$50 for inspection of a truck or passenger bus (\$30 until July 1, 2002).

Patron - Barry

[F] SB1316 Special license plates; historic covered bridges. Authorizes issuance of special license plates bearing the legend: HISTORIC COVERED BRIDGES. Standard requirements as to fees and minimum number of applications required, contained in § 46.2-725, apply to license plates authorized by this bill. This bill has been incorporated into SB 1010.

Patron - Quayle

[F] SB1330 Driving age. Increases from 15 to 15 and one-half the minimum age for issuance of learner's permits; increases from 16 to 16 and one-half the minimum age for issuance of driver's license. This bill has been incorporated into SB 1329 (Mims).

Patron - Mims

[F] SB1338 Special license plates; 173rd Airborne Brigade. Authorizes issuance of special license plates to members and former members of the 173rd Airborne Brigade, instead of to members of the Society of the 173rd Airborne Brigade. These license plates would be exempt from minimum order requirements generally applicable to special license plates. This bill has been incorporated into SB 1010.

Patron - Martin

[F] SB1357 Restricted driver's licenses for person who are 18 or 19 years old. Requires persons who are 18 or 19 to attend driver improvement clinics if they have been convicted of a motor vehicle offense for which demerit points are assessable, a safety belt offense, or a child restraint offense. This bill has been incorporated into SB 1329 (Mims).

Patron - Mims

[F] SB1376 Official bus and trolley museum of the Commonwealth. Designates the Commonwealth Coach and Trolley Museum, Inc., located in the City of Roanoke, the official bus and trolley museum of the Commonwealth.

Patron - Edwards

[F] SB1379 Special license plates; notaries public. Authorizes the issuance of special license plates for notaries public. This bill has been incorporated into SB 1010.

Patron - Maxwell

Pensions, Benefits and Retirement

[P] Passed

[P] HB252 Virginia Retirement System; retirees hired as teachers and administrative personnel. Provides that retired members of the Virginia Retirement System may be hired as teachers and administrative personnel without interrupting their retirement benefits. Such members must be retired for a certain period of time before they can return to work as teachers and administrative personnel without their retirement benefits being interrupted.

Patron - Dillard

[P] HB1589 Virginia Retirement System; retirees hired as teachers and administrative personnel. Provides that retired members of the Virginia Retirement System may be hired as teachers and administrative personnel without interrupting their retirement benefits. Such members must be retired for a certain period of time before they can return to work as teachers and administrative personnel without their retirement benefits being interrupted. Incorporates HB 2510.

Patron - Hamilton

[P] HB1739 Virginia Retirement System; additional accidental death and dismemberment benefits. Requires the Board of Trustees of VRS to purchase three additional accidental death benefits for employees participating in the Virginia Retirement System, the State Police Officers' Retirement System, the Judicial Retirement System, or the Virginia Law Officers' Retirement System. If, as a result of an accident, an insured employee dies at least 75 miles from his principal residence, an additional benefit up to \$5,000 shall be paid for the transportation of the deceased to a mortuary. An additional benefit up to \$50,000 shall be paid if an insured employee dies or suffers a dismemberment while driving or riding in a private passenger vehicle, provided that the insured employee was wearing a seatbelt and the driver of the vehicle held a current license and was not intoxicated, impaired, or under the influence of alcohol or drugs at the time of the accident. An additional benefit up to \$50,000 shall be paid if an insured employee dies or suffers a dismemberment as a result of a felonious assault committed by someone other than an immediate family member. In addition, if the insured employee dies as a result of the felonious assault and is survived by dependent children, the Virginia Retirement System shall open a savings trust account for each dependent child under the Virginia College Savings Plan. VRS shall contribute into the savings trust account of each dependent child an amount approximately equal to the current cost of purchasing in full a prepaid tuition contract for tuition at a four-year public institution of higher education in the Commonwealth. A qualifying child may use funds in the savings trust account for tuition, room, and board, and other expenses at institutions of higher education. This bill is identical to SB 1071.

Patron - Tata

[P] HB1740 Creation of medical boards for the Virginia Retirement System. Provides that the Board of Trustees of the Virginia Retirement System (Board) may create one or more medical boards composed of physicians or other health care professionals. The Code of Virginia currently provides that the Board may employ one medical board composed of four physicians.

Patron - Bryant

[P] HB1741 Optional retirement plans. Eliminates the right of state employees participating in the defined contribution plan to transfer back to the retirement system after 10 years, and clarifies that the election to be covered by the retirement system provided in the defined contribution plan for local school superintendents is available only for new school superintendents (i.e. current superintendents already were provided irrevocable election). The bill also makes technical changes to the optional retirement plans for certain employees of institutions of higher education; for certain employees of public school divisions; and for certain appointees of the Governor, the Attorney General, and the Lieutenant Governor to make them more consistent in administration. Because the modification to the defined contribution plan for certain state employees eliminates the right for them to transfer to the retirement system after 10 years, the bill has a second enactment clause that gives such employees 90 days from the bill's effective date to transfer to the retirement system.

Patron - Moss

[P] HB1748 Virginia Retirement System; benefit restoration plans. Requires the Board of Directors of VRS to establish and administer a benefit restoration plan for VRS members, including members of local governments that participate in VRS. The plan will provide pension benefits to members whose annual benefits would otherwise be limited by § 415 (b) of the Internal Revenue Code. Benefit restoration plans are to be funded from the pension contributions that are required under current law. The bill also allows local governments not participating in VRS to establish benefit restoration plans. This bill is identical to SB 856.

Patron - May

[P] HB1776 Virginia Retirement System. Permits VRS to transfer member contributions paid by employers on or after July 1, 1980, to individual member accounts, provided that such contributions have been previously deposited in the employer's account. This bill is identical to SB 840.

Patron - Ingram

[P] HB1909 Virginia Sickness and Disability Program. Make several technical corrections to the Virginia Sickness and Disability Program, including eliminating provisions requiring the termination of disability benefits if an employee's wages and salary from employment exceed 85 percent of his predisability earnings.

Patron - Callahan

[P] HB1924 Virginia Retirement System; coordination of benefits. Provides for the Board of Trustees of the Virginia Retirement System to jointly develop guidelines and procedures with the Department of Human Resource Management for coordinating benefits of the Virginia Sickness and Disability Program administered by the Virginia Retirement System and the Workers' Compensation Program administered by the Department of Human Resource Management. Current law requires the Board to coordinate benefits with the Division of Risk Management of the Department of Treasury. Under legislation passed in the 2000 Session of the General Assembly, however, the administration of the Worker's Compensation Program was transferred from the Division of Risk Management to the Department of Human Resource Management. This bill is identical to SB 963.

Patron - Ingram

[P] HB1960 Virginia Retirement System; group life, accidental death, and dismemberment insurance. Modifies the group life, accidental death, and dismemberment insurance program to (i) permit employees to purchase the additional,

optional coverage (up to \$500,000) regardless of salary and (ii) permit employees who retire to continue optional life insurance coverage on themselves and on spouses and minor dependents provided that the employee was continuously insured for such coverage for at least 60 continuous months prior to retirement. Such optional life insurance on the employee that is continued by a retiring employee (a) shall not exceed \$200,000; (b) shall reduce annually by incremental amounts beginning at age 65;; and (c) shall cease when the retiree attains age 80, fails to pay the required premium, or returns to a covered position. Optional life insurance on a spouse or minor dependent that is continued by a retiree shall cease upon (1) the retiree attaining age 80, (2) the death of the retiree, (3) divorce (for spousal coverage), or (4) the minor dependent attaining a certain age under certain conditions, or marrying.

Patron - Kilgore

[P] HB2079 Virginia Firefighters' and Rescue Squad Workers' Service Award Fund. Revises the Virginia Firefighters' and Rescue Squad Workers' Pension Fund so that it may receive favorable tax treatment, to provide adequate death benefits, and to permit a member to name his own beneficiary. The bill also requires that additional contributions to the Fund (besides contributions from the General Fund) shall benefit all members of the Fund. This bill repeals a contingency so that the bill will become effective on July 1, 2001.

Patron - Putney

[P] HB2081 Law Officers' Retirement System. Modifies the retirement allowance paid under the Virginia Law Officers' Retirement System (VaLORS) by increasing from 1.7 percent to 2.0 percent the percentage of average final compensation multiplied by the years of creditable service in a VaLORS-covered or similar position, and by deleting the supplemental allowance currently paid to members upon retirement until age 65 (currently \$9,264 annually). This provision applies to employees who become members of VaLORS on or after July 1, 2001, and to current employees who elect to accept the modifications by October 31, 2001. The bill also amends the State Police Officers' Retirement System (SPORS) to provide that the annual allowance is paid from the date of his retirement until his Social Security retirement age, rather than until age 65.

Patron - Putney

[P] HB2170 Parking regulation. Provides that violators of Chesterfield County parking ordinances shall be subject to a civil penalty not to exceed \$75, the proceeds from which shall be paid into the locality's general fund.

Patron - Nixon

[P] HB2293 Virginia Retirement System; purchase of prior service credit. Makes several changes to the current law concerning the purchase of prior service credit including technical amendments. The purchase of retirement credit for prior military service is permitted even when the prior military service is creditable to another retirement system, if such is required by federal statutes governing military retirement. The bill also provides that if a person becomes a member of the retirement system on or after July 1, 2001, and elects to purchase prior service within three years from his first date of hire, he must pay an amount equal to five percent of his present annual compensation or five percent of his average annual compensation during his 36 highest consecutive months of creditable service, whichever is greater. At any other time, such member must pay an amount equal to actuarial equivalent cost. Members in service immediately before July 1, 2001, have three years from the date they first became eligible to purchase the prior service (generally their date of hire) or until July 1, 2004, (whichever is later) to purchase such service at the

reduced rate. If the member does not purchase the prior service within this time period, the cost to the member to purchase the service shall be the actuarial cost. The bill also provides for the purchase of prior service by member for periods of employment in an hourly wage position with the Commonwealth. In general, only four years of prior service credit may be purchased for each eligible category of prior service. Current law provides that any years of eligible prior service, beyond four years, may be purchased at a cost of 15 percent of a member's present annual compensation. This bill is identical to SB 1077.

Patron - Cox

[P] HB2603 Virginia Outdoors Foundation; retirement plan. Permits the Virginia Outdoors Foundation ("Foundation") to develop its own retirement plan for some or all of its employees. Any such current employee who is a member of the Virginia Retirement System may elect to maintain his membership in the Virginia Retirement System. All persons who become employees of the Foundation on and after July 1, 2001, shall participate in the Foundation's retirement plan.

Patron - Bloxom

[P] HB2629 Virginia Retirement System; partial lump-sum payment option. Establishes lump-sum payment options for the payment of retirement allowances to eligible retiring members. A member who has satisfied the requirements for normal retirement or who has remained in service for at least three years after the date he was first eligible for an unreduced service retirement allowance may elect to receive a lump-sum distribution up to 36 times the monthly amount of his service retirement allowance. A member who has remained in service for at least two years after the date he was first eligible for an unreduced service retirement allowance may elect to receive a lump-sum distribution up to 24 times the monthly amount of his service retirement allowance. A member who has remained in service for at least one year after the date he was first eligible for an unreduced service retirement allowance may elect to receive a lump-sum distribution equal to 12 times the monthly amount of his service retirement allowance. If an eligible retiring member elects to receive a lump-sum distribution, his retirement allowance shall be reduced on an actuarially equivalent basis. This bill is identical to SB 843.

Patron - Tata

[P] HB2750 Freedom of Information; closed meetings; scholastic records. Provides that the discussion or consideration of any matter that would involve the disclosure of information contained in a scholastic record would be a proper purpose for which a public body may convene in a closed meeting. Currently, this exception is limited to the discussion or consideration of admission or disciplinary matter concerning a student.

Patron - Blevins

[P] SB840 Virginia Retirement System. Permits VRS to transfer member contributions paid by employers on or after July 1, 1980, to individual member accounts, provided that such contributions have been previously deposited in the employer's account. This bill is identical to HB 1776.

Patron - Lambert

[P] SB843 Virginia Retirement System; partial lump-sum payment option. Establishes lump-sum payment options for the payment of retirement allowances to eligible retiring members. A member who has satisfied the requirements for normal retirement or who has remained in service for at least three years after the date he was first eligible for an unreduced service retirement allowance may elect to receive a lump-sum distribution up to 36 times the monthly amount of his service retirement allowance. A member who has remained

in service for at least two years after the date he was first eligible for an unreduced service retirement allowance may elect to receive a lump-sum distribution up to 24 times the monthly amount of his service retirement allowance. A member who has remained in service for at least one year after the date he was first eligible for an unreduced service retirement allowance may elect to receive a lump-sum distribution equal to 12 times the monthly amount of his service retirement allowance. If an eligible retiring member elects to receive a lump-sum distribution, his retirement allowance shall be reduced on an actuarially equivalent basis. This bill is identical to HB 2629.

Patron - Stolle

[P] SB856 Virginia Retirement System; benefit restoration plans. Requires the Board of Directors of VRS to establish and administer a benefit restoration plan for VRS members, including members of local governments that participate in VRS. The plan will provide pension benefits to members whose annual benefits would otherwise be limited by § 415 (b) of the Internal Revenue Code. Benefit restoration plans are to be funded from the pension contributions that are required under current law. The bill also allows local governments not participating in VRS to establish benefit restoration plans. This bill is identical to HB 1748.

Patron - Stosch

[P] SB945 Virginia Retirement System benefits. Provides for an increase, beginning July 1, 2001, of the monthly retirement allowance payable to any person retired under the Virginia Retirement System or the State Police Officers' Retirement System (or their predecessor systems) before January 1, 1980, who has at least 15 years of creditable service. The monthly allowance will be increased by adding to the amount of monthly allowance the person would have received as of June 30, 2001, (i) four dollars multiplied by the member's number of years of creditable service plus (ii) four dollars multiplied by the number of years between such member's retirement date and December 31, 1979.

Patron - Colgan

[P] SB949 Virginia Retirement System; surviving spouses remarrying. Provides that certain retirement allowances to surviving spouses continue even when the surviving spouse remarries. Under current law, the surviving spouse of a deceased member of VRS will receive a retirement allowance if the member died in service from a cause that is compensable under the Virginia Workers' Compensation Act. However, the retirement allowance payment is discontinued if the surviving spouse remarries. This bill would continue retirement allowances to these surviving spouses who remarry. Surviving spouses of VRS members who have remarried before the effective date of the bill are also covered under the bill's provisions.

Patron - Colgan

[P] SB963 Virginia Retirement System; coordination of benefits. Provides for the Board of Trustees of the Virginia Retirement System to jointly develop guidelines and procedures with the Department of Human Resource Management to coordinate benefits the Virginia Sickness and Disability Program administered by the Virginia Retirement System and the Workers' Compensation Program administered by the Department of Human Resource Management. Current law requires the Board to coordinate benefits with the Division of Risk Management of the Department of Treasury. Under legislation passed in the 2000 Session of the General Assembly, however, the administration of the Worker's Compensation Program was transferred from the Division of Risk Management to the Department. This bill is identical to HB 1924.

Patron - Trumbo

[P] SB1071 Virginia Retirement System; additional accidental death and dismemberment benefits. Requires the Board of Trustees of VRS to purchase three additional accidental death benefits for employees participating in the Virginia Retirement System, the State Police Officers' Retirement System, the Judicial Retirement System, or the Virginia Law Officers' Retirement System. If, as a result of an accident, an insured employee dies at least 75 miles from his principle residence, an additional benefit up to \$5,000 shall be paid for the transportation of the deceased to a mortuary. An additional benefit up to \$50,000 shall be paid if an insured employee dies or suffers a dismemberment while driving or riding in a private passenger vehicle, provided that the insured employee was wearing a seatbelt and the driver of the vehicle held a current license and was not intoxicated, impaired, or under the influence of alcohol or drugs at the time of the accident. An additional benefit up to \$50,000 shall be paid if an insured employee dies or suffers a dismemberment as a result of a felonious assault committed by someone other than an immediate family member. In addition, if the insured employee dies as a result of the felonious assault and is survived by dependent children, the Virginia Retirement System shall open a savings trust account for each dependent child under the Virginia College Savings Plan. VRS shall contribute into the savings trust account of each dependent child an amount approximately equal to the current cost of purchasing in full a prepaid tuition contract for tuition at a four-year public institution of higher education in the Commonwealth. A qualifying child may use funds in the savings trust account for tuition, room, and board, and other expenses at institutions of higher education. This bill is identical to HB 1739.

Patron - Trumbo

[P] SB1077 Virginia Retirement System; purchase of prior service credit. Makes several changes to the current law concerning the purchase of prior service credit including technical amendments. The purchase of retirement credit for prior military service is permitted even when the prior military service is creditable to another retirement system, if such is required by federal statutes governing military retirement. The bill also provides that if a person becomes a member of the retirement system on or after July 1, 2001, and elects to purchase prior service within three years from his first date of hire, he must pay an amount equal to five percent of his present annual compensation or five percent of his average annual compensation during his 36 highest consecutive months of creditable service, whichever is greater. At any other time, such member must pay an amount equal to actuarial equivalent cost. Members in service immediately before July 1, 2001, have three years from the date they first became eligible to purchase the prior service (generally their date of hire) or until July 1, 2004, (whichever is later) to purchase such service at the reduced rate. If the member does not purchase the prior service within this time period, the cost to the member to purchase the service shall be the actuarial cost. The bill also provides for the purchase of prior service by a member for periods of employment in an hourly wage position with the Commonwealth. In general, only four years of prior service credit may be purchased for each eligible category of prior service. Current law provides that any years of eligible prior service, beyond four years, may be purchased at a cost of 15 percent of a member's present annual compensation. This bill is identical to HB 2293 and incorporates SB 818 and SB 854.

Patron - Miller, K.G.

[F] Failed

[F] HB16 Virginia Law Officers' Retirement System; membership. Adds wardens, assistant wardens, field unit

superintendents, and assistant field unit superintendents employed by the Department of Corrections to the list of employees participating in the Virginia Law Officers' Retirement System.

Patron - Armstrong

[F] HB1644 Virginia Retirement System; purchase of prior military service credit. Permits certain employees to purchase all periods of prior active military service at the rate of five percent for each year to be credited for retirement purposes, provided that any portion of a period of prior service lasted at least 180 consecutive days. Under current law, only those periods of prior military service lasting at least 180 consecutive days may be purchased at that rate.

Patron - Jackson

[F] HB1647 Virginia Retirement System; prior service credit. Permits state employees, for retirement benefit purposes, to purchase up to four years of prior service credit for service in a full-time hourly wage position with the Commonwealth prior to July 1, 1988. The cost to the employee is five percent of his present annual compensation for each year to be credited, or five percent of the average of his highest three years of compensation, whichever is greater.

Patron - Dudley

[F] HB1659 Virginia Law Officers' Retirement System; membership. Expands membership in the Virginia Law Officers' Retirement System to include sworn members of the enforcement division of the Department of Motor Vehicles.

Patron - Parrish

[F] HB1663 Virginia Retirement System; credit for service. Provides service credit to any member in service who (i) is credited with five or more years of membership service, and (ii) is an employee of a juvenile and domestic relations court in a judicial district that includes at least one county with a population between 45,800 and 45,900, for service rendered after January 1, 1984, and prior to January 1, 1995, as a permanent part-time employee and as an employee paid on an hourly basis.

Patron - Johnson

[F] HB1666 Deferred compensation plan for government employees. Provides that the Commonwealth shall transfer funds to teachers' deferred compensation accounts in any amounts that may be appropriated for such purposes from time to time and directs the Virginia Retirement System to work with local school superintendents to develop appropriate procedures.

Patron - Callahan

[F] HB1668 Local retirement systems. Requires any locality that provides a retirement system outside of the Virginia Retirement System (VRS) to provide its members who retire with applicable age and service requirements with retirement allowances that equal or exceed VRS allowances. Under current law, such localities are required to provide only two-thirds of the VRS allowance and only to members who retire at age 65 or older.

Patron - Callahan

[F] HB1669 Retirement benefits for local public safety employees. Provides that any member of a police department or fire department who becomes disabled while discharging official duties or who has completed 20 years of service and has reached the age of 50 may retire with certain disability or retirement benefits. The bill applies to all counties having the county manager plan of government. Current law provides such benefits only to members of police departments

in counties having the county manager plan of government, except Arlington County.

Patron - Callahan

[F] HB1688 Deferred retirement option program. Establishes a deferred retirement option program for state employees, state police officers, local government employees, teachers, and judges. To participate in the program, members must be eligible to retire under VRS, SPORS, VaLORS or the JRS with unreduced benefits. The employee continues working during the period of his participation in the program, not to exceed five years, during which time a percentage of the amount of the monthly retirement benefits that he would have received if he had retired instead of enrolling in the program is deposited in an account. The percentage, determined at an amount that ensures that the program does not affect employer contribution rates, shall not exceed 100 percent. The account balance, with interest, shall be paid to the participant when he retires. The bill has a delayed effective date of July 1, 2002.

Patron - Hamilton

[F] HB1751 Virginia Law Officers' Retirement System; membership. Adds juvenile probation officers to the list of employees participating in the Virginia Law Officers' Retirement System.

Patron - Parrish

[F] HB1811 Virginia Law Officers' Retirement System; membership. Adds to the membership of the Virginia Law Officers' Retirement System (i) any sworn member of the enforcement division of the Department of Motor Vehicles and (ii) any driver's license examiner for the Department of Motor Vehicles who previously had sworn police power in the same or similar position with DMV or a predecessor agency of DMV and has continued in such position, without break in service, from that time to, at least, July 1, 2001.

Patron - Cranwell

[F] HB1816 Retirement; creditable compensation for teachers. Provides that creditable compensation for teachers may include remuneration for extra duties and remuneration for teaching on a contractual basis during the summer or after normal daytime school hours.

Patron - Kilgore

[F] HB1818 Virginia Retirement System; prior service credit. Permits members of the Virginia Retirement System who have at least five years of service to purchase up to five years of service credit for prior years of service with certain public employers other than the Commonwealth. The cost to the member is five percent of salary per year of service purchased. Currently, only four years of such service credit may be purchased, and the member must have at least 25 years of service.

Patron - Diamonstein

[F] HB1820 Virginia Retirement System; prior service credit. Permits any member in service to receive service credit for prior service rendered in a permanent part-time position.

Patron - Armstrong

[F] HB1821 Virginia Retirement System; school instructional and administrative personnel. Provides that certain retired school teachers and administrative employees may return to teach without interrupting their retirement benefits.

Patron - Armstrong

[F] HB1896 Virginia Retirement System; purchase of prior service credit. Permits any member in service who has at least 25 years of creditable service to purchase up to one year of prior service credit for service while training in any of the reserve components of the armed forces of the United States or of the National Guard at the rate of five percent of salary.

Patron - Griffith

[F] HB2005 Virginia Retirement System; purchase of prior service credit for military service. Lowers from 25 years to 20 years the minimum length of time a member must be covered by the Virginia Retirement System before being eligible to purchase up to four years of prior service credit for active duty military service at the rate of five percent of salary for each year to be credited.

Patron - Johnson

[F] HB2024 Retirement benefits; sheriffs and certain deputy sheriffs. Adds sheriffs in localities that participate in the Virginia Retirement System, and certain deputy sheriffs, as members in the Virginia Law Officers' Retirement System ("VaLORS"). Currently, such sheriffs must be provided the same benefits outside VaLORS, and the same benefits may be provided to deputy sheriffs, but are not required.

Patron - Callahan

[F] HB2195 Judicial retirement. Allows members of the Judicial Retirement System to retire at age 55 with a minimum of 25 years of actual unweighted service in the judiciary without taking the deduction required under current law.

Patron - Crittenden

[F] HB2277 Virginia Retirement System; purchase of prior service credit. Permits any member in service to purchase service credit for prior service performed pursuant to the Comprehensive Employment and Training Act under former 29 USC § 801 et seq. for an employer participating in the Virginia Retirement System at the rate of five percent of salary for each year purchased.

Patron - Johnson

[F] HB2510 Retirement; continuation of benefits to retired teachers hired during teacher shortage. Permits retired teachers to return to teach without interrupting their retirement benefits under certain conditions, including that the position is among those designated by the Superintendent of Public Instruction as suffering from a teacher shortage geographically or by subject matter. The bill also requires the Superintendent of Public Instruction to report annually on such teacher shortages. This bill has been incorporated into HB 1589.

Patron - Reid

[F] HB2550 Virginia Retirement System; purchase of service credit for military service. Permits any vested member in service to purchase service credits for all prior military service at the rate of five percent of salary for each year of service purchased. Under current law, only members in service with 25 or more years of creditable service may purchase prior military service at the five-percent rate, and only up to four years of such prior service. Current law permits the purchase of such service in excess of four years at the rate of 15 percent of salary for each year to be credited.

Patron - Katzen

[F] HB2620 Virginia Law Officers' Retirement System. Adds special game wardens appointed prior to January 1,

1995, to membership in the Virginia Law Officers' Retirement System.

Patron - Kilgore

[F] HB2630 Virginia Retirement System; purchase of prior service credit. Permits any member in service to purchase service credit for prior service performed pursuant to the Job Training Partnership Act under 29 USC § 1501 et seq. for an employer participating in the Virginia Retirement System, at the rate of five percent of salary for each year purchased.

Patron - Clement

[F] HB2638 Retirement; benefits for certain local employees. Adds emergency medical technicians to the group of local employees eligible, at local option, to receive retirement benefits equivalent to the retirement benefits provided to retired state police officers. The bill also mandates that fire fighters and emergency medical technicians be permitted to retire regardless of age after 25 years of service, without any actuarial reduction in the amount of the retirement allowance.

Patron - Callahan

[F] HB2775 Virginia Retirement System; purchase of credit for prior military service. Reduces from 180 consecutive days to 120 consecutive days the minimum length of prior military service required to qualify for prior military service that may be purchased as service credit by any vested member in the Virginia Retirement System with at least 25 years of service at the rate of five percent of salary for each year purchased, up to a maximum of four years.

Patron - Ingram

[F] HB2783 Deferred compensation plan; local school board employees. Requires that the Commonwealth's contribution to state employees' deferred compensation accounts also be made for the benefit of local school board employees.

Patron - Diamonstein

[F] SB818 Virginia Retirement System; prior service credit. Permits state employees, for retirement benefit purposes, to purchase up to two years of prior service credit for service in a full-time hourly wage position with the Commonwealth prior to July 1, 1988. The cost to purchase 12 months of service is five percent of his present annual compensation or five percent of the average of his highest three years of compensation, whichever is greater. This bill has been incorporated into SB 1077.

Patron - Edwards

[F] SB854 Virginia Retirement System; prior service credit. Permits state employees, for retirement benefit purposes, to purchase up to one year of prior service credit for service in a full-time hourly wage position with the Commonwealth prior to July 1, 1988. The cost to purchase 12 months of service is five percent of his present annual compensation or five percent of the average of his highest three years of compensation, whichever is greater. This bill has been incorporated into SB 1077.

Patron - Reynolds

[F] SB870 Virginia Retirement System and State Police Officers' Retirement System. Increases the monthly retirement allowance of persons who retired from the Virginia Retirement System and the State Police Officers' Retirement System prior to 1980. The retirement allowance received by such persons for the month of June 2001 will be increased by 10 percent in the month beginning July 2001. All post-retire-

ment supplements will be based on the increased monthly retirement allowance amount.

Patron - Puller

[F] SB895 Retirement allowances under the Virginia Retirement System, State Police Officers' Retirement System, and Virginia Law Officers' Retirement System. Increases the retirement allowances paid under the Virginia Retirement System, State Police Officers' Retirement System, and Virginia Law Officers' Retirement System by increasing from 1.7 percent to 2.0 percent the percentage of average final compensation multiplied by the years of creditable service for purposes of computing a member's retirement allowance.

Patron - Reynolds

[F] SB942 Virginia Retirement System; purchase of prior service credit. Creates an additional purchase of prior service option for teachers who are spouses of military persons. Teachers with at least 15 years of creditable service as a licensed teacher in the Commonwealth who are married for 20 years or more to a person on active duty military service, for 20 years or more, may purchase up to 15 years of prior service at a cost of five percent of their present annual compensation for each year to be credited or five percent of their average annual creditable compensation during their 36 highest consecutive months of creditable service, whichever is greater.

Patron - Colgan

[F] SB969 Virginia Law Officers' Retirement System; membership. Includes in the membership of the Virginia Law Officers' Retirement System any employee of the Department of Corrections whose normal duties require him regularly to be in the presence of inmate populations.

Patron - Lucas

[F] SB994 Virginia Law Officers' Retirement System. Modifies the retirement allowance paid under the Virginia Law Officers' Retirement System ("VaLORS") by increasing from 1.7 percent to 2.5 percent the percentage of average final compensation multiplied by the years of creditable service in a VaLORS-covered or similar position, and by deleting the supplemental allowance currently paid to members upon retirement until age 65 (currently \$9,264 annually). The bill applies to employees who become members of VaLORS on or after July 1, 2001, and to current employees who elect to accept the modifications by October 31, 2001.

Patron - Stolle

[F] SB995 Virginia Law Officers' Retirement System. Modifies the retirement allowance paid under the Virginia Law Officers' Retirement System ("VaLORS") by increasing from 1.7 percent to 2.5 percent the percentage of average final compensation multiplied by the years of creditable service in a VaLORS-covered or similar position, and by deleting the supplemental allowance currently paid to members upon retirement until age 65 (currently \$9,264 annually). The bill applies to employees who become members of VaLORS on or after July 1, 2001, and to current employees who elect to accept the modifications by October 31, 2001.

Patron - Stolle

[F] SB996 State Police Officers' Retirement System. Changes the period in which the \$9,264 annual supplement is paid from up until age 65 to the member's full retirement age under the Social Security Act.

Patron - Stolle

[F] SB1000 Virginia Sickness and Disability Program. Enrolls certain state employees into the Virginia Sickness and Disability Program (VSDP) unless such employees

opt not to be enrolled. Members of the Virginia Retirement System, the State Police Officers' Retirement System, the Virginia Law Officers' Retirement System, certain part-time employees of the Commonwealth, and employees of higher education participating in the Retirement System, who are not already participating in the program, will be automatically enrolled into the VSDP unless such persons provide written notice to VRS of their decision not to participate. In general, the opt-out period will run from October 1, 2001, through December 31, 2001, and VSDP coverage will be effective January 10, 2002. Employees of higher education commencing employment on or after October 1, 2001, who are employed in a faculty position performing teaching, research or administrative duties, have 30 days to opt out of the VSDP beginning with their first date of employment. Any person enrolled into the VSDP will have their sick leave balances converted to disability credits at the rate of one hour of disability credit for each hour of sick leave. The bill only applies to employees who currently are not participating in the VSDP; the bill does not affect employees who previously elected to enroll in the VSDP or who were enrolled by effect of law. The bill also authorizes VRS to provide a long-term care insurance program for members of the VSDP. The bill also authorizes VRS to manage long-term care insurance programs that are currently managed by the Department of Human Resource Management. VRS may purchase group insurance policies to provide long-term care benefits or may self-insure long-term care benefits. State agencies are required to fund the costs of long-term care insurance from such funds as are appropriated to such agencies by the General Assembly.

Patron - Trumbo

[F] SB1015 Deferred retirement option program. Establishes a deferred retirement option program for teachers eligible to retire under VRS with unreduced benefits. Under the program, a teacher will continue working during the period of his participation in the program, not to exceed five years, during which time a percentage of the amount of the monthly retirement benefits that he would have received if he had retired instead of enrolling in the program is deposited in an account. The percentage, determined at an amount that ensures that the program does not affect employer contribution rates, shall not exceed 100 percent. The account balance, with interest, shall be paid to a participating teacher when he retires. This is an optional program. The bill has a delayed effective date of July 1, 2002.

Patron - Williams

[F] SB1020 Virginia Law Officers' Retirement System; membership. Adds as members in VaLORS probation officers of the Department of Juvenile Justice and security or investigative officers of the State Lottery Department.

Patron - Newman

[F] SB1093 Virginia Retirement System; purchase of service credit. Allows a member to purchase up to one year of retirement service credit for any unpaid leave of absence due to a serious illness or disability of the member's spouse, mother, father, son, daughter, brother, sister, aunt, uncle or cousin by blood, marriage or adoption. The Retirement System may request a medical certification confirming the illness or disability as a condition of the member purchasing service credit under this option.

Patron - Mims

[F] SB1248 Virginia Retirement System; retirees hired as teachers and administrative personnel of local school boards. Provides that certain persons who have retired under the Virginia Retirement System may be hired by local school boards as teachers and administrative personnel with no

interruption in their retirement benefits. This bill applies to licensed instructional and administrative personnel who (i) have been retired for at least one year from employment with a Virginia local school board before returning as full-time licensed instructional or administrative personnel; (ii) are licensed by the Board of Education to work in such position as they are hired into; and (iii) are hired on an annual contract basis and ineligible for continuing contract status. This bill has been incorporated into SB 954.

Patron - Reynolds

[F] SB1231 State Police Officers' Retirement System. Modifies the retirement allowance paid under the State Police Officers' Retirement System ("SPORS") by increasing from 1.7 percent to 2.5 percent the percentage of average final compensation multiplied by the years of creditable service in a SPORS-covered or similar position, and by deleting the supplemental allowance currently paid to members upon retirement until age 65 (currently \$9,264 annually). The bill applies to employees who become members of SPORS on or after July 1, 2001, and to current employees who elect to accept the modifications by October 31, 2001.

Patron - Stolle

[F] SB1253 Virginia Retirement System benefits. Requires that the monthly service retirement allowance payable to teachers who retired with unreduced benefits prior to January 1, 1980, with at least 15 years of service shall be at least \$800.

Patron - Reynolds

[F] SB1282 Retirement; health insurance credits. Increases the monthly health insurance credits provided to retired local social service employees from one and one-half dollars for each year of creditable service to two and one-half dollars, which is the same amount paid to teachers.

Patron - Ruff

[F] SB1283 Virginia Law Officers' Retirement System; membership. Includes in the membership of the Virginia Law Officers' Retirement System any employee of the Department of Corrections whose normal duties require him regularly to be in the presence of inmate populations.

Patron - Ruff

[F] SB1284 Virginia Law Officers' Retirement System; additional retirement allowance. Provides that the additional retirement allowance payable until the age of 65 to a retiree under the Virginia Law Officers' Retirement System ("VaLORS"), be paid pro rata according to the member's years of service in a hazardous duty position. Eligibility begins when a member has served at least five years in such a position. Under current law, such benefit is not paid on a pro rata basis and eligibility requires a minimum of 20 years of service.

Patron - Ruff

[F] SB1360 Police Retirement System; Fairfax County. Provides that any county ordinances amending the police retirement system of the county shall be limited to changing the benefits conferred on or contributions relating to members of the retirement system. Upon request of the retirement board for the police retirement system, the county shall amend the police retirement plan to comply with federal or state law. The bill also provides that the retirement board shall consist of seven members: the Director of Finance of Fairfax County, two members who are sworn officers of the county police department, one member who is a retired sworn officer of the county police department, and three members appointed

by the governing body of Fairfax County. All other members shall serve terms of four years.

Patron - Saslaw

[F] SB1361 Virginia Law Officers' Retirement System; membership. Includes in the membership of the Virginia Law Officers' Retirement System any person who served as a parole officer with the Commonwealth prior to October 1, 1999, and any employee of the Department of Corrections whose normal duties require him regularly to be in the presence of parolees.

Patron - Reynolds

Persons with Disabilities

[P] Passed

[P] HB1625 Persons with disabilities; guide, hearing and service dogs in training. Authorizes persons who are experienced as guide, hearing or service dog trainers and represent an organization that trains and certifies such dogs to be accompanied by dogs on all common carriers and public conveyances or modes of transportation, and in restaurants, hotels, lodging places, places of accommodation, amusement or resort, or other places to which the general public is invited. The dogs must be at least six months of age and must be either in harness, on a blaze orange leash, in a harness or backpack or wearing a jacket identifying the recognized guide, hearing or service dog organization.

Patron - Tata

[P] HB2190 People with disabilities. Changes the designation of some entities that are represented on the Virginia Board for People with Disabilities. The bill deletes designations of representatives of a higher education training facility, a real estate interest, and two at-large members. This bill adds representatives of a high-technology interest, a banking executive, and four persons with developmental disabilities or parents or guardians of such persons. The bill also contains technical amendments.

Patron - Bloxom

[P] SB1286 People with disabilities. Changes the designation of some entities that shall be represented on the Virginia Board for People with Disabilities. The bill deletes a designation of a representative of a higher education training facility, a real estate interest, and two at-large members. Added are representatives of a high-technology interest, a banking executive, and four persons with developmental disabilities or parents or guardians of such persons. The bill also contains technical amendments.

Patron - Rerras

Police, State

[F] Failed

[F] HB1605 Powers and duties of a drug law enforcement and investigation division. Clarifies that, in addition to any other powers and duties that may be provided by statute or otherwise, it is the duty of a State Police division for drug law enforcement and investigation to enforce the laws of the Commonwealth and conduct investigations related to certain violations of Title 18.2 involving controlled substances

when requested by the Attorney General, any sheriff, chief of police, attorney for the Commonwealth or grand jury.

Patron - Weatherholtz

[F] HB1814 Appointment of senior and master state troopers. Provides that, regardless of the current number or percentage of senior or master troopers, (i) a trooper who otherwise meets the requirements of the career progression program and has at least 11 years of satisfactory service shall be promoted to senior trooper, and (ii) a trooper who otherwise meets the requirements of the career progression program and has at least 21 years of satisfactory service shall be promoted to master trooper.

Patron - Pollard

[F] HB2503 Virginia Racial Profiling and Traffic Statistics Reporting Act. Requires the Superintendent of State Police to require each local and state police officer, during the course of his official duties, to collect certain information pertaining to traffic stops, including the age, race, color, ethnicity, and gender of persons who allegedly have committed traffic violations, and to record the specific reason for the stop, whether the person was interrogated, charged or arrested, and whether a warning or written citation was issued. Police officers must also indicate the specific traffic violation committed. Police officers participating in the collection of such traffic data and information have been granted civil immunity for acts and omissions resulting from the performance of their official duties, absent gross negligence or willful misconduct. The bill also requires the development of a uniform statewide system and database collecting, correlating, analyzing, interpreting, and reporting data and information generated through such traffic stop reports, to determine whether a disproportionate number of minority persons are subjected to racial profiling and pretextual traffic stops. The Superintendent may engage any accredited public two-year or four-year institution of higher education in the Commonwealth or an independent body with the experience, expertise, and technical capacity to conduct such research to assist in establishing the uniform statewide system and database. The Superintendent must notify the attorney for the Commonwealth of a locality, if he determines that the local police force has not or refuses to comply with the reporting requirements and the maintenance of certain traffic records, and seek compliance with the law. The Superintendent must report the findings and recommendations from the data analysis annually to the Attorney General of Virginia, the Governor, and the General Assembly, beginning on July 1, 2002. A copy of the report also must be provided to each attorney for the Commonwealth. The provisions of the bill expire on July 1, 2005. This bill is a recommendation of the House Committee on Transportation's Special Subcommittee on Racial Profiling and Pretextual Traffic Stops. This bill has been incorporated into HB 2672.

Patron - Robinson

[F] HB2504 Virginia Racial Profiling and Report Statistics Act. Requires the Superintendent of State Police to require each local and state police officer, during the course of his official duties, to collect certain information pertaining to traffic stops, including the age, race, ethnicity, and gender of the alleged traffic offender, and to record the specific reason for the stop, whether the person was interrogated, charged or arrested, and whether a citation or warning was issued. Police officers must also indicate the specific traffic violation committed. Police officers participating in the collection and correlation of such traffic data and information have been granted civil immunity for acts and omissions during the performance of his official duties, absent gross negligence or willful misconduct. The bill also requires the development of a mechanism for collecting, correlating, analyzing, interpreting, and

reporting data and information generated through such traffic stop reports. The Superintendent may engage any accredited public two-year or four-year institution of higher education in the Commonwealth or an independent body with the experience, expertise, and technical capacity to conduct such research to assist in designing the reporting mechanisms and analyzing and reporting the data to the Governor and the 2002 Session of the General Assembly. The provisions of the bill expire on July 1, 2005. This bill is a recommendation of the House Committee on Transportation's Special Subcommittee on Racial Profiling and Pretextual Traffic Stops.

Patron - Robinson

[F] HB2672 Department of State Police; racial profiling. Requires the Department of State Police to prepare a report to the General Assembly regarding racial profiling. This bill has been incorporated into HB 2503.

Patron - McClure

[F] SB1075 Virginia Racial Profiling and Report Statistics Act. Requires the Superintendent of State Police to require each state police officer, during the course of his official duties regarding traffic stops, to record the race, ethnicity, gender, and age of each motorist stopped and the specific reason for the stop, when a routine traffic stop or a traffic stop for any traffic violation results in (i) a search of the motorist or his vehicle; (ii) the detaining of a motorist for questioning; or (iii) the charge or arrest of the motorist for the commission of an alleged criminal offense. The bill also requires the development of a mechanism for collecting, analyzing, interpreting, and reporting data and statistics generated through such traffic stop reports. The Superintendent may engage any accredited public two-year or four-year institution of higher education in the Commonwealth or an independent body with the experience, expertise, and technical capacity to conduct such research to assist in designing the reporting mechanisms and analyzing and reporting the data to the Governor and the General Assembly. The provisions of the bill expire on July 1, 2003. This bill is a recommendation of the Joint Subcommittee Studying the Status and Needs of African-American Males in Virginia.

Patron - Maxwell

[F] SB1241 Virginia Racial Profiling and Report Statistics Act. Requires the Superintendent of State Police to require each local and state police officer, during the course of his official duties, to collect certain information pertaining to traffic stops, including the age, race, ethnicity, and gender of the alleged traffic offender, and to record the specific reason for the stop, whether the person was interrogated, charged or arrested, and whether a citation or warning was issued. Police officers must also indicate the specific traffic violation committed. Police officers participating in the collection and correlation of such traffic data and information have been granted civil immunity for acts and omissions during the performance of their official duties, absent gross negligence or willful misconduct. The bill also requires the development of a mechanism for collecting, correlating, analyzing, interpreting, and reporting data and information generated through such traffic stop reports. The Superintendent may engage any accredited public two-year or four-year institution of higher education in the Commonwealth or an independent body with the experience, expertise, and technical capacity to conduct such research to assist in designing the reporting mechanisms and analyzing and reporting the data to the Governor and the 2002 Session of the General Assembly. This bill is a recommendation of the House Committee on Transportation's Special Subcommittee on Racial Profiling and Pretextual Traffic Stops.

Patron - Marsh

Prisons and Other Methods of Correction

[P] Passed

[P] HB1762 Conditional release of geriatric prisoners. Applies geriatric release provision to persons serving felony sentences for crimes committed before January 1, 1995. Currently it only applies to those committed on or after that date. This bill is identical to SB 1167 (Hanger).

Patron - Cranwell

[P] HB2106 Prisoners permitted to work on certain property. Permits the circuit court or the district court, by order, to allow persons confined in jail to work on private property that has structures that are found to be public nuisances provided the court has reviewed and approved the project and allows the prisoners to work on such project. Such persons would receive credit on their sentences for work done. Currently, the courts have the authority to allow such persons to work on property owned by the state, county, city, town or certain nonprofit organizations. This bill is identical to SB 1034.

Patron - Pollard

[P] HB2178 Community criminal justice boards. Eliminates the need for one member of each governing body of each participating locality to serve on the board, and allows each governing body to appoint a representative.

Patron - Morgan

[P] HB2274 Voluntary bone marrow donation by prisoners. Requires the Department of Motor Vehicles to include information concerning the National Bone Marrow Registry in organ donor information accompanying driver's license applications.

Patron - Shuler

[P] SB1034 Prisoners permitted to work on certain property. Permits the circuit court or the district court, by order, to allow persons confined in jail to work on private property that has structures that are found to be public nuisances provided the court has reviewed and approved the project and allows the prisoners to work on such project. Such persons would receive credit on their sentences for work done. Currently, the courts have the authority to allow such persons to work on property owned by the state, county, city, town or certain nonprofit organizations. This bill is identical to HB 2106.

Patron - Chichester

[P] SB1167 Conditional release of geriatric prisoners. Applies geriatric release provision to persons serving felony sentences for crimes committed before January 1, 1995. Currently it only applies to those committed on or after that date. This bill is identical to HB 1762 (Cranwell).

Patron - Hanger

[F] Failed

[F] HB2196 Department of Corrections; inmate collect call system. Provides that any commission or rebate received or realized by the Department of Corrections, or any state, local, or regional correctional facility from a contractor providing inmate telephone services shall be used to reduce the surcharge or rates paid for inmate calls under any inmate collect call system.

Patron - Crittenden

[F] HB2213 Department of Corrections; inmate collect call system. Provides that any commission or rebate received or realized by the Department of Corrections, or any state, local, or regional correctional facility from a contractor providing inmate telephone services shall be used to reduce the surcharge or rates paid for inmate calls under any inmate collect call system.

Patron - Almand

[F] HB2389 Payment for services to prisoners. Allows any sheriff or superintendent to require reimbursement of expenses for services provided to a prisoner beyond the usual prisoner's keep and medical treatment costs, including transportation expenses for the funeral of a family member, medical and other necessary appointments, and court appearances when the court facility is not adjacent to the local correctional facility.

Patron - Clement

[F] HB2423 Transfer of state-responsible offenders to state facilities. Requires that beginning January 1, 2002, every state-responsible offender be transferred to the custody of the Department within 60 days of the date of the final order of sentencing; and, beginning January 1, 2003, every state-responsible offender be transferred to the custody of the Department within 30 days of the date of the final order of sentencing.

Patron - Armstrong

[F] HB2530 Restoration of civil rights to certain former felons. Modifies the provisions for petitioning the circuit court as part of the process for restoration of civil rights and the right to register to vote. The bill allows a person who was convicted of a violation of § 24.2-1016, relating to false statements on election law documents, to be heard by a circuit court on a petition for restoration of the right to vote. The present law requirements that a petitioner have completed his sentence, performed community service, and been free from any conviction for at least five years will apply to the petitioner who has been convicted of a violation of § 24.2-1016.

Patron - Phillips

[F] HB2664 Executions of prisoners; moratorium. Provides that the Commonwealth shall not conduct any executions of prisoners sentenced to death until the July 1 following the JLARC study on the death penalty. The bill is a suspension of executions only. All other matters of law related to the death penalty, including the bringing and trying of capital charges, sentencing proceedings, imposing the death sentence, appeals, and habeas review are not affected. This bill has been incorporated into HB 2764.

Patron - Morgan

[F] HB2764 Executions of prisoners; moratorium. Provides that the Commonwealth shall not conduct any executions of prisoners sentenced to death until the July 1 following the JLARC study on the death penalty. The bill is a suspension of executions only. All other matters of law related to the death penalty, including the bringing and trying of capital charges, sentencing proceedings, imposing the death sentence, appeals, and habeas review are not affected. This bill incorporates HB 2664 and HB 2799.

Patron - Almand

[F] HB2799 Executions of prisoners; moratorium. Provides that the Commonwealth shall not conduct any executions of prisoners sentenced to death until the July 1 following the JLARC study on the death penalty. The bill is a suspension of executions only. All other matters of law related to the death

penalty, including the bringing and trying of capital charges, sentencing proceedings, imposing the death sentence, appeals, and habeas review are not affected. This bill has been incorporated into HB 2764.

Patron - Devolites

[F] HJ582 Restoration of civil rights. Requests the Governor and the Secretary of the Commonwealth to review procedures for the restoration of civil rights to former felons and establish a committee to assist in streamlining and bringing continuity to the restoration process.

Patron - Van Yahres

[F] SB270 Interstate Compact for Adult Offender Supervision. Sets out the Interstate Compact which, if adopted, would become effective July 1, 2001, and replaces the existing Interstate Corrections Compact. See Senate Joint Resolution 86 which directed the Crime Commission to study the Compact to determine if Virginia should adopt it.

Patron - Miller, Y.B.

[F] SB799 State reimbursement for jail construction. Requires the state to reimburse Martinsville (and any other county or city fitting the criteria under the bill) 40 percent of the capital costs of a jail construction project.

Patron - Reynolds

[F] SB873 Restoration of civil rights to certain former felons. Modifies the provisions for petitioning the circuit court as part of the process for restoration of civil rights and the right to register to vote. The bill allows a person who was convicted of a drug law violation and was not sentenced to imprisonment to be heard by a circuit court on a petition for restoration of the right to vote. The petitioner will be required to have completed his sentence and been free from any conviction for at least 10 years.

Patron - Puller

[F] SB889 Interstate Compact for the Supervision of Adult Offenders. This bill establishes a new interstate compact to replace the existing compact. The compact takes effect on the later of July 1, 2001, or the date that 35 states adopt the compact. Under the new compact, an interstate commission is created. The commission's duties include establishing uniform procedures to manage the movement of adult offenders under community supervision between participating states; ensuring the opportunity for input and providing a timely notice to victims and jurisdictions where offenders are authorized to travel or relocate across state lines; establishing a uniform data collection system; monitoring compliance of interstate movement of offenders and initiating interventions to address noncompliance; and coordinating training programs regarding interstate movement for officials involved in such activities. Each compacting state is responsible for supervision of adult offenders in its communities who are authorized by the compact to travel across state lines. Such responsibilities include tracking the location of offenders, transferring supervision, and returning offenders to originating jurisdictions. The bill also creates a council to oversee the operations of the compact within Virginia.

Patron - Miller, Y.B.

[F] SB1135 Executions of prisoners; moratorium. Provides that the Commonwealth shall not conduct any executions of prisoners sentenced to death until the July 1 following the JLARC study on the death penalty. The bill is a suspension of executions only. All other matters of law related to the death penalty, including the bringing and trying of capital charges,

sentencing proceedings, imposing the death sentence, appeals, and habeas review are not affected.

Patron - Marsh

Professions and Occupations

P Passed

P HB1588 Medicine and healing arts; auricular acupuncture. Clarifies that acupuncture detoxification specialists who are certified by the National Acupuncture Detoxification Association or an equivalent certifying body, and who are currently exempt from licensure when they are supervised by a National Acupuncture Detoxification Association certified licensed physician acupuncturist or licensed acupuncturist, may perform auricular acupuncture in the context of a chemical dependency treatment program for patients eligible for federal, state or local public funds.

Patron - Van Yahres

P HB1591 Professions and occupations; pawnbrokers. Authorizes pawnbrokers to maintain required records electronically. Upon request by a law-enforcement official, pawnbrokers are required to make such electronic records available. The bill also allows a pawnbroker to charge a service fee for making daily electronic reports to law-enforcement officials and further provides that the fee shall not exceed five percent of the amount loaned or three dollars, whichever is less. Under the bill, violation of the service fee provisions shall constitute a Class 4 misdemeanor. The Department of State Police is directed to regulations for the uniform reporting of required information.

Patron - Callahan

P HB1689 Health Professions; unprofessional conduct. Removes from the Board of Medicine the vestiges of control of unprofessional conduct of physical therapists and physical therapy assistants. When the Board of Physical Therapy was constituted in the 2000 Session, this language was transferred to the new Board but inadvertently left in the provisions of the Board of Medicine.

Patron - Hamilton

P HB1694 Health professions; medical assistants. Revises the authority of licensed or certified practitioners of the healing arts to delegate to supervised employees those non-discretionary activities and functions that do not require the exercise of professional judgment for their performance and are usually or customarily delegated to other persons by practitioners of the healing arts, if the relevant practitioner of the healing arts is authorized to perform the delegated duties and assumes responsibility for such activities or functions. This bill removes the requirement that the unregulated person be employed by a professional licensed or certified by the Board of Medicine; the requirement that the unregulated person be supervised by the responsible licensed or certified professional remains. This bill is identical to SB 849.

Patron - Abbitt

P HB1696 Attorney's lien for fees. Provides that any person having or claiming a cause of action for annulment or divorce may contract with any attorney for legal services and that the attorney shall have a lien upon the cause of action as security for his fees for any services rendered in relation to the cause of action. The attorney's claim may not be exercised

until the divorce judgment is final and the court may exclude spousal and child support from the lien.

Patron - Cranwell

P HB1722 Health professions; continuing education for physical therapists. Requires, as a prerequisite to license renewal or reinstatement, that all licensed physical therapists complete biennial continuing education courses as approved by the Board. The Board must prescribe criteria for approving the courses and credit hour requirements. The Board is authorized to approve alternative courses upon timely application of any licensee. These education requirements must be certified to the Board and must be submitted by each physical therapist at the time he applies for renewal or reinstatement of the license.

Patron - Purkey

P HB1778 Health professions; certified nurse aides. Requires the Board of Nursing to develop and promulgate regulations to establish a career advancement certification for certified nurse aides that will indicate enhanced competence in patient care tasks and enable certified nurse aides to expand the scope of the responsibilities and duties delegated to them. Upon successful completion of required educational and training standards, an advanced certificate will be awarded. The programs will have to be approved by the Board. An advanced certificate must be renewed biennially upon payment of the specified fee and submission of proof of compliance with the Board's requirements.

Patron - Hamilton

P HB1826 Pharmacy. Sets forth the definitions, restrictions, and requirements for registration of pharmacy technicians. This bill distinguishes between pharmacy interns and pharmacy technicians and clarifies the duties that may be performed only by a pharmacist or a pharmacy intern while engaged in obtaining the practical experience required for licensure as a pharmacist. "Supervision" is defined as the direction and control by a pharmacist who is physically present in the pharmacy or in the facility in which the pharmacy is located and available for immediate oral communication regarding the activities of a pharmacy intern or a pharmacy technician. Pharmacists are authorized to determine the maximum number of pharmacy technicians to supervise; however, no pharmacist can supervise more than four pharmacy technicians at one time. A second enactment provides a modified grandfather clause by not requiring registration of pharmacy technicians until six months after the effective date of the Board of Pharmacy's final regulations. The Board must adopt final regulations for the registration of pharmacy technicians by July 1, 2003.

Patron - Morgan

P HB2093 Drug Control Act; registration certificates. Adds optometrists and nurses to the list of practitioners who may have prescriptive authority and, thus, are not required to obtain a controlled substances registration certificate for the manufacture, distribution or dispensing of drugs. Persons such as medical researchers who may use controlled substances in their work and are not otherwise authorized to prescribe, manufacture, distribute or dispense must still obtain controlled substances registration certificates.

Patron - Devolites

P HB2095 Health professions; substance abuse counseling assistants. Provides for an additional category of certification for substance abuse counseling assistants and delineates the difference in the scope of duties between a substance abuse counselor and a substance abuse counseling assistant. The bill also recognizes the name change of one of the

nationally recognized associations from the National Association of Alcoholism and Drug Abuse Counselors to NAADAC: the Association for Addiction Professionals. The bill adds "certified substance abuse counseling assistant" to the list of individuals who may render services and receive reimbursement from insurance. The bill also provides for the continued certification of those persons who were certified prior to July 1, 2001, or who had registered their supervisory contracts or filed applications for certification with the Board prior to that date. Also, the bill provides that any application for certification filed after July 1, 2001, but before the effective date of the new regulations, for a person who meets the requirements in effect prior to July 1, 2001, shall be operative until the new regulations are in effect, when such person shall be deemed certified at the appropriate level under the new regulations. Additionally, this bill directs the Board to approve as a supervisor for individuals seeking certification as a counselor or assistant any person who has been approved prior to July 1, 2001.

Patron - Devolites

HB2139 Health professions; regulation of clinical psychologists. Clarifies that the Board of Psychology has the power to set licensure standards for clinical psychologists and removes the clinical psychologist from the Board of Medicine. Formerly, clinical psychologists were regulated by the Board of Medicine. The physician members of the Board of Medicine are appointed from each congressional district; the Board also includes one osteopathic physician, one podiatrist, one chiropractor, and two citizen members. This bill also increases the Board's membership by two citizen members and notes that no two citizen members can reside in the same congressional district.

Patron - Broman

HB2142 Department of Professional and Occupational Regulation and the Department of Health Professions; authority to recover civil penalties for certain violations. Authorizes the Departments of Professional and Occupational Regulation (DPOR) and the Department of Health Professions (DHP) to enforce the licensure and regulatory provisions of Title 54.1 through instituting proceeds in general district courts or circuit courts to recover civil penalties. The bill provides that the civil penalty must be at least \$200 but no more than \$1,000 per violation, with each unlawful act constituting a separate violation; but in no event can the civil penalties against any one person, partnership, corporation or other entity exceed \$10,000 per year.

Patron - Drake

HB2153 Health professions; data required. Requires physicians of medicine or osteopathy and all podiatrists to report any convictions for felonies to the Board of Medicine for inclusion in the health care data available to consumers upon request. The data required currently includes any disciplinary action by the Board against the practitioner as well as any paid claims or settlements. All practitioners of medicine, osteopathy and all podiatrists are required to report.

Patron - Rhodes

HB2174 Department of Professional and Occupational Regulation; residential home inspectors. Provides for the voluntary certification of residential home inspectors by the Department of Professional and Occupational Regulation through the Board for Asbestos, Lead and Home Inspectors. Under the bill, no person may provide a certified home inspection or hold himself out as a, or use the title of, "certified home inspector" unless certified by the Board.

Patron - McClure

HB2245 Practice of nursing. Exempts, for no more than 90 days from the date of approval of an application submitted to the Board, any nurse who is a graduate of a foreign nursing school and has met the credential, language, and academic testing requirements of the Commission on Graduates of Foreign Nursing Schools when such nurse is working as a nonsupervisory staff nurse in a licensed nursing home or certified nursing facility. During such ninety-day period, such nurse must take and pass the licensing examination to remain eligible to practice nursing in Virginia; no exemption granted under this subdivision can be extended. A second enactment requires the Board of Nursing to promulgate emergency regulations. This bill is identical to SB 892.

Patron - Day

HB2318 Prescriptive authority of physician assistants. Expands the prescriptive authority of physician assistants, as follows: Schedules V and VI controlled substances on and after July 1, 2001; and Schedules IV through VI on and after January 1, 2003. Currently, physician assistants' prescriptive authority is limited to Schedule VI drugs. The bill also removes the Board of Medicine's responsibility for developing a formulary for the specific drugs that physician assistants are allowed to prescribe and requires the supervising physician or podiatrist to develop a written agreement with each physician assistant under his supervision listing the controlled substances the physician assistant is or is not authorized to prescribe. In addition to the requirement for periodic site visits by physicians or podiatrists who supervise physician assistants that is currently in the law, the regulations of the Board of Medicine will include requirements for continued physician assistant competency, e.g., continuing education, testing, and any other requirement. The regulations must also address the need to promote ethical practice, an appropriate standard of care, patient safety, the use of new pharmaceuticals, and appropriate communication with patients. A second enactment clause requires the Joint Commission on Health Care, with the full cooperation of the Medical Society of Virginia, the Old Dominion Medical Society, the Board of Medicine, the Board of Pharmacy, and physician assistant associations, to study physician assistant prescriptive authority as provided in this act to determine the impact of the authority to prescribe Schedules IV through VI controlled substances and devices on patient care, provider relationships, third-party reimbursement, physician practices, and patient satisfaction with physician assistant treatment. A preliminary report will be submitted to the Senate Committee on Education and Health and the House Committee on Health, Welfare and Institutions by July 1, 2004, and a final report will be provided to the Governor and the 2005 General Assembly.

Patron - Jones, S.C.

HB2397 Enforcement, etc., of costs imposed by the Virginia State Bar Disciplinary Board. Allows orders of the Board regarding unpaid costs to be recorded, enforced, and satisfied as judgments.

Patron - Tata

HB2430 Board of Nursing Home Administrators. Revises the membership of the seven-member Board of Nursing Home Administrators by increasing the number of nursing home administrators from three to four, reducing the number of members who are from professions and institutions concerned with the care and treatment of chronically ill and elderly patients from four to two, and adding one member who is a resident of a nursing home or a family member of a resident of a nursing home. Appointments to the Board are made by the Governor for four-year terms.

Patron - Orrock

P HB2516 Department of Health Professions; athletic trainers. Clarifies the qualifications for membership on the Advisory Board on Athletic Training and the exceptions from certification as an athletic trainer.

Patron - Reid

P HB2718 Virginia State Bar; eligibility to sit for bar examination. Provides that an applicant who has successfully completed all requirements for a degree from the Potomac School of Law in the District of Columbia, was enrolled and attended classes at the Potomac School of Law during or prior to the 1977 fall term, was a resident of Virginia at the time of application for admission to the Potomac School of Law, has passed the bar examination in another state or territory of the United States or the District of Columbia, which examination included the national multi-state examination, and has been admitted to practice before the court of last resort in any other state or territory of the United States or the District of Columbia is eligible to sit for the Virginia bar examination.

Patron - McClure

P HB2757 Board for Accountancy; educational requirements for CPA certificate. Corrects the name of the National Business College of Virginia to the National College of Business and Technology.

Patron - Thomas

P SB806 Practice of dentistry. Defines "dentistry," according to current ADA definitions, as the evaluation, diagnosis, prevention, and treatment, through surgical, nonsurgical, or related procedures, of diseases, disorders, and conditions of the oral cavity and the maxillofacial, adjacent and associated structures, and their impact on the human body. The Board of Dentistry, with the assistance and advice of an advisory committee comprised of three members selected by the Medical Society of Virginia and three members selected by the Virginia Society of Oral and Maxillofacial Surgeons, is directed to promulgate regulations establishing criteria for certification of oral and maxillofacial surgeons to perform certain procedures within the definition of dentistry that are not for the prevention and treatment of disorders, diseases, lesions and malpositions of the human teeth, alveolar process, maxilla, mandible, or adjacent tissues, or any necessary related procedures or are not provided incident to a head or facial trauma sustained by the patient. The Board's regulations must address patient safety; identification and categorization of approved procedures; and application process for certification to perform such procedures; and the minimum education, training, and experience for such certification. The Board is directed to take due consideration of the education, training, and experience requirements adopted by the American Dental Association Council on Dental Education or the Commission on Dental Accreditation and to require review of all complaints arising out of performance of the defined procedures jointly by a physician and an oral and maxillofacial surgeon. Receipt of reports of complaints by the Board of Dentistry against oral and maxillofacial surgeons shall be shared with the Board of Medicine which shall maintain the confidentiality of such complaint. The bill also adds to the criteria for disciplinary actions, practicing outside the scope of the dentist's or dental hygienist's education, training and experience and the performance of a procedure that is subject to certification without such certification. Oral and maxillofacial surgeons must also register annually with the Board of Dentistry and submit certain information, similar to that required of physicians, that is subject to consumer review. Enactment clauses delay the effective date of the certification until 60 days after the effective date of the board's regulations

to implement these requirements and such regulations will become effective within 280 days of enactment.

Patron - Barry

P SB849 Health professions; medical assistants. Revises the authority of licensed or certified practitioners of the healing arts to delegate to supervised employees those non-discretionary activities and functions that do not require the exercise of professional judgment for their performance and are usually or customarily delegated to other persons by practitioners of the healing arts, if the relevant practitioner of the healing arts is authorized to perform the delegated duties and assumes responsibility for such activities or functions. This bill removes the requirement that the unregulated person be employed by a professional licensed or certified by the Board of Medicine; the requirement that the unregulated person be supervised by the responsible licensed or certified professional remains. This bill identical to HB 1694.

Patron - Couric

P SB892 Practice of nursing. Exempts, for no more than 90 days from the date of approval of an application submitted to the Board, any nurse who is a graduate of a foreign nursing school and has met the credential, language, and academic testing requirements of the Commission on Graduates of Foreign Nursing Schools when such nurse is working as a non-supervisory staff nurse in a licensed nursing home or certified nursing facility. During such 90 period, such nurse must take and pass the licensing examination to remain eligible to practice nursing in Virginia; no exemption granted under this subdivision can be extended. A second enactment requires the Board of Nursing to promulgate emergency regulations. This bill is identical to HB 2245.

Patron - Reynolds

P SB1059 Health professions; regulation of clinical psychologists. Clarifies that the Board of Psychology has the power to set licensure standards for clinical psychologists and removes the clinical psychologist from the Board of Medicine. Formerly, clinical psychologists were regulated by the Board of Medicine after being licensed by the Board of Psychology. The physician members of the Board of Medicine are appointed from each congressional district; the Board also includes one osteopathic physician, one podiatrist, one chiropractor, and two citizen members. This bill also increases the Board's membership by two citizen members and notes that no two citizen members can reside in the same congressional district.

Patron - Quayle

P SB1290 Board of Nursing Home Administrators. Revises the membership of the Board to include one resident of a nursing home or a family member of a resident of a nursing home by reducing the number of members who are from professions and institutions concerned with the care and treatment of chronically ill and elderly patients from four to two and also increasing to four those members who are licensed nursing home administrators. Appointments to the Board are made by the Governor for four-year terms.

Patron - Mims

P SB1367 Physical therapy. Provides limited direct access to physical therapy. This bill authorizes physical therapists who have actively practiced upon the referral and direction of a licensed doctor of medicine, osteopathy, chiropractic, podiatry or dental surgery for three years, to treat a patient for 14 days without referral if the patient has previously been referred for physical therapy within two years, the physical therapy is being provided for the same injury, disease or condition as indicated in the referral, and the physical therapist noti-

fies the practitioner identified by the patient no later than three days after treatment begins. Treatment for more than 14 days will require a referral. Other limited exceptions are provided for a one-time evaluation of a patient who has not been referred, services provided to student athletes during a game or other athletic activity, employees for evaluation and consultation related to workplace ergonomics, special education students whose individualized education plans indicate a need for physical therapy, the public for wellness, fitness, and health screenings, the public for the purpose of health promotion and education, and the public for the purpose of prevention of impairments, functional limitations, and disabilities. This bill also clarifies the definition of "practice of physical therapy" and notes that this practice does not include medical diagnosis of disease or injury or use of invasive procedures. The physical therapist is also required to immediately refer any patient whose medical condition is determined to be beyond the physical therapist's scope of practice. Technical amendments are made to the Board of Medicine's and the Board of Physical Therapy's statutes to correct some inadvertent errors made when the Board of Physical Therapy was established last year. In addition, the Board is required to establish requirements to ensure continuing competency and to promulgate, pursuant to a second enactment clause, emergency regulations.

Patron - Saslaw

[F] Failed

[F] HB1565 Cemetery Board; preneed trust deposits. Requires 90 percent of the receipts from the sale of property or services purchased under a preneed burial contract to be placed in a preneed trust account. Current law requires 40 percent of such proceeds to be placed in a preneed trust account.

Patron - Hamilton

[F] HB1709 Department of Professions and Occupations; Board for Foresters. Creates the Board for Foresters in the Department of Professional and Occupational Regulation. The nine-member Board shall consist of seven foresters and two citizens. Under the bill, individuals are required to be licensed by the Board to practice forestry or forest management. Forestry is defined as a profession embracing the science, art and practice of creating, managing, using and conserving forests and associated resources for human benefit and in a sustainable manner to meet desired goals, needs, and values. Forest management is defined as the practical application of biological, physical, quantitative, managerial, economic, social, and policy principles to the regeneration, management, utilization and conservation of forests to meet specified goals and objectives while maintaining the productivity of the forest. Forest management includes management for aesthetics, fish, recreation, urban values, water, wilderness, wildlife, wood products and other forest resource values.

Patron - Deeds

[F] HB1813 Attorneys; lien for fee. Gives an attorney-at-law a lien for his fee in an annulment or divorce case.

Patron - Cranwell

[F] HB2099 Department of Health Professions; Board of Funeral Directors and Embalmers; licensure of funeral establishments. Increases from 86 to 140 the number of funerals per year for which the Board may grant a hardship waiver from the requirement for a full-time manager licensed for the practice of funeral service or licensed as a funeral director, allowing the operation of two funeral establishments having in charge one full-time person licensed for the practice of

funeral service or one licensed funeral director who divides his time between the two funeral establishments.

Patron - Abbitt

[F] HB2100 Department of Professional and Occupational Regulation; Board for Contractors; licensure of arborist. Requires the licensure of arborists by the Board for Contractors as of July 1, 2002. Arborist is defined as an individual who engages in, or offers to engage in, work for the general public for compensation in work involving the application of arboricultural sciences to the care of trees including the removal of a tree or a portion of a tree, taking measures to prolong the life of a tree, and taking measures to enhance the aesthetic value of a tree. The bill has a delayed effective date of July 1, 2002.

Patron - Hull

[F] HB2118 Health professions; what constitutes practice. Requires board certification or completion of fellowship training in order for a practitioner to hold himself out as specializing in an area of practice.

Patron - DeBoer

[F] HB2238 Health professions; temporary licenses for nurses. Authorizes the Board of Nursing to issue a one-time, six-month temporary license to an applicant who has graduated from a nursing education program in a foreign country and who has met the credential, language, and testing requirements of the Commission on Graduates of Foreign Nursing Schools Qualifying Examination and who is awaiting the completion and final passage of the state licensing exam. The temporary licensee would be limited to work as a staff nurse in a nonsupervisory position in a long-term health care facility.

Patron - Day

[F] HB2320 Health professions; surgical assistants. Defines a "certified surgical assistant" and "intraoperative surgical care" and requires the Board of Medicine to establish a procedure for the certification of such individuals who meet the requirements established by the Board. Surgical assistants are certified individuals who provide such services, under the direction of a physician or registered nurse, as positioning and draping the patient, observing the operative site, assisting in incision closing or wound dressing, and any other task that may be delegated by the licensee that is within the scope of practice of a certified surgical assistant.

Patron - Jones, S.C.

[F] HB2399 Prescriptions. Clarifies that electronically transmitted prescriptions will be valid original prescriptions and deemed to be signed by the prescriber and to be written prescriptions when in compliance with the Board of Pharmacy's regulations. Oral prescriptions can be transmitted to the pharmacy by electronic means. The Board is required to promulgate regulations for electronically transmitted prescriptions, e.g., by fax or e-mail. Faxed or e-mailed prescriptions are already specifically authorized and used for certain types of practitioners, such as home-infusion pharmacies and long-term care pharmacies.

Patron - Tata

[F] HB2431 Proof of education required of bar examination applicants. Allows an applicant for the bar examination to take the examination if he graduated from a non-accredited law school that has since become accredited if he has been a practicing attorney in another jurisdiction for at least five years.

Patron - Howell

[F] HB2782 Health professions; dispensing of emergency contraceptives. Establishes procedures by which prescribers, in accordance with a protocol developed by the Board of Medicine, may authorize licensed pharmacists to dispense emergency contraceptives to women, including women who are not the prescriber's patients, when a practitioner with prescriptive authority is not physically present. Pharmacists may dispense such emergency contraception according to regulations adopted by the Board of Pharmacy. This provision is similar to current law that allows a practitioner to permit pharmacies to dispense immunizations even to persons who are not patients of the physician who initiates the authorization. The bill also provides that nurse practitioners, physician assistants, and physicians may dispense emergency contraceptives at any time according to procedures developed by the Board of Medicine. The bill also contains technical amendments.

Patron - Baskerville

[F] HB2785 Health professions; citizen board members. Expands the definition of "citizen member" of regulatory boards to specify that retired professionals may serve on boards in the citizen slot. Current law confines citizen members to those who (i) are not by training or practice a practitioner of the profession, (ii) have no immediate familial relationship with a practitioner, and (iii) have no direct or indirect financial interest in the practice of such profession, except as consumers.

Patron - Katzen

[F] HB2804 Department of Professional and Occupational Regulation; regulation of athlete agents; penalty. Provides for the licensure athlete agents by the Department of Professional and Occupational Regulation and provides for penalties for violation.

Patron - Jones, J.C.

[F] HB2825 Board for Contractors; necessity for licensure for electrical tradesman. Exempts an individual certified by the Board of Coal Mining Examiners as electrical maintenance repairman, electrical repairman or chief electrician from the examination requirement for a tradesman license.

Patron - Stump

[F] SB1208 Department of Health Professions; unlawful practice of physical therapy or physical therapist assistance. Authorizes a licensed physician assistant acting under the supervision of a licensed physician to make a physical therapy referral.

Patron - Forbes

[F] SB1237 Real Estate Board; certain referral fees prohibits. Provides that certain unearned referral fees shall not be solicited or requested of any real estate licensee and gives such licensee a cause of action to recover \$500 in damages for violation.

Patron - Barry

[F] SB1371 Typed, preprinted, and electronically printed prescriptions. Requires the Board of Pharmacy to promulgate regulations requiring practicing prescribers who are authorized to prescribe controlled substances to issue written prescriptions that have been typed, preprinted, or electronically printed, and signed by the prescriber to ensure accuracy in compounding, processing, dispensing, or the disposal of drugs and devices. The written prescriptions must comply with the provisions of subsection A of § 32.1-87 and subsection B of §54.1-3408.01, which establish a prescription blank format accommodating the Virginia Voluntary Formulary. The provisions of this bill do not affect the exception for dispensing a

controlled substance pursuant to out-of-state prescriptions, or the issuance of oral prescriptions and standing protocols, or the transmission of written prescriptions by electronic communications, as provided by law.

Patron - Reynolds

Property and Conveyances

[P] Passed

[P] HB1716 Condominium and Property Owners' Association Act; meetings. Requires the executive organ of a condominium unit owners' association or the board of directors of a property owners' association to publish notice of its meetings where it is reasonably calculated to be available to a majority of unit or lot owners. The bill also defines meeting. In addition, the bill (i) prohibits the executive organ or board of directors from using work sessions or other informal gatherings to circumvent meeting notice and executive session requirements and (ii) requires the executive organ or board of directors to establish a reasonable, effective and free method for owners to communicate among themselves and with the executive organ or board regarding any matter concerning the association, appropriate to the size and nature of the condominium or development.

Patron - Callahan

[P] HB1731 Presumption of convenience abolished. This bill removes the presumption that property held jointly is held as such for the convenience of the primary owner. It clarifies that when any person causes any real or personal property to be titled or otherwise shown in the name of two or more persons "jointly," as "joint tenants," in a "joint tenancy," or other similar language, such persons shall own the property in a joint tenancy without survivorship but if the expression "with survivorship" or any equivalent language is employed in such titling or showing, it shall be presumed that such persons are intended to own the property as joint tenants with the right of survivorship as at common law.

Patron - Howell

[P] HB1732 Appointment of administrator of an intestate estate. Clarifies the rules and order for appointment of an administrator of an intestate estate. Existing law does not establish any priority in qualification beyond the priority of the surviving spouse. This bill would eliminate the "race to the courthouse" where the first distributee to appear is able to qualify, no matter what his interest is in the estate.

Patron - Howell

[P] HB1733 Filing accountings and inventories of testamentary trusts. Provides that a trustee of a testamentary trust does not have to file an inventory if he obtains the written consent of all adult beneficiaries after providing them with certain information and files the consents with the Commissioner of Accounts before the date the inventory would otherwise be due. Additionally, the bill specifies that for those trusts where no accounting is required, no inventory is required.

Patron - Howell

[P] HB1836 Property Owners' Association Act; validity of declaration. Makes a technical correction by changing the term "condominium instrument" to "declaration." Condominium instrument is a term of art in the Condominium Act and not applicable to the Property Owners' Association Act.

Patron - Howell

[P] HB1848 Manufactured Home Lot Rental Act; landlord obligations. Requires a landlord to give written notice to tenants no less than 48 hours prior to the planned disruption by the landlord in electric, water or sewage disposal services.

Patron - McQuigg

[P] HB1883 Termination of tenancy under the Virginia Residential Landlord and Tenant Act and the Manufactured Home Lot Rental Act. Provides that where a landlord and seller of a manufactured home have in common (i) one or more owners, (ii) immediate family members, or (iii) officers or directors, the rental agreement shall be renewed except for reasons that would justify a termination of the rental agreement or eviction by the landlord under the Manufactured Home Lot Rental Act. Additionally, a landlord who accepts rent with reservation of rights must give notice to the tenant of the reservation within five days of receipt of the rent. Under current law, the landlord must give notice of the reservation to the tenant, but there is no provision for when such reservation must be given.

Patron - Howell

[P] HB2120 Real Estate Time-Share Act. Clarifies the definitions of "exchange program" and "incidental benefit." The bill also expands the definition of "time-share estate occupancy expenses" to include (i) expenses for the formation, organization, operation and administration, including capital contributions thereto, of the association and both its board of directors and its members and (ii) filing fees and annual registration charges of the State Corporation Commission and the Real Estate Board, counsel fees and accountant charges, and reserves for any of the foregoing, which must be paid by the time-share owners. The bill authorizes the association to file a lien for unpaid and past due maintenance fees and for any other charges owing occasioned by the failure of the owner to pay the assessments or maintenance fees, including late charges, interest, postage and handling, attorneys' fees, recording costs and release fees in addition to the currently authorized lien for unpaid assessments. The bill changes the filing deadline of one year to four years from when the assessment became due for an association to perfect a lien. The bill provides that the cost of recording the memorandum of lien shall be taxed against the owner of the time-share on which the lien is placed versus current law that provides that such cost is taxed against the person found liable.

Patron - Wardrup

[P] HB2126 Estates in trust. Removes the million dollar cap on trusts that are not subject to the debts of beneficiaries and provides that as to any claim for child support, no such condition (of the trust) shall operate to the prejudice of a judgment against a beneficiary for the support of the beneficiary's child.

Patron - McClure

[P] HB2216 Virginia Residential Landlord Tenant Act. Clarifies that the Virginia Residential Landlord Tenant Act applies to all jurisdictions in the Commonwealth and may not be waived or otherwise modified, in whole or in part, by the governing body of any locality, its boards and commissions or other instrumentalities, or by the courts of the Commonwealth.

Patron - Almand

[P] HB2428 Condominium and Property Owners' Association Acts; charges for copying association records. Clarifies that the charges for copying association records,

which an association may impose, are the reasonable costs, not to exceed the actual costs, for labor and materials.

Patron - Suit

[P] HB2429 Common Interest Community Management Information Fund; powers of the Real Estate Board. Provides for the appointment of a community association liaison who shall administer the requirements of the Common Interest Community Management Information Fund and serve as an information resource on issues relating to the governance, administration and operation of common interest communities, including the laws and regulations relating thereto. Such information may include non-binding interpretations of laws or regulations governing common interest communities and referrals to public and private agencies offering alternative dispute resolution services, with a goal of reducing and resolving conflicts among associations and their members. The compensation for the community association liaison shall be paid from the Fund; provided that no more than 60 percent of the moneys collected annually in the Fund shall be used for such purpose. This bill is a recommendation of the Housing Study Commission.

Patron - Suit

[P] HB2515 Property Owners' Association Act; association disclosure packets. Gives a purchaser of a condominium unit or lot in a property owners' association the right, as stated in the purchase contract, to request an update of the resale certificate. The bill also sets the fees that may be charged for providing an update resale certificate. The bill also requires disclosure of the copy of the notice given to a unit or lot owner by the association of any current or pending role or architectural violations. This bill incorporates HB 2567.

Patron - Reid

[P] SB972 Landlord and tenant; access to television facilities. Postpones the effective date of provisions allowing compensation to a landlord for use of his property by cable, satellite, and other television facilities from July 1, 2001, to July 1, 2003.

Patron - Wampler

[P] SB1229 Landlord and tenant. Extends from 30 to 45 the number of days a landlord has to notify a tenant of any deduction in the tenant's security deposit; provides that if a landlord willfully fails to comply with the provisions relating to security deposits, the court shall order return of the deposit and any accrued interest to the tenant, together with reasonable attorney's fees; clarifies the notice to be given by the landlord for the entry into a tenant's unit for routine maintenance; provides that the tenant, upon termination of occupancy, is responsible for payment to the landlord for the reasonable costs incurred in removing burglary prevention and fire detection devices installed by the tenant and for any repairs for damage to the unit because of the removal of the devices; allows a tenant to use the rent escrow provisions of the Virginia Residential Landlord Tenant Act regardless of the number of notices to pay or quit he has received from the landlord; and limits the amount of post-possession damages a landlord can recover under a rental agreement. The bill also incorporates into other Virginia law governing landlord and tenant issues provisions of the VRLTA relating to the maintenance of residential rental units and imposes obligations on both the landlord and tenant to maintain the dwelling unit. This bill is a recommendation of the Housing Study Commission.

Patron - Whipple

[P] SB1358 Release of deed of trust. Clarifies that lenders must forward releases of deeds of trust to the obligor or the obligor's designee within the designated time frame. The

bill also clarifies that, if the creditor undertakes to record the document, the document must actually be recorded or sent by certified mail rather than just be sent by ordinary mail to the clerk's office.

Patron - Mims

Failed

HB1971 Virginia Residential Landlord and Tenant Act (VRLTA); access of tenants to cable, satellite and other television facilities. Repeals the section of the VRLTA dealing with access of tenants to cable, satellite and other television facilities. As a result of the bill, there will be no limitation on landlords from receiving compensation from cable and other like companies for providing access to the landlord's property.

Patron - McClure

HB2057 Release of deed of trust or other lien. Creates an optional method for a settlement agent in a real estate transaction to release a deed of trust or other lien.

Patron - Albo

HB2129 Joint ownership in real and personal property. Specifies that any personal or real property of a husband and wife that is held by them as tenants by the entirety and conveyed to their joint revocable or irrevocable trust, or in equal shares to their separate revocable or irrevocable trusts, shall have the same immunity from the claims of their separate creditors as it would if it had remained a tenancy by the entirety, so long as (i) they remain husband and wife, and (ii) it continues to be held in the trust or trusts. Under the existing law, this language only applies to the principal family residence, so long as all of the above conditions are satisfied and so long as the property continues to be their principal family residence.

Patron - McClure

HB2206 Landlord and tenant law; rent escrow by tenants. Allows tenants not covered by the Virginia Residential Landlord and Tenant Act access to rent escrow provisions for alleged conditions that constitute a material noncompliance by the landlord with the rental agreement or other provisions of law, or that constitute a serious threat to the life, health or safety of the tenants.

Patron - Almand

HB2311 Property Owners Association Act; capital improvement fee. Authorizes the board of directors of an association to impose a capital improvement fee on lots that are resold or transferred if the board determines the imposition of the fee is in the best interest of the association and the proceeds are used exclusively for new capital improvements or replacement of existing common elements. Under the bill, the association membership may, at a meeting held within 60 days of the notice of the imposition of the fee, vote to rescind or reduce the fee. The total amount of the capital improvement fee shall not exceed the annual assessment charged to the lot during the most recently completed fiscal year of the association or \$1,000, whichever is higher. The bill requires that capital improvement fees collected by the association be maintained in a separate capital improvement account and prohibits a capital improvement fee from being imposed on certain gratuitous transfers between family members and where the owner of the lot transfers the lot to a trust entity.

Patron - Dickinson

HB2567 Property Owners' Association Act; contract disclosures. Requires a person selling a lot in a prop-

erty owners' association to disclose in the contract whether there exist any violations of the declaration or rules and regulations adopted pursuant thereto for which the purchaser is or may be liable. This contract disclosure is in addition to other contract disclosures currently required under the Property Owners' Association Act. The bill provides that its provision shall not apply to any contract entered into before July 1, 2001. Incorporated into HB 2515.

Patron - Scott

HB2668 Notice of trustee's sale. Provides that all required notices to lienholders, a property owners' association, a proprietary lessees' association and their assigns, or a condominium unit owners' association may be given by facsimile transmission or e-mail, but that when notice is given by either of these methods the trustee must file with the Commissioner of Accounts confirmation of receipt by any of the parties to whom such notice was given.

Patron - Moss

SB1157 Disposition of assets of nonprofit health care entities. Establishes (i) the items that must be included in the notice to the Attorney General by a nonprofit health care entity contemplating a disposition of assets, (ii) a requirement for at least one public hearing in the primary service area of the relevant nonprofit entity, and (iii) a determination by the Attorney General whether a disposition of assets requires a review. The bill also provides the Attorney General with subpoena power, establishes the elements of the agreement that must be found before the Attorney General can approve such agreements, and sets out the elements of the proposed agreement that must result in disapproval. The parties have a right to appeal a denial to the Supreme Court.

Patron - Hanger

SB1423 Property Owners' Association Act; transfer of declarant control; disclosure packet. Limits the period of developer control of a property owner's association to the point at which three-fourths of the lots, as designated in the plan for development filed with the locality, have been conveyed as improved lots to owners in the association. In addition, the bill also requires (i) the developer, upon transfer of control to the association, to provide the association with a copy of the latest approved plans showing the portion of the development that are lots and common area, (ii) the association to maintain a map of the development showing the portions of the development that are lots and portions that are common area, and (iii) the disclosure statement to include either a statement or a clear reference to provisions in the declaration setting forth certain information regarding the transfer plan. The bill further clarifies that a current lot owner shall be entitled to assert as an affirmative defense that the required disclosure of any limitations pertaining to the display of flags or any flagpole or similar structure necessary to display such flags was not contained in the disclosure packet to the such current lot owner.

Patron - Lambert

SB1425 Landlord and tenant; access to cable, satellite and other television facilities. Allows landlords to be compensated by cable television service providers for access to and for the use and occupancy of the landlord's property. In addition, the bill also provides that any cable television service access agreement between a landlord and a cable television service provider entered into on or after July 1, 2001, that incorporates a life-of-franchise provision providing for perpetual access to a landlord's property shall provide for reasonable compensation to the landlord for such access to and for such

use and occupancy of the landlord's property or shall be null and void.

Patron - Colgan

Public Service Companies

P Passed

P HB1611 Local emergency telecommunications requirements. Exempts from the duty of all localities to have specific wireline and wireless 911 and E-911 service available by certain dates, any locality in which (i) 50 percent or more of the geographic area is unable to receive wireless telecommunications service; (ii) no taxes are imposed for E-911 services; and (iii) the Wireless E-911 Services Board has designated a specific public safety answering point or the Virginia State Police to answer wireless 911 or wireless E-911 calls originating in the locality.

Patron - Deeds

P HB1766 Public service corporation easements. Requires any instrument conveying an easement of right-of-way in land to a public service corporation to include a notice stating that the grantee may have the right to obtain some or all of the rights being conveyed through exercise of eminent domain, and that the owner has the right to choose not to convey rights that are not subject to eminent domain.

Patron - Woodrum

P HB1767 Location of utility easements. Authorizes the governing body of each locality in which a gas pipeline or electrical transmission line would be located to ask the State Corporation Commission to consider directing the joint use of right-of-way, in any case involving an application for a certificate of convenience and necessity for new facilities. This bill is identical to SB 1124.

Patron - Woodrum

P HB1902 Local telephone companies. Eliminates the requirement that the State Corporation Commission conduct a hearing on every application for a certificate to furnish local exchange telephone service. Applicants will have an opportunity for a hearing. Obsolete language is deleted.

Patron - Plum

P HB1914 Pole attachments. Requires both public utilities and cable television systems or telecommunications service providers to negotiate in good faith to arrive at mutually agreeable contracts for attachments to the public utility's poles. After entering into a contract, the public utility shall permit, upon reasonable terms and conditions and payment of reasonable charges and costs, the attachments or placements, provided they do not interfere, obstruct or delay the service and operation of the public utility or create a safety hazard. Access may be denied if the attachment interferes, obstructs or delays the service and operation of the public utility or creates a safety hazard, or if the public utility provides electric service and the denial is made on a nondiscriminatory basis on grounds of insufficient capacity or reasons of safety, reliability, or generally applicable engineering principles. This measure will not apply to pole attachments regulated under federal law.

Patron - Rollison

P HB1935 Municipal electric utilities; restructuring. Clarifies that a municipal electric utility will not lose its exclusive territorial rights or exemption from the provisions of the Electric Utility Restructuring Act by selling or offering to

sell electric energy to retail customers outside the area that it served on July 1, 1999, if the municipal utility's expansion of service into new areas is made pursuant to a franchise agreement between the municipality utility and the incumbent public utility that previously served the new areas. This bill is identical to SB 896.

Patron - Armstrong

P HB2268 Notice of proposed location of utility lines. Requires that owners of property within the route of a proposed gas pipeline or electrical transmission line of 150 kV or more be sent a notice of the proposed construction by first class mail. The notice requirements for a public utility proposing to build a gas pipeline are conformed in several respects to those for the proposed construction of electric transmission lines. These include (i) requiring that notices include a written description of the proposed route the line is to follow and a map or sketch of the route; (ii) requiring the notice to include the deadline for an interested party to request a hearing from the State Corporation Commission; and (iii) requiring the Commission to hold at least one hearing in the area that would be affected by construction of the pipeline if requested in writing by 20 or more interested parties. This bill is a recommendation of the joint subcommittee studying eminent domain issues.

Patron - Shuler

P HB2472 Electric utility restructuring; renewable energy. Defines renewable energy as energy derived from sunlight, wind, falling water, sustainable biomass, energy from waste, wave motion, tides, and geothermal power, and excludes energy derived from coal, oil, natural gas or nuclear power.

Patron - Plum

P HB2640 Telephone cooperatives. Exempts telephone cooperatives from filing local service tariffs with the State Corporation Commission; eliminates the requirement that quorums consist of at least five percent of the all cooperative members; and authorizes cooperatives to use funds derived from rates and charges for telephone service to acquire, own and dispose of interests in other communications businesses. The measure also eliminates a requirement that acquisitions of ownership interests in other communications entities be approved by cooperative members at a special or general meeting.

Patron - Kilgore

P HB2717 Public-Private Transportation Act of 1995; definitions. Repeals the prohibition on considering "rail mass transit facilities owned by an interstate compact agency" to be transportation facilities for purposes of the Act.

Patron - Callahan

P SB896 Municipal electric utilities; restructuring. Clarifies that a municipal electric utility will not lose its exclusive territorial rights or exemption from the provisions of the Electric Utility Restructuring Act by selling or offering to sell electric energy to retail customers outside the area that it served on July 1, 1999, if the municipal utility's expansion of service into new areas is made pursuant to a franchise agreement between the municipality utility and the incumbent public utility that previously served the new areas. This bill is identical to HB 1935.

Patron - Reynolds

P SB899 Public service companies; issuance of securities. Exempts telephone companies that are subject to an alternative form of regulation from laws that provide for State Corporation Commission approval of the issuance of securities and other obligations by public service companies. In lieu of

the existing requirements, exempt companies shall give the SCC 90 days' notice of the issuance of certain obligations. The SCC may rescind the exemption for a company if it finds that the exemption is not in the public interest.

Patron - Stosch

[P] SB1124 Location of utility easements. Authorizes the governing body of each locality in which a gas pipeline or electrical transmission line would be located to ask the State Corporation Commission to consider directing the joint use of right-of-way, in any case involving an application for a certificate of convenience and necessity for new facilities. This bill is identical to HB 1767.

Patron - Edwards

[P] SB1257 Electric utility restructuring; eminent domain. Clarifies that on and after January 1, 2002, a petition may not be filed to exercise the right of eminent domain in conjunction with construction or enlargement of a facility for the generation of electric energy.

Patron - Norment

[P] SB1328 Underground Utility Damage Prevention Act. Prohibits the State Corporation Commission from promulgating regulations under the Underground Utility Damage Prevention Act that require mandatory reporting, other than by jurisdictional natural gas or hazardous liquid operators, of probable violations of the Act or incidents involving damage, dislocation or disturbance of a utility line. The bill also clarifies the standards to be applied by the SCC in actions involving the certification of notification centers established under the "Miss Utility" program. Commission actions shall be made in furtherance of the purpose of preventing or mitigating loss of, or damage to, life, health, property or essential public services resulting from damage to underground utility lines. Decisions to approve or revoke notification center certifications shall ensure protection for the public from the hazards that this chapter is intended to prevent or mitigate; ensure that persons receive an acceptable level of performance; and require the notification center and its agents to demonstrate financial responsibility, which may be by obtaining liability insurance.

Patron - Mims

[P] SB1349 Wireless Enhanced Public Safety Telephone Service Act; E-911 surcharge; local tax for E-911 service. Exempts consumers of commercial mobile radio service (CMRS) from the special tax of up to three dollars that localities with enhanced 911 service are authorized to assess on consumers of telephone service. Customers of CMRS providers and CMRS resellers must pay a monthly wireless E-911 surcharge of 75 cents. Localities may recover their public safety answering point costs from the proceeds of the wireless E-911 surcharge.

Patron - Barry

[P] SB1420 Virginia Electric Utility Restructuring Act. Establishes a mechanism for establishing the rates for default service after the capped rate period. The State Corporation Commission shall attempt to identify default service providers through competitive bidding. If that process does not produce willing and suitable providers, it may require a distributor to provide default service. The SCC is prohibited from regulating, on a cost plus or other basis, the price at which generation assets or their equivalent are made available for default service; however, a distributor may bid to provide default service on such basis. A distributor's default service plan must provide that the procurement of generation capacity and energy will be based on the prices in competitive regional electricity markets. If a plan is not approved, the SCC will establish rates

for default services based on prices in competitive regional electricity markets. A "competitive regional electricity market" is a market where competition, not statutory or regulatory price constraints, effectively regulates the price of electricity. In determining whether a market is competitive and the prices for default services, the SCC will consider its liquidity and price transparency, whether competition is an effective regulator of prices in such market, the wholesale or retail nature of such markets, the reasonable accessibility of such markets to the distributor's regional transmission entity, and such other factors it finds relevant. The SCC shall also consider default service customers' need for rate stability and protection from unreasonable rate fluctuations. If the SCC cannot identify competitive regional electricity markets, it shall set rates that would approximate rates likely to be produced in such a market. A cooperative's default service rates in its service territory after the capped rates period will be based on its prudently incurred cost. An incumbent utility's decision to make the equivalent of its generation assets available for default service shall be subject to approval based on adequately meeting the public interest. In considering functional separation plans, the SCC shall consider the potential effects of transfers of generation assets on rates and reliability of capped rate service and default service and the development of a competitive market for retail generation services in Virginia. The measure restricts the ability of an incumbent utility to make further transfers of generation assets without SCC approval. The measure also provides for competitive retail billing and metering. Distributors will be allowed to recover costs directly associated with the implementation of billing or metering competition through a tariff for all licensed suppliers, in a manner approved by the SCC. The rates for any non-competitive services provided by a distributor will be adjusted to ensure that they do not reflect costs properly allocable to competitive metering or billing service. Municipal electric utilities and electric cooperatives are exempt from the competitive metering and billing requirements unless they offer competitive electric energy supply to retail customers in the service territory of an incumbent electric utility. Other changes (i) require the SCC to establish minimum periods, if any, that customers must receive service from their incumbent electric utilities or from default service providers after having obtained service from other suppliers; (ii) amend tax provisions to the address that billing services may be provided by competitive providers other than the person delivering electricity to consumers; (iii) authorize the SCC to establish competition phase-in plans on a utility-by-utility basis; (iv) establish that the provisions of the Act will be applied to any municipal electric utility that is made subject to the Act to the same extent that such provisions apply to incumbent utilities; (v) provide that rates for new services applied for after January 1, 2001, will be treated as capped rates; (vi) clarify that default service is to be made available after consumer choice is available to all customers in Virginia; (vii) require the SCC to consider the goals of advancement of competition and economic development in all relevant proceedings; and (viii) require the SCC to report annually on the status of competition in the Commonwealth, the status of the development of regional competitive markets, and its recommendations to facilitate effective competition in the Commonwealth as soon as practical. This bill incorporates SB 1258.

Patron - Norment

[F] Failed

[F] HB1940 Utility Consumer Services Cooperatives; self-regulation. Authorizes Virginia's consumer-owned, not-for-profit electric distribution cooperatives to elect self-regulation with respect to various aspects of financing transactions, terms and conditions, service and rates relating to the

provision of electric service. Currently, the State Corporation Commission regulates these activities. Such self-regulation may occur only following notice to the members and a subsequent affirmative vote of a supermajority of the members. Any cooperative whose members affirmatively choose to self-regulate may revert back to Commission regulation through a similar referendum process. Any cooperative whose membership chooses to impose self-regulation will still have an obligation to serve the public within its certificated service territory. Additionally, the capped rates for electric service and the default service provisions of the Virginia Electric Utility Restructuring Act will continue to apply to all electric cooperatives regardless of self-regulation status.

Patron - Kilgore

[F] HB2470 Electric utility restructuring; green power. Directs the State Corporation Commission to establish guidelines for competitive service providers of electricity that desire to market their energy in Virginia as "Green Power." In defining what constitutes Green Power, the Commission shall consider the information on fuel mixes of electricity generators that the Commission is required to collect pursuant to the Electric Utility Restructuring Act. The designation of certain electricity as Green Power shall provide consumers thereof with assurance that the Commission has confirmed that the provider's marketing information has been substantiated as valid. Non-qualifying electricity providers will be barred from using the "Green Power" label. This is a recommendation of the Consumer Advisory Board established pursuant to the Restructuring Act.

Patron - Plum

[F] HB2660 Underground Utility Damage Prevention Act; exemption. Exempts excavations performed in installing signage upon property from the Underground Utility Damage Prevention Act, if the excavations are not more than 12 inches deep. This measure is a recommendation of the joint subcommittee studying the Underground Utility Damage Prevention Act.

Patron - Ingram

[F] HB2744 Electric utilities; restructuring schedule. Postpones the scheduled period for introducing competition for electric generation services from 2002-2004 to 2003-2005. Other deadlines for actions required to effectuate the restructuring of electric utilities are delayed by one year, except the date by which incumbent utilities are required to submit functional separation plans is pushed back from January 1, 2001, to July 1, 2002, in order to allow such plans to reflect actions that may be taken by the 2002 Session of the General Assembly.

Patron - Woodrum

[F] HB2759 Environmental impact analysis for electric utility facilities. Requires the State Corporation Commission to consider the impact of nitrogen oxide emissions, if any, from any proposed electric facility when approving construction of electric facilities. The Commission shall also evaluate the cumulative impact of nitrogen oxide emissions of the proposed facility and existing facilities in the geographic area of the proposed facility. Any report of the environmental impact of the proposed facility shall be available to the public prior to any public hearing held in the approval process, and the Commission shall not approve the construction of any facility where emissions from the operation of such facility result in a violation of national ambient air quality standards.

Patron - Harris

[F] HB2853 Electric utility restructuring; rate caps and wires charges for municipalities. Provides that rates for

municipalities and other governmental customers purchasing bundled electric transmission, distribution and generation services for governmental uses from an incumbent utility shall be the rates in effect for each incumbent utility as of January 1, 2001, and shall continue through the capped rate period applicable to all other types of customers. Methods used to calculate wires charges and the market price of generation for municipal customers shall be consistent with the methodologies approved by the State Corporation Commission.

Patron - Griffith

[F] SB1089 Underground Utility Damage Prevention Act. Prohibits the State Corporation Commission from promulgating regulations under the Underground Utility Damage Prevention Act that require any person to report any probable violation of the Act or any incident involving damage, dislocation, or disturbance of any utility line.

Patron - Bolling

[F] SB1174 Eminent domain; construction of electrical transmission lines. Requires public service constructing a 765-kV overhead electric line to offer to purchase any dwelling house that resides within 200 feet of the right-of-way for such 765-kV line.

Patron - Marye

[F] SB1258 Electric restructuring; capped rates; change in supplier. Requires that any customer who has received electric energy from a supplier other than its incumbent electric utility, and then asks to return to incumbent electric utility, shall be subject to a 12-month customer retention period. During the retention period, the customer shall receive electric service from the incumbent electric utility at the capped rates. This bill has been incorporated into SB 1420.

Patron - Norment

[F] SB1405 Underground Utility Damage Prevention Act; measure of damages. Eliminates a provision providing that the amount an operator may recover for damage to underground facilities is the cost to repair the facilities as that cost is normally computed by the operator. In its place, an operator whose facilities are damaged as a proximate result of a person's failure to comply with the act will be the actual costs incurred in repairing the damaged facilities. The measure of damages that an excavator may recover from an operator who fails to comply with the Act will be the actual cost incurred in repairing any damage to the excavator's equipment or facilities.

Patron - Forbes

Religious and Charitable Matters; Cemeteries

[P] Passed

[P] HB1998 Religious and charitable matters; limitation on real property trustees may hold. Allows trustees of a church diocese, religious congregation, or church or religious society that have been authorized by a city or town council to hold more than 15 acres of land in the locality to use the property for a school building and grounds.

Patron - Parrish

[P] SB943 Religious and charitable matters; quantity of real property trustees may hold. Removes restrictions on certain uses of land held by trustees of a church diocese,

religious congregation, or church or religious society that have been authorized by a city or town council to hold more than 15 acres of land in the locality. Under current law, city or town councils may authorize such trustees to hold more than 15 acres of land if it is to be devoted to a church building, chapel, cemetery, offices exclusively used for administrative purposes of the church, a Sunday-school building and playground, or parking lots.

Patron - Colgan

[F] Failed

[F] HB1692 Religious and charitable matters; affirmation of religious freedom. Prohibits government entities from burdening the free exercise of religion. The bill defines "government entity" as any branch, department, agency or instrumentality of state government, or any political subdivision of the Commonwealth.

Patron - Black

[F] HB2386 Religious and charitable matters; religious freedom preserved. Provides that no government entity shall substantially burden a person's free exercise of religion except if (i) the government entity proves that application of the restriction to the person is essential to further a compelling governmental interest and (ii) the proposed action is the least restrictive means of furthering that interest. "Government entity" as defined under the bill includes state and local governments and those officials acting under color of state law. The bill provides that a person whose exercise of religious freedom has been burdened may assert a claim of violation in a judicial proceeding and the court may grant appropriate relief, including attorneys' fees.

Patron - McClure

Taxation

[P] Passed

[P] HB1596 Individual income tax; voluntary contribution to 4-H Educational Centers. Allows individuals, on and after January 1, 2002, but before January 1, 2007, who are entitled to a refund to designate part or all of the refund to be used by 4-H Educational Centers throughout the Commonwealth.

Patron - Grayson

[P] HB1603 Local admissions tax. Extends the sunset date for enacting local admissions taxes on events held at major league baseball stadiums from January 1, 2002, to January 1, 2005. While counties currently have the authority to levy local admissions taxes on events held at major league baseball stadiums, such taxes cannot be imposed as there are no major league baseball stadiums in Virginia. The authority to levy these local taxes will expire on January 1, 2005, unless, before that time, the Virginia Baseball Stadium Authority has executed a lease with a major league baseball team.

Patron - Callahan

[P] HB1657 Fuels tax; corrections to "tax at the rack." Corrects the Virginia Motor Fuels Act, which was enacted during the 2000 General Assembly Session, as follows: (i) requires shipping documents issued by terminal operators to be machine-printed and those issued by operators of a bulk plant to be printed on a form; (ii) deletes language that would have allowed DMV to inspect books and records that

are not maintained on the business' premises at any hour, provided one of the person's places of business is open at the time of inspection; and (iii) clarifies when and how refunds of motor fuels tax are granted for recreational watercraft.

Patron - Parrish

[P] HB1715 Delinquent real estate taxes; distribution of surplus after sale of real estate. Provides that any unclaimed surplus from the proceeds of the sale of real estate for delinquent real property taxes shall be paid to the county, city, or town that received proceeds for delinquent taxes from such sale. Under current law, towns are not eligible to receive such surplus.

Patron - Callahan

[P] HB1746 Registration of dealers for collection of the retail sales and use tax. Removes the signature requirement under the application for a dealer's certificate of registration for collection of the retail sales and use tax. This bill is identical to SB 857.

Patron - Drake

[P] HB1752 Personal property tax; classification for auxiliary deputy sheriffs. Adds motor vehicles owned or leased by auxiliary, reserve or special deputy sheriffs to the list of tangible personal property tax classifications that localities may tax at a different rate.

Patron - Parrish

[P] HB1761 Transient occupancy tax; Bedford County. Authorizes Bedford County to impose an additional three percent transient occupancy tax with the revenues to be used solely for tourism purposes.

Patron - Cranwell

[P] HB1774 Filing the annual return with employee withholding tax statements by electronic means. Provides that an employer who furnishes 250 or more withholding tax statements to employees must file the annual withholding report using an electronic medium. An employer who furnishes less than 250 statements may file the annual report using an electronic medium. This requirement is effective for annual reports filed on and after January 1, 2002, and the Tax Commissioner may waive the requirement if it creates an unreasonable burden on the employer. The Tax Commissioner is to adopt guidelines providing standards for filing the annual report on an electronic medium. This bill is identical to SB 852.

Patron - Howell

[P] HB1775 Personal property tax; separate classification for forest harvesting equipment. Adds forest harvesting and silvicultural activity equipment as another class of personal property for taxation purposes.

Patron - Putney

[P] HB1830 Taxation; reassessments of real estate. Extends the time in which general reassessment of real estate in Hanover County must occur from December 31 of the year of the reassessment, to three months after December 31 in such year.

Patron - Hargrove

[P] HB1869 Recordation taxes; tax on recordation of leases of billboards. Limits the tax to \$25 on recordation of leases of outdoor advertising signs for which permit fees are paid to VDOT.

Patron - Cranwell

HB1987 Real property tax; exemption or deferral of taxes on property for certain elderly and handicapped; income limits. Raises the income limit from \$52,000 to \$62,000 and the financial worth amount from \$195,000 to \$240,000 for purposes of the exemption or deferral of taxes on real property located in the Eighth planning district. The state-wide income limit is raised from \$30,000 to \$50,000. Localities are authorized to exempt or defer the real estate taxes of the elderly under such applicable limits. This bill is identical to SB 939.

Patron - Black

HB1999 Local tax administration; warrants, tax bills and security interests. Provides that (i) treasurers may deduct other charges in addition to taxes due from a party in whose favor a warrant is drawn, (ii) treasurers may transmit any local tax bill by means of facsimile transmission or e-mail, and (iii) taxes specifically assessed against goods and chattels distrained constitute a lien against the property so assessed. Incorporates HB 2124.

Patron - Parrish

HB2000 Motor fuels tax; definitions. Clarifies the definition of diesel fuel by adding the term "undyed" to the terms "#1 fuel oil" and "#2 fuel oil" and removing the term "kerosene." The bill also clarifies the definition of heating oil by adding the term "dyed" to the terms "#1 fuel oil" and "#2 fuel oil." The changes are effective January 1, 2001.

Patron - Parrish

HB2022 Land use assessment; extension of deadline. Authorizes localities to provide further extension for filing land use assessments. Currently, localities are allowed to provide a 60-day extension upon payment of a late filing fee. The bill would allow such localities to provide an additional 30-day extension upon payment of an extension fee. The extension fee may not exceed the amount of such late filing fee.

Patron - May

HB2145 Low-income housing tax credit. Adds provisions to the low-income housing tax credit that allow (i) taxpayers to carry over any unused credit for 5 taxable years or until the full credit is used, whichever occurs first; (ii) taxpayers to take the credit against additional taxes (i.e. trust, estates, bank franchise, insurance premiums); and (iii) partners and S-corporation shareholders to allocate the credits either in proportion to their ownership interests or in accordance with a signed written agreement. The bill also reduces the amount of low-income housing tax credits that may be approved in a calendar year from \$3.5 million to \$500,000.

Patron - Drake

HB2182 Property tax exemptions. Grants a property tax exemption to the following organizations: The Fraternal Order of Eagles, Fredericksburg Aerie 4123; New River Community Action, Inc.; Friendship Industries, Inc.; National Sporting Library, Inc.; Audubon Naturalist Society of the Central Atlantic States, Inc.; King's Grant Community League, Inc.; Halifax Educational Foundation, Inc.; International Society of Air Safety Investigators; O.A.R. of Fairfax County, Inc.; Mantua Hills Swimming Association, Inc.; The Memorial Foundation of the Germanna Colonies in Virginia, Inc.; Walden Glen Swim and Racquet Club, Inc.; Lions Mobile Sight and Hearing Unit of District 24-D, Inc.; Chesapeake Soccer Foundation; The Salem Woods Civic Association, Inc.; Kiwanis Club of Chester, Inc. Foundation; Montgomery County Christmas Store; Virginia Quilt Museum; The Laurel Shelter, Inc.; Tidewater Soaring Foundation; Hands Across

Mathews of Mathews, Virginia; Mathews County Land Conservancy; TWBTS, Inc.; Delta Community Service Foundation; Coastal Conservation Association; Community Alternatives Management Group, Inc.; Greater Orange Community Development Corporation; CAMG - A, Inc.; CAMG - B, Inc.; CAMG - C, Inc.; CAMG - D, Inc.; CAMG - E, Inc.; CAMG - F, Inc.; CAMG - G, Inc.; and CAMG - H, Inc.; Bedford Breakfast Lions Club; Psychiatric Rehabilitation Services, Inc.; Eastern Shore of Virginia Barrier Islands, Inc.; Mary Immaculate Nursing Center, Inc.; Shining Light Masonic Lodge 272 and Order of Eastern Star Chapter 182; Groome Road Home, Inc.; Holmes Run Acres Recreation Association, Inc.; Sleepy Hollow Bath and Racquet Club, Inc.; Carolanne Farm Swim Club, Inc.; Hopewell Optimist Club; Ocean View Democratic and Social Club, Inc.; Charles H. Taylor Arts Center Foundation, Inc.; and National Wildlife Federation. The bill incorporates HB's 72, 1576, 1599, 1623, 1636, 1947, 2624, 2626, 2628 and 2636.

Patron - Howell

HB2220 Liens on real estate and personal property for unpaid severance taxes. Creates a lien for the payment of taxes and levies authorized under §§ 58.1-3712 and 58.1-3713 on real and personal property owned by persons engaging in the business of severing coal from the earth. This lien is prior to all other liens, except for liens on real estate for the payment of real estate taxes. The lien covers the real and personal property owned by persons engaged in the business of severing coal.

Patron - Stump

HB2224 Commonwealth Mass Transit Funds. Requires the allocations from the Commonwealth Mass Transit Fund be used to support 80 percent (rather than a maximum of 95 percent) of the costs borne by the localities for the purchase of fuels, lubricants, tires and maintenance parts and supplies for public transportation in 2002, and 95 percent in 2003 and succeeding years.

Patron - Almand

HB2287 Consumer utility taxes; exemption for nonprofit organizations. Allows localities' governing bodies to exempt utilities consumed on property designated or classified as exempt pursuant to Article X, Section 6 (a)(6) of the Virginia Constitution from payment of any or all of the consumer utility taxes.

Patron - Barlow

HB2342 Exchange of tax information. Authorizes the Commissioner of the Department of Motor Vehicles to exchange tax information with other states and countries that are members of the International Fuel Tax Agreement in order to facilitate the collection of taxes under the Agreement. Any person receiving such tax information is subject to the same prohibitions and penalties applicable to tax officials and revenue officers when exchanging confidential taxpayer information.

Patron - Blevins

HB2414 Sales and use tax; commercial and industrial exemptions. Extends the sunset to July 1, 2005, from the sales and use tax exemption for activities and items associated with space facilities, satellites, and vehicles.

Patron - May

HB2443 Local taxes; deduction of taxes from warrants by treasurer; compact among localities. Allows two or more localities to enter into compacts by which the treasurer paying warrants may first deduct taxes and other charges owed to any participating locality that are due from the party in

whose favor the warrant is drawn, following notice and a hearing. The compacts must conform substantially to the requirements of the Setoff Debt Collection Act (§ 58.1-520 et seq.).

Patron - Almand

P HB2493 Grant program for growing oysters. Creates a grant program for individuals who grow oysters pursuant to a valid Virginia Marine Resources Commission General Permit for Noncommercial Riparian Shellfish Growing Activities, who also obtains a receipt pursuant to § 28.2-201.1 according to procedures established by the Virginia Marine Resources Commission evidencing the transfer of at least 500 oysters. The grant paid in a calendar year is to be an amount equal to the lesser of \$300 or the actual amount spent by the individual on growing oysters during the applicable calendar year. The bill also creates the Oyster Growing Activities Fund from which the grants will be made. The Virginia Marine Resources Commission is to administer the Fund and the grant program.

Patron - Larrabee

P HB2528 Coal & gas severance tax and coal and gas road improvement tax; ratification of certain ordinances. Provides that ordinances adopted pursuant to §§ 58.1-3712, 58.1-3713 and 58.1-3713.4, prior to January 1, 2001, shall be presumed valid and inclusive of all the provisions of such sections provided such ordinances were in substantial compliance with §§ 58.1-3712, 58.1-3713 and 58.1-3713.4 at the time of their adoption. This bill is identical to SB 1410.

Patron - Phillips

P HB2583 Taxation; contribution of refunds by check-off. Permits individuals to designate that a specified amount of their income tax refunds, or additional amounts, be contributed to local school improvement projects. The refund check-off sunsets January 1, 2007.

Patron - Byron

P HB2651 Income tax; checkoff for contributions to promote organ and tissue donations. Allows individuals entitled to an income tax refund to designate such refund or part of it to be given to the Virginia Transplant Council for the promotion and coordination of educational and informational activities related to the organ, tissue, and eye donation process in the Commonwealth, for taxable years beginning on and after January 1, 2002. This check-off sunsets January 1, 2007.

Patron - Amundson

P HB2663 Classification of real property; land and improvements. Permits the City of Fairfax to tax improvements to real property at a lower tax rate than that imposed on the land on which the improvements are located by creating a separate classification for taxation purposes. Incorporates HB 2037.

Patron - Diamonstein

P HB2814 State recordation tax; amount to be taxed. Requires the recordation tax to be based on the amount paid for the property and removes the option of basing it on the actual value of the property.

Patron - Tate

P HB2820 Individual Income Tax. Repeals series of obsolete language regarding the age subtraction program that provides a \$12,000 subtraction for all taxpayers 65 years or older and \$6,000 for taxpayers aged 62 through 64.

Patron - Grayson

P HB2830 Sales and use tax; commercial and industrial exemptions; sunset extension. Extends the sunset

date from 2001 to 2006 for (i) certified pollution control equipment and facilities, and (ii) materials and equipment used in natural gas and oil production.

Patron - Parrish

P SB791 Property tax exemption; Fraternal Order of Eagles, Fredericksburg Aerie 4123. Grants a property tax exemption to the Fraternal Order of Eagles, Fredericksburg Aerie 4123, a charitable nonprofit organization, for real and personal property owned by the organization and located in the County of Stafford. The bill also grants property tax exemptions to: Friendship Industries, Inc.; Downtown Greens, Inc.; Train Station Foundation; National Sporting Library, Inc.; Homestretch, Inc.; Kernstown Battlefield Association, Inc.; Mary Immaculate Nursing Center, Inc.; The Friends School; M. E. Cox Center for Elder Day Care, Inc.; Bedford Breakfast Lions Club; The Closet of the Greater Herndon Area, Inc.; and DePaul Family Services, Inc. This bill incorporates SB 795, SB 826, SB 886, SB 909, SB 940, SB 968, SB 1009, SB 1037, SB 1070, SB 1094, and SB 1118.

Patron - Chichester

P SB794 Local admissions tax. Extends the sunset date for enacting local admissions taxes on events held at major league baseball stadiums from January 1, 2002, to January 1, 2005. While counties currently have the authority to levy local admissions taxes on events held at major league baseball stadiums, such taxes cannot be imposed as there are no major league baseball stadiums in Virginia. The authority to levy these local taxes will expire on January 1, 2005, unless, before that time, the Virginia Baseball Stadium Authority has executed a lease with a major league baseball team.

Patron - Whipple

P SB834 Natural gas consumption tax. Provides that if a locality's license fee rate is set at a lower rate than the local consumption tax rate component of the natural gas consumption tax, the excess funds collected by the State Corporation Commission shall constitute additional state consumption tax revenue. The bill also allows localities to impose the local consumption tax at the time that natural gas service is made available in such localities.

Patron - Watkins

P SB852 Filing the annual return with employee withholding tax statements by electronic means. Provides that an employer who furnishes 250 or more withholding tax statements to employees must file the annual withholding report using an electronic medium. An employer who furnishes less than 250 statements may file the annual report using an electronic medium. This requirement is effective for annual reports filed on and after January 1, 2002, and the Tax Commissioner may waive the requirement if it creates an unreasonable burden on the employer. The Tax Commissioner is to adopt guidelines providing standards for filing the annual report on an electronic medium. This bill is identical to HB 1774.

Patron - Miller, K.G.

P SB857 Registration of dealers for collection of the retail sales and use tax. Removes the signature requirement under the application for a dealer's certificate of registration for collection of the retail sales and use tax. This bill is identical to HB 1746.

Patron - Stosch

P SB901 Real property tax; multi-year agricultural and horticultural crops. Authorizes localities to waive any minimum prior use requirements for multi-year agricultural and horticultural crops that otherwise qualify as real

estate devoted to agricultural or horticultural uses for real property tax purposes pursuant to regulations of the Commissioner of Agriculture and Consumer Services.

Patron - Mims

[P] SB939 Local real estate taxes. Raises the income limit from \$30,000 to \$50,000 for the majority of localities. It further authorizes certain Northern Virginia local governing bodies, by ordinance, to raise the income and financial worth limitations for any exemption or deferral program, thereby allowing more persons to qualify for such program. The income limitation may be raised to a maximum of the greater of \$62,000 or the income limits based upon family size for the respective metropolitan statistical area, annually published by the U.S. Department of Housing and Urban Development. The financial worth amount may be raised to \$240,000, from which the value of the dwelling and the land, not to exceed one acre, upon which the dwelling is situated shall be excluded. This bill is identical to HB 1987.

Patron - Byrne

[P] SB976 Sales and use tax exemption for spaceport activities. Extends the sunset date of the sales and use tax exemption for personal property involved in spaceport activities from July 1, 2001 to July 1, 2011.

Patron - Norment

[P] SB1086 Admissions tax; New Kent County. Adds New Kent County (using population description) to the list of counties that may levy a tax on admissions charged for attendance at any event.

Patron - Bolling

[P] SB1110 Transient occupancy tax; Mecklenburg County. Permits any county with a population no less than 29,100 and no greater than 29,300 to impose the transient occupancy tax at a rate of up to five percent with the amount above two percent being used for promoting tourism.

Patron - Ruff

[P] SB1112 Income tax credit for purchase of machinery and equipment for processing recyclable materials. Extends the sunset date of tax credits allowed for the purchase of machinery and equipment for processing recyclable materials from January 1, 2001, to January 1, 2004, for both individual and corporate income tax credits.

Patron - Ruff

[P] SB1161 Entitlement to certain sales tax revenues. Entitles the City of Staunton (described by population) to all sales tax revenues generated by transactions taking place in certain public facilities to pay the cost of bonds issued to pay for such public facilities. Such entitlement shall continue for the lifetime of such bonds, which entitlement shall not exceed 30 years, and all such sales tax revenues shall be applied to repayment of the bonds.

Patron - Hanger

[P] SB1242 Real property partial exemptions and tax credits; fees for processing. Authorizes localities to charge fees that do not exceed \$125 for residential properties, or \$250 for commercial, industrial, and apartment properties of six units or more for processing applications for certain partial exemptions and tax credits on real property taxes for certain rehabilitated, renovated, or replacement residential and commercial structures.

Patron - Marsh

[P] SB1320 Local meals tax. Provides that in those counties where a referendum is required to impose the local

meals tax, the question on the ballot for the referendum shall include language stating for what projects and/or purposes the revenues collected from the tax are to be used, if the resolution of the board of supervisors or the petition initiating such referendum states for what projects and/or purposes the revenues collected from the tax are to be used.

Patron - Hawkins

[P] SB1387 Local severance taxes. Authorizes counties and cities to impose an additional local severance tax on persons engaging in the business of severing gases from the earth. A county or city may impose this additional tax at a rate not to exceed one percent of the gross receipts from the sale of gases severed within the county or city. The revenues from this increase shall be used for constructing new and improved water systems and lines in areas with natural water supplies that are insufficient in quality or quantity. The bill also provides that the fair market value of gases sold outside the county or city shall be measured at the time such gases are severed from the earth at a wellhead. This bill would increase the license tax rate that counties and cities may currently levy on businesses severing gases from three percent to four percent.

Patron - Wampler

[P] SB1409 Sales and use tax. Provides for several new sales and use tax exemptions and extends the sunset dates for exemptions set to expire June 30, 2001. This bill incorporates SB 965, SB 966, SB 1143, and SB 1183.

Patron - Miller, K.G.

[P] SB1410 Coal and gas severance tax and coal and gas road improvement tax; ratification of certain ordinances. Provides that ordinances adopted pursuant to §§ 58.1-3712, 58.1-3713 and 58.1-3713.4, prior to January 1, 2001, shall be presumed valid and inclusive of all the provisions of such sections provided such ordinances were in substantial compliance with §§ 58.1-3712, 58.1-3713 and 58.1-3713.4 at the time of their adoption. This bill is identical to HB 2528.

Patron - Wampler

[P] SB1421 Electricity and gas companies local license tax. Clarifies that the local license tax shall not be imposed after December 31, 2000, on pipeline distribution companies, gas suppliers, gas utilities or electric suppliers, except upon gross receipts for calendar year 2000. The bill also has one technical correction.

Patron - Watkins

[F] Failed

[F] HB72 Property tax exemption; the National Wildlife Federation. Grants a property tax exemption to the National Wildlife Federation, a charitable nonprofit corporation, for property located in Fairfax County. This bill has been incorporated into HB 2182.

Patron - Callahan

[F] HB1325 Income tax; different tax rate on income derived from sale of certain real estate. Provides for the imposition of a 2.3 percent tax rate on the taxable proceeds of a sale of an apartment building or complex to its tenant organization or to a nonprofit organization, effective for taxable years beginning on January 1, 2002 through December 31, 2005.

Patron - Almand

[F] HB1559 Lottery Board; powers. Requires the Lottery Board through regulation to express the prize amounts for winning tickets or share in all advertisements of the lottery

as the estimated present value of such winnings if the prize is not payable in one single payment. The bill also repeals an obsolete provision of the lottery law.

Patron - Pollard

[F] HB1563 Lottery proceeds; remove "primary" from advertising language. Deletes the term "primary" so that no funds shall be spent for the purpose of inducing individuals to play the lottery.

Patron - Parrish

[F] HB1576 Property tax exemption; Community Alternatives Management Group, Inc. Grants a real property tax exemption to Community Alternatives Management Group, Inc., a charitable and benevolent nonprofit corporation, for real property located in the City of Newport News. Incorporated into HB 2182.

Patron - Hamilton

[F] HB1599 Property tax exemption; Shining Light Masonic Lodge 272 and Order of Eastern Star Chapter 182. Grants a property tax exemption to the Shining Light Masonic Lodge 272 and Order of Eastern Star Chapter 182, both benevolent organizations, for real property they jointly own in Powhatan County. Incorporated into HB 2182.

Patron - Ware

[F] HB1623 Property tax exemption; New River Community Action, Inc. Grants a property tax exemption to New River Community Action, Inc., a charitable and benevolent organization, for real property it owns at 110 Roanoke Street, Christiansburg, in Montgomery County. Incorporated into HB 2182.

Patron - Shuler

[F] HB1628 Income tax; credit for purchase of teacher's instructional materials. Provides a credit against the individual income tax to teachers in the Commonwealth in grades K through 12, both public and private, who purchase instructional materials and supplies for use in their classrooms. The credit is limited to the lesser of \$100 or the tax liability of the individual during the year of the purchase, and any excess may be carried over for five years. The effective date for the credit is January 1, 2002. The legislation will be delayed if any of the events that would delay the car tax relief occurs in calendar year 2001. If such a delay occurs, the law shall become effective January 1 of the first year thereafter in which none of the delaying events occurs.

Patron - Black

[F] HB1636 Property tax exemption; Groome Road Home, Inc. Grants a property tax exemption for real property owned by Groome Road Home, Inc. located in the City of Newport News. Incorporated into HB 2182.

Patron - Diamonstein

[F] HB1640 Motor vehicle sales and use tax. Reduces the sales and use tax from three percent to one and one-half percent on motor vehicles running on clean special fuels or propelled primarily by electric charge.

Patron - Deeds

[F] HB1675 Watercraft sales and use tax exemption; commercial watermen. Exempts from the watercraft sales and use tax any watercraft purchased by a commercial waterman for his own use. Current law exempts watercraft constructed by a commercial waterman for his own use.

Patron - Pollard

[F] HB1749 Income tax; residents' taxable income; charitable contributions deduction. Provides a deduction to taxpayers calculating their Virginia taxable income for their charitable contributions for which a deduction is not allowed for federal income tax purposes, for taxable years beginning on and after January 1, 2002, if such deduction is not allowed because it exceeds 50 percent of the taxpayer's federal adjusted gross income.

Patron - Purkey

[F] HB1750 Sales tax on food; definition of food. Adds sandwiches, salad bar items sold from a salad bar, pre-packaged single-serving salads consisting primarily of an assortment of vegetables, nonfactory sealed beverages, packaged ice cream and frozen yogurt, packaged pies, and packaged bakery items to the other items that are not considered "food purchased for human consumption" for purposes of the sales tax on food.

Patron - Parrish

[F] HB1796 Sales and use tax exemption; hospices. Provides a sales and use tax exemption for all federally tax-exempt nonprofit organizations, from July 1, 2001, through June 30, 2005, which are organized for the purpose of caring for the needs of terminally ill patients. This bill has been incorporated into HB 2004.

Patron - Sherwood

[F] HB1815 Sales and use tax exemption; Family Focus of Richmond County, Inc. Provides a sales and use tax exemption for a federally tax-exempt nonprofit organization, from July 1, 2001, through June 30, 2005, which is organized to fund, administer, and provide services and programs to disadvantaged citizens of Richmond County, Virginia, or citizens otherwise in need of social services, including jointly administered programs with other communities. This bill has been incorporated into HB 2004.

Patron - Pollard

[F] HB1879 Virginia Land Conservation Foundation; dedication of recordation taxes. Dedicates to the Virginia Land Conservation Foundation, on a phased-in schedule, the amount by which annual state recordation taxes exceed \$91.4 million. In 2001, 25 percent of such funds are so dedicated; in 2002, 50 percent of such funds are so dedicated; in 2003, 75 percent of such funds are so dedicated; and in 2004 and thereafter, 100 percent of such funds are so dedicated.

Patron - Albo

[F] HB1921 Sales and use tax exemption; Planned Parenthood of Metropolitan Washington, Inc. Provides a sales and use tax exemption for a federally tax-exempt nonprofit organization, from July 1, 2001, through June 30, 2005, which is organized to protect and advance reproductive rights and to assure access to family planning services to all who want them.

Patron - Van Yahres

[F] HB1934 Income tax; refund of surplus revenues. Requires the refund of surplus revenues when they exceed the amount required to be deposited in the Revenue Stabilization Fund by at least \$50 million. The Department of Taxation shall make refunds based on each taxpayer's pro rata share of excess revenues collected in the calendar year in which the fiscal year surplus is determined. The taxpayer must have filed an income tax return for such calendar year.

Patron - Nixon

[F] HB1945 Sales and use tax exemption; Navy League of the United States and Congressional Schools of Virginia. Grants a sales and use tax exemption to (i) a nonprofit organization that is organized to be educational and motivational by acquiring and spreading before the citizens of the United States information on the condition of the naval and maritime forces and equipment of the United States, and to awaken interest and cooperation in all matters tending to aid, improve, and develop their efficiency; and (ii) a nonprofit organization that is organized to provide a stable educational system beginning in infancy and continuing through the eighth grade emphasizing traditional values and traditional education. This bill has been incorporated into HB 2004.

Patron - Hull

[F] HB1947 Property tax exemption; Holmes Run Acres Recreation Association, Inc. and Sleepy Hollow Bath and Racquet Club, Inc. Grants property tax exemptions to Holmes Run Acres Recreation Association, Inc., and Sleepy Hollow Bath and Racquet Club, Inc., both nonprofit corporations, for property they own in Fairfax County. Incorporated into HB 2182.

Patron - Hull

[F] HB1957 Sales and use tax exemption; Association of Schools of Public Health, Inc. Provides a sales and use tax exemption for a federally tax-exempt nonprofit corporation, from July 1, 2001, through June 30, 2002, which is organized for the purpose of representing the accredited graduate schools of public health in the United States and Puerto Rico and member programs in academic public health to serve their collective needs as they pursue research, professional service, and the education and training of professional service, and the education and training of professional public health personnel.

Patron - Van Landingham

[F] HB1961 Income tax credits for educational expenses and contributions; the Virginia Children's Educational Opportunity Act 2001. Establishes nonrefundable income tax credits for tuition and other instructional fees charged by a public or private school and for certain fees and costs incurred in association with home schooling. The maximum amount of the credit is 80 percent of the qualifying expenses incurred per child, or 100 percent if the taxpayer is a member of a household whose combined adjusted gross income does not exceed 185 percent of the federal poverty guideline amount. To qualify for the tax credit for educational expenses, the student for whom the expenses were incurred must be eligible to be enrolled in a public school free of charge and qualify to be claimed as a dependent on the taxpayer's federal tax return. The maximum amount of the credit for taxpayers who are not in low-income households is capped at \$500 for taxable year 2002. In subsequent years, the amount increases by \$500 per year until taxable year 2006, when the maximum allowable credit is capped at \$2,500. In the case of students enrolled in a qualified school not charging tuition, the credit cannot exceed \$550 per child. The legislation also provides an income tax credit for cash donations to a charitable tax-exempt corporation in Virginia that (i) provides financial assistance up to \$3,100 per child for the education of children from low-income households and households in which parents lack sufficient tax liability to claim the personal tax credits allowed by this bill, and (ii) expends all of certain cash contributions as grants to cover qualifying educational expenses of such children. Support for home schooling is limited to \$550 per child. The maximum amount of the credit starts at \$200 per taxpayer for taxable year 2002, and increases in \$100 annual increments thereafter until reaching \$500 in 2005. Such contributions cannot be designated for the direct benefit of a specific

child. Taxpayers cannot claim both types of credits in the same year. Both types of tax credits become effective for taxable years beginning on or after January 1, 2002. The Department of Taxation is required to promulgate regulations to implement these credits, including providing the format for a standardized receipt to be issued by school tuition organizations and qualifying schools.

Patron - Katzen

[F] HB1975 Income tax; Virginia taxable income of residents; personal exemptions. Gradually increases the personal exemption from \$800 to \$1,500 by taxable year 2005. In 2006, the \$1,500 deduction amount shall be indexed annually according to the Consumer Price Index. Some obsolete language is also deleted.

Patron - McClure

[F] HB1984 Motor fuel tax; rate increase. Increases the tax rate on motor fuel used in highway vehicles by 10 cents per gallon. The tax increase was calculated to reflect both the reduction in average miles per gallon of passenger cars and the increase in the cost of road construction since 1986.

Patron - Watts

[F] HB1988 Income tax; taxable income of residents; deduction for common interest community assessment. Provides a deduction to individuals when calculating their Virginia taxable income for that portion of the regular annual assessment attributable to the equivalent of municipal services paid to a common interest community.

Patron - Black

[F] HB1989 Corporate income tax; tax benefit certificate program. Creates a process that allows technology and biotechnology companies that are unable to use their income tax credits to their benefit to sell the credits to other corporate taxpayers who can use the credits to reduce their tax liability. An amount equal to at least 75 percent of the value of the surrendered tax benefit is to be paid by the corporation taxpayer that is the recipient of the corporation tax benefit certificate to the technology and biotechnology company surrendering the benefit. The Innovative Technology Authority will establish the program and will approve, with the Department of Taxation's assistance, applications from companies who want to participate.

Patron - Black

[F] HB1994 Imposition and administration of income and property taxes. Increases the individual income tax rate by one percent at each level (from two percent to three percent, three percent to four percent, five percent to six percent, and 5 3/4 percent to 6 3/4 percent) and the corporate income tax rate from six percent to seven percent, effective January 1, 2002. The bill also limits the rate localities may levy for the personal property tax to \$0.01 per \$100 of assessed value for tax years beginning on and after January 1, 2002. The Tax Commissioner will administer the additional income tax revenues and distribute them to the localities based on the residence of each individual taxpayer and each locality's share of total full-time employees.

Patron - Parrish

[F] HB1995 Sales and use tax; salary limits for certain organization's employees. Provides, for taxable years beginning on and after July 1, 2001, that no nonprofit organization shall be exempt from sales and use tax if any one of its employees is paid more than \$100,000 in annual salary and benefits.

Patron - Parrish

[F] HB2001 Sales and use tax; use of property by service providers. States that a service provider is the user and consumer of all tangible personal property purchased for use in providing services, except for certain property for resale, or for incorporation into property sold, to the United States pursuant to a contract that (i) expressly references the provisions of the Walsh-Healey Public Contracts Act, 41 U.S.C. § 35 et seq., and (ii) is governed by the provisions of such Act. This bill has been incorporated into HB 2064.

Patron - Parrish

[F] HB2003 Sales and use tax exemptions; omnibus bill for new exemptions. Grants sales and use tax exemptions for the following organizations and others that are similarly situated: Blue Ridge Hospice, Inc., Brain Injury Association of Virginia, Inc., Bristol Ballet Company, Center for Christian Study, Center for Multicultural Human Services, The Children's Center, Council for National Policy, C.P.C. of Roanoke Valley, Eastern Shore of Virginia Resource Conservation and Development Council, Inc., Eastern Virginia Chapter of the Organization of Chinese-Americans, Inc., Emmaus Ministries, Inc., Fairfax Partnership for Youth, Inc., Fairfax Symphony Orchestra, Friends Association for Children, Gallastar Equine Center, Inc., George Washington's Birthplace National Memorial Association, Germanna Community College Educational Foundation, Inc., Grenadians United in Virginia, Inc., The Guild for Washington Concert Opera, Inc., Hanover Tavern Foundation, Haven of Northern Virginia, The Highland Center, Hospice of the Piedmont, Inc., Legal Information Network for Cancer, Menchville House Ministries, Inc., Norfolk Marine Institute, Inc., Northern Virginia NTRAK, Inc., NTRAK Modular Railroad Society, Inc., PetFix Coalition, Planned Parenthood of the Blue Ridge, Planned Parenthood of Southeastern Virginia, The Saltville Foundation, Shen-Paco Industries, Inc., Taylor's Valley Community Club, Virginia Baptist Hones Foundation, Inc., Virginia Council of EAA Chapters, Inc., The VA League for Planned Parenthood, The Voting Integrity Project, Inc., Williamsburg Choral Guild, Winchester-Frederick County Conservation Club, Inc., The Children's Advocacy Center of Bristol/Washington Company, Va., Inc., Culpeper Memorial Hospital Support Services, Fine Arts Center for the New River Valley, Inc., Gateway Streetscape Foundation, Inc., Glenvar Youth Boosters, The John Randolph Foundation, Inc., The Seniors Coalition, Women in the Giving Spirit, Crisis Pregnancy Center of Tidewater, Inc. This bill incorporates HB 2659 and has been incorporated into HB 2004.

Patron - Parrish

[F] HB2004 Sales and use tax exemptions. Extends the sunset date for sales and use tax exemptions benefiting many organizations. This bill incorporates HB 1796, HB 1815, HB 1945, HB 2003, HB 2509, and HB 2742.

Patron - Parrish

[F] HB2017 Individual income tax; distribution of a portion of individual income tax revenues to localities; Localities' Share of Individual Income Tax Revenue Fund. Establishes the Localities' Share of Individual Income Tax Revenue Fund into which two percent of individual income tax revenues shall be deposited in 2003 for distribution to localities. The percentage increases two percent each year until it reaches a maximum of 10 percent in 2007. The amount in the fund is to be distributed annually to counties and cities as follows: (i) 50 percent distributed based on the relative share of the total state income tax paid by taxpayers filing returns in each locality; (ii) 40 percent distributed based on where wages are earned; and (iii) 10 percent divided equally among all 135 counties and cities. The amount distributed to counties is then

to be shared with towns located within the counties based on the towns' relative share of total population within the county. Fifty percent of the amount distributed to any county with towns would be divided among the county and its towns based on population. If a county has no towns within its boundaries, the county keeps the entire distribution of individual income tax revenue. Distributions are to be made by the State Treasurer to localities no later than September 1, with the first one beginning in 2003. Any corrections in the amount of distributions will be made in the fiscal year immediately following the year in which the incorrect distribution was made.

Patron - May

[F] HB2036 State and local income tax. (i) Reduces the individual state income tax rates by approximately 13.75 percent; (ii) authorizes localities to impose a local income tax at rates equivalent to the reduction in the state income tax; (iii) exempts from taxation motor vehicles used for nonbusiness purposes; and (iv) repeals the Personal Property ("car tax") Relief Act of 1998. The bill is effective: (i) January 1, 2003, and (ii) only if a Constitutional amendment is ratified by the voters exempting motor vehicles used for nonbusiness purposes from taxation.

Patron - Rust

[F] HB2037 Classification of real property; City of Fairfax. Permits the City of Fairfax to tax improvements to real property at a lower tax rate than that imposed on the land on which the improvements are located by creating a separate classification for taxation purposes. This bill has been incorporated into HB 2663.

Patron - Rust

[F] HB2064 Sales and use tax; use of property by service providers. States that a service provider is the user and consumer of all tangible personal property purchased for use in providing exempt services, but not of certain property for resale, or for incorporation into property sold, to the United States pursuant to (i) a contract that expressly references and is governed by the provisions of the Walsh-Healey Public Contracts Act, 41 U.S.C. § 35 et seq. or (ii) a task order or purchase order for the purchase of tangible personal property. This bill is not effective unless reenacted by the 2002 General Assembly. The bill incorporates HB 2001.

Patron - Parrish

[F] HB2119 Enterprise zones; real property investment tax credit increase. Increases the cumulative real estate investment tax credit for a small qualified zone resident from \$125,000 to \$250,000 when the investment occurs in an enterprise zone in a locality that ranks among the top 25 percent of the Commonwealth's localities in terms of fiscal stress.

Patron - DeBoer

[F] HB2135 Sales and use tax exemption; The Association for Biodiversity Information. Provides a sales and use tax exemption for a federally tax-exempt nonprofit organization, beginning July 1, 2001, and ending July 1, 2005, organized to further (i) informed decision-making in matters of biodiversity protection, and (ii) development of an integrated, biodiversity database that aggregates network data on rare, threatened, and declining species and natural communities, their conservation status, and their landscape settings.

Patron - Albo

[F] HB2184 Virginia Technology and Biotechnology Research and Development Act created. Creates the Virginia Technology and Biotechnology Research and Development Act. This bill creates a tax credit for qualified research expenses, which is defined by § 41 of the Internal Revenue