

istration. The bill provides that the hearing shall be not later than the next regular meeting of the board after the expiration of 60 days from receipt of the application. This is a 30-day increase in the time allowed to the boards.

Patron - Edwards

SB281 Dentists and Dental Hygienists; display of licenses. Provides that the display requirements for dentists and dental hygienists do not apply to those dentists and dental hygienists while volunteering for a Virginia charitable organization that provides dental services to the indigent and uninsured.

Patron - Rerras

SB416 Health professions; temporary permits for certain clinicians. Expands the authority of the Board of Dentistry to issue temporary licenses to dentists meeting certain criteria who will serve as clinicians in dental clinics operated by the Virginia Department of Corrections.

Patron - Hanger

SB456 Nurse practitioners; prescriptive authority. Expands the prescriptive authority of nurse practitioners to include Schedule II controlled substances. Nurse practitioners currently have the authority to prescribe Schedule III through VI controlled substances.

Patron - Devolites Davis

SB482 Practice of law, legal entities. Allows persons who are legally authorized to practice law in Virginia but who are not active members of the Virginia State Bar to be members of a professional corporation, professional limited liability company or registered limited liability partnership that renders professional legal services in the Commonwealth. Under current law only active members of the Virginia State Bar may practice law in Virginia through a limited liability entity. This bill is identical to HB 776.

Patron - Norment

SB488 Certified nurse midwives. Clarifies the relationship between licensed physicians and nurse practitioners, categorized as certified nurse midwives, as one of collaboration and consultation, rather than as one of supervision. The bill also directs the Board of Medicine and the Board of Nursing to jointly promulgate regulations specifying collaboration and consultation to include (i) development, periodic review and revision of a written protocol, (ii) development of guidelines for availability and ongoing communications that define consultation among the collaborating parties and the patient, and (iii) periodic joint evaluation of services delivered. In addition, the bill emphasizes that no person other than the certified nurse midwife who provided care to the patient will be liable for the nurse midwife's negligent, grossly negligent or willful and wanton acts or omissions; however, no other licensed midwife, doctor of medicine or osteopathy, nurse, prehospital emergency medical personnel or hospital will be exempt from liability for their own subsequent and independent negligent acts or omissions. A second enactment clause requires the Boards of Medicine and Nursing to promulgate emergency regulations to implement these provisions.

Patron - Quayle

SB702 Information to be provided by the Board of Medicine to individuals filing complaints against physicians. Requires that whenever an individual files a written complaint against a person licensed, certified, or registered by a health regulatory board and the board has concluded that a disciplinary proceeding will not be instituted, the board may send the person an advisory letter. The board may also inform the individual that (i) an investigation has been conducted, (ii)

the matter was concluded without a disciplinary proceeding, and (iii), if appropriate, an advisory letter from the board has been communicated to the person who was the subject of the complaint or report. In providing such information, the board shall inform the source of the complaint or report that he is subject to confidentiality and discovery requirements. This bill is identical to HB 1501.

Patron - Devolites Davis

SB703 Board of Nursing; instruction in child abuse recognition and intervention. Requires the Board of Nursing, on and after July 1, 2007, to require that approved nursing education programs provide instruction in child abuse recognition and intervention.

Patron - Devolites Davis

Failed

HB54 Attorneys; continuing legal education. Awards six hours of CLE to a lawyer member of the General Assembly, except that the member is not exempt from the ethics requirement. The bill also provides a member or former member of the General Assembly certain credit towards the law-reading program. This bill is identical to HB 120.

Patron - Marshall, R.G.

HB120 Attorneys; continuing legal education. Awards six hours of CLE to a lawyer member of the General Assembly, except that the member is not exempt from the ethics requirement. The bill also provides a member or former member of the General Assembly certain credit towards the law-reading program. This bill is identical to HB 54.

Patron - Marshall, R.G.

HB173 Notification to parents of certain health services to minors. Requires any state or local government agency employee who provides services to a minor relating to sexually transmitted diseases, the provision of emergency contraception, pregnancy, illegal drug use, or the contemplation of suicide to attempt notification, within two business days of delivery of such services, to a custodial parent, legal guardian, or other person standing in loco parentis of any service and any reason, condition, or diagnosis requiring such service.

Patron - Lingamfelter

HB187 Prohibition on the provision of certain intervening medical technology to unmarried women. Provides that no individual licensed by a health regulatory board shall assist with or perform, for or on an unmarried woman any intervening medical technology, whether in vivo or in vitro that completely or partially replaces sexual intercourse as the means of conception, including, but not limited to, artificial insemination by donor, cryopreservation of gametes and embryos, invitro fertilization, embryo transfer, gamete intrafallopian tube transfer, and low tubal ovum transfer.

Patron - Marshall, R.G.

HB237 Certain requirements for physicians performing abortions. Requires any physician performing abortions in the Commonwealth to reside and practice in Virginia and have practice privileges in a Virginia hospital. The Board of Medicine must monitor and verify that each such physician is a resident of and practices in Virginia and has practice privileges in a Virginia hospital.

Patron - Marshall, R.G.

HB285 Real Estate Board; criminal history background checks for licensees. Requires applicants for licensure as a real estate salesperson or broker or for renewal of such

licenses to submit to a criminal history background check. If the background check reveals a prior felony conviction, no license or license renewal shall be issued by the Board, unless the applicant submits proof that his civil rights have been restored by the Governor or other appropriate authority.

Patron - Marshall, D.W.

HB290 Board of Pharmacy; specific powers and duties. Directs the Board of Pharmacy to limit the implementation of their pedigree system to those drugs that have left the normal distribution channel. "Normal distribution channel" is defined as a chain of custody for a prescription drug from initial sale by a pharmaceutical manufacturer, through acquisition and sale by one wholesale distributor, until final sale to a pharmacy or other person dispensing or administering the controlled substance. This bill was incorporated into HB 355.

Patron - Jones, S.C.

HB868 Morning-after pill; parental consent for minors required; penalty. The bill requires a prescriber to obtain parental consent prior to prescribing Plan B, or any other form of the morning-after pill, to an unemancipated minor. Prescribing without consent is a Class 1 misdemeanor.

Patron - Byron

HB1111 Health Professions; advertising physical therapy services. Prohibits anyone not licensed as a physical therapist from advertising services as "physical therapy."

Patron - Athey

HB1112 Health professions; physical therapy. Removes the referral and supervision requirements for the practice of physical therapy except in specific instances, such as during invasive procedures. The bill also restricts advertising of "physical therapy" to those licensed by the Board of Physical Therapy.

Patron - Athey

HB1330 Optometry; practice as a lessee of commercial establishment. Allows optometrists to locate their practice within commercial or mercantile establishments under defined, limited circumstances. The limitations include ownership by the optometrist of the practice and its records, as well as defined space and access requirements. The bill prohibits lessors from terminating or threatening to terminate a lease as a means of controlling or attempting to control a licensed optometrist, and requires optometrists to report a suspected violation of this prohibition. The bill also contains a technical amendment.

Patron - O'Bannon

HB1355 Pawnbrokers; records on purchasers. Requires a pawnbroker to keep at his place of business an accurate and legible record of each resale by him of goods, article or thing pawned or pledged or received on account of money loaned thereon, or purchased for resale. Such records shall include the full name, residence address, telephone number, and driver's license number or other form of identification of the person purchasing such goods, article or thing from the pawnbroker.

Patron - Bell

HB1447 Professions and occupations; dealers in firearms; definitions. Expands the definition of firearms show to include any gathering or exhibition, open to the public, not occurring on the permanent premises of a dealer in firearms, conducted by two or more persons who may or may not be engaged in the business as dealers in firearms, in which one of

the purposes is exchanging, selling, or trading firearms. The bill also redefines promoter.

Patron - Watts

HB1455 Administration of drugs or devices. Authorizes a prescriber to cause drugs or devices to be administered by a medical assistant under his direction and supervision. Current law provides that a prescriber may cause the drugs or devices to be administered by a nurse, physician assistant, or intern under his direction and supervision.

Patron - Hamilton

HB1498 Department of Professional and Occupational Regulation; mold inspectors and remediators. Provides for the licensure of mold inspectors and mold remediators by the Board for Asbestos, Lead, and Home Inspectors. The bill increases the membership of this Board by one member to include a mold inspector.

Patron - Marshall, D.W.

HB1531 Unprofessional conduct; practice of the healing arts. Establishes as unprofessional conduct by a practitioner of the healing arts the oral or written inquiry to a patient concerning the possession, ownership, or storage of firearms, where the inquiry is unrelated to the patient's condition and is for the purpose of gathering statistics or to justify patient counseling.

Patron - Armstrong

Carried Over

HB412 Identification of gamete donors. Prohibits the use of unrelated anonymous donor oocyte or sperm in the performance of intervening medical technology that completely or partially replaces sexual intercourse as a means of conception and requires, notwithstanding any traditional practice, agreement, regulation, or law to the contrary, the identity of any unrelated oocyte or sperm donor to be noted in the health record of any woman patient whenever any healthcare practitioner licensed by a health regulatory board uses any unrelated donor gametes in the performance of or while assisting in the performance of such intervening medical technology, such as artificial insemination by donor, cryopreservation of gametes and embryos, in vitro fertilization, embryo transfer, gamete intrafallopian tube transfer, and low tubal ovum transfer.

Patron - Marshall, R.G.

HB571 Board of Funeral Directors and Embalmers; preneed funeral contracts. Clarifies that deposits in a preneed funeral trust account may be commingled for the purposes of the management of the trust account or investment of funds in the trust account.

Patron - Nixon

HB620 Physician self-referrals; definitions. Amends the definition of "office practice" as it relates to supervision of health care services. The bill also adds a definition for "same building," relating to such supervision.

Patron - O'Bannon

HB644 Equine dentistry. Provides an exception from the practice of veterinary medicine for the practice of equine dentistry, including the floating or filing of the points of a horse's molars and the routine extraction of single rooted teeth by trained equine dental technicians while engaged to so practice by the owner of the animal regardless of whether employed by a veterinarian.

Patron - Scott, E.T.

HB936 Architects, professional engineers, land surveyors, and landscape architects; definitions. Adds definitions for the terms "private entity," "public entity," and "utility."

Patron - Morgan

HB1056 Health professions; licensure of dietitians and nutritionists. Requires dietitians and nutritionists to be licensed by the Board of Health Professions. The bill establishes criteria for licensure that includes (i) a four-year bachelor of science degree, or master's degree when the bachelor's degree was not nutrition related, in human nutrition, dietetics, nutrition education, public health nutrition, nutrition research, nutritional biochemistry, foods and nutrition with a concentration in dietetics, or kinesiology/exercise science where the primary concentration of studies involves biochemistry, nutrition, or physiology; (ii) a completed board-approved work experience or program; and (iii) a successfully passed board-approved examination. The Board of Health Professions must (i) review applications for licensure; (ii) require the submission of an official college transcript; (iii) establish a Code of Ethics; and (iv) require 30 hours of continuing education credit every two years as a condition of renewal of licenses. Additionally, the bill establishes an Advisory Board on Dietitians and Nutritionists to assist the Board of Health Professions regarding the qualifications, examination, and regulation of licensed dietitians and nutritionists. The Advisory Board expires on July 1, 2009.

Patron - Reid

HB1199 Requirements for prescribing oral contraceptives for minors; penalty. Requires any practitioner having prescriptive authority who prescribes an oral contraceptive to a minor without consent of a parent or legal guardian to review the minor's drug profile and health record, including any drugs and conditions being treated by other practitioners, to determine that such drug profile and health record do not include any current prescriptions for or indicate the likelihood of the issuance of prescriptions for controlled substances to the minor that are known to interact with oral contraceptives, such as, but not limited to, antibiotics. If the minor receiving a prescription for an oral contraceptive without a parent's or legal guardian's consent suffers an interaction, including, but not limited to, pregnancy, as a result of taking a prescription drug that the physician knew or should have known would be prescribed for her, the practitioner issuing the prescription for the oral contraceptive to the minor without a parent's or legal guardian's consent will be guilty, upon conviction, of a Class 6 felony.

Patron - Marshall, R.G.

HB1299 Preneed funeral contract recovery fund. Establishes a recovery fund from which persons with an unsatisfied final judgment against the seller of a preneed funeral contract for damages resulting from the seller's malfeasance, misfeasance, default, failure, or insolvency in connection with the sale of a preneed funeral contract, or the seller's performance of the duties imposed on the seller by law with respect to the contract, may recover the amount of the court's judgment. The recovery fund is financed with a fee of \$2 on every preneed funeral contract sold and an initial assessment of \$100 on every licensed practitioner of funeral service.

Patron - Alexander

HB1300 Continuing competency for funeral services licensees, funeral directors, and embalmers. Revises the existing requirements for five hours of annual continuing education for all funeral services licensees, funeral directors, and embalmers to authorize the Board to prescribe continued

competence requirements. The Board must annually determine whether there have been any significant revisions in the practice of or the laws and regulations governing funeral services and, if revisions have occurred that will require that licensees obtain additional education in their relevant practices, the Board must prescribe continuing education accordingly and must notify relevant licensees of the requirement at the time renewal notices are next sent. The notice to licensees must specify the content and number of hours, not to exceed five hours, which must be obtained within one year from approved providers and attested to on the next renewal application. The Board may approve persons who provide or accredit continuing education in order to accomplish the purposes of this section and shall provide for the reporting of satisfactory completion and record retention of any required continuing education courses.

Patron - Alexander

HB1389 Practice of naturopathy. Establishes licensure requirements for the practice of naturopathy. This bill establishes criteria for the practice of naturopathy, including educational requirements, examinations, scope of practice, requirements for the promulgation of regulations governing the profession, and an advisory board to the Board of Medicine. This bill is identical to SB 517.

Patron - Phillips

HB1399 Board for Barbers and Cosmetology; regulation of laser or light therapy technicians. Requires, effective July 1, 2008, the licensure of laser or light therapy technicians by the Board for Barbers and Cosmetology. The bill defines laser or light therapy as the nonabrasive photo-rejuvenation of the skin or the removal of hair by selective photothermolysis, using laser or light therapy devices. The bill also increases the membership of the Board for Barbers and Cosmetology by adding a laser or light therapy technician. The bill also limits the current exemption from licensure for nurses by requiring them to be performing activities as part of their official duties in a medical facility under the responsibility of persons authorized by the laws of the Commonwealth to practice medicine and surgery or osteopathy or chiropractic.

Patron - Hargrove

HB1605 Department of Professional and Occupational Regulation; Real Estate Recovery Fund. Provides that the maximum amount of recovery from the fund against a single regulant arising out of a single transaction is \$40,000.

Patron - Shannon

SB216 Court reporters; penalty. Creates the Virginia Board of Court Reporting to regulate the profession of court reporting. The bill defines "court reporting" as the making of a verbatim recording by means of (i) manual shorthand, (ii) machine shorthand, (iii) stenomask, or (iv) voice writer reporting of any testimony given under oath before, or for submission to, any court examiner, board, commission, or other body created by statute or by the Constitution of Virginia or in any other proceeding where a verbatim record is required. Excluded from the definition are court clerks and employees of a district or circuit court or judge who reports judicial proceedings. Under the bill, after January 1, 2007, any person who engages in court reporting for remuneration without a license shall be guilty of a Class 3 misdemeanor. The bill includes a provision requiring the Board to enact emergency regulations.

Patron - Quayle

SB422 Exceptions and exemptions to licensure requirements by health regulatory boards. Exempts practitioners of natural foods, dietary supplements, healing therapies, homeopathic remedies and products, and natural therapies

from licensure requirements of the Board of Medicine and other health regulatory boards of the Department of Health Professions. This bill also requires such practitioners to post in the interior premises of their facilities prominent signs disclosing that the practitioner does not have a medical education or other recognized health care training, and that he is not a licensed, certified, or registered health care provider by the Board of Medicine or any other health regulatory board within the Department of Health Professions. The disclosure must also provide the practitioner's name and contact information, and the types of health care services he is authorized to provide. The practitioner must provide a copy of the disclosure to consumers, and before providing care for the first time, obtain written acknowledgment from the consumer that he has been so informed and has received a copy of the statement of disclosure.

Patron - Lucas

[C]SB517 Practice of naturopathy. Establishes licensure requirements for the practice of naturopathy. This bill establishes criteria for the practice of naturopathy, including educational requirements, examinations, scope of practice, requirements for the promulgation of regulations governing the profession, and an advisory board to the Board of Medicine. This bill is identical to HB 1389.

Patron - Puckett

[C]SB653 Pawnbrokers and secondhand dealers. Adds the regulation of secondhand dealers, secondhand shops, and consignment shops to current statutes regulating pawnbrokers. In addition, the bill also authorizes localities to enact an ordinance regulating pawnbrokers or secondhand dealers and to require pawnbrokers and secondhand dealers to report their daily transactions electronically to a designated law-enforcement official of the locality. The bill also (i) requires pawnbrokers to obtain thumbprints of both hands of the person pawning an item and (ii) authorizes fees to be charged for additional services provided.

Patron - Stolle

[C]SB654 Precious metals dealers. Requires a precious metals dealer to obtain the thumbprints of both hands of the individual selling the item and to hold the item purchased for a period of 15 days before it may be sold, altered, or disposed of. Currently a dealer is required to hold the item for 10 days.

Patron - Stolle

Property and Conveyances

Passed

[P]HB128 Condominium Act; authorizing condominium association to be applicants in land use matters. Provides that the declarant is authorized to execute, file, and process any subdivision, site plan, zoning, or other land use applications or disclosures related to the condominium during the period that the condominium is under his control. The bill also provides that once the condominium is no longer under the control of the declarant, the authority to execute such land use applications shall belong to the executive organ of the unit owners' association or a representative appointed by the unit owners' association. In addition, the bill clarifies the owner of condominiums for purposes of compliance with the disclosures in land use proceedings pursuant to § 15.2-852 and disclosures of real parties in interest pursuant to § 15.2-2289. This bill is identical to SB 430.

Patron - Cosgrove

[P]HB286 Virginia Residential Property Disclosure Act; disclosure of pending enforcement actions under the Uniform Statewide Building Code. Provides that disclosure and disclaimer forms under the Virginia Residential Property Disclosure Act shall contain a notice to purchasers that the owner represents that there are no pending enforcement actions pursuant to the Uniform Statewide Building Code that affect the safe, decent, and sanitary living conditions of the property of which the owner has been notified by the locality.

Patron - Marshall, D.W.

[P]HB320 Virginia Residential Landlord and Tenant Act; noncompliance with rental agreement; recovery of damages by landlord. Allows a landlord to seek the award of costs or attorney's fees under § 8.01-27.1 and other civil recovery under § 8.01-27.2 as a part of other damages requested and an unlawful detainer action. Under current law the landlord would be required to seek such damages separately.

Patron - Albo

[P]HB558 Condominium Act; actions for breach of warranty; notice of declarant. Provides that no cause of action for breach of warranty shall be commenced on or after January 1, 2007, unless a written statement by the claimant or his agent, attorney or representative, of the nature of the alleged defect has been to the sent to the declarant, by registered or certified mail, at his last known address, as reflected in the records of the Real Estate Board, more than six months prior to the commencement of the action giving the declarant an opportunity to cure the alleged defect within a reasonable time. The bill provides that sending the required notice shall toll the statute of limitations for commencing a breach of warranty action for a period not to exceed six months. The bill also contains technical amendments.

Patron - Oder

[P]HB693 Virginia Real Estate Time-Share Act; non-judicial foreclosure; termination of time-share program; public offering statement; resale certificate. Provides for nonjudicial foreclosure of liens by the time-share association and sets out the process therefor. The bill, among other things, also (i) provides that, without permission of such member, the name, address, telephone number and other personal information about a time-share owner or member of the association are not open to inspection by association members; (ii) provides that the association is not required to produce records that are a matter of public record or are otherwise readily available from another source; (iii) allows the developer to terminate a time-share project if he is the sole owner of all of the time-shares; (iv) provides that the offering or sale of any product that is registered with the Real Estate Board is exempt from the Wet Settlement Act; (v) allows a developer to post a letter of credit or cash with the Real Estate Board for the protection of escrowed purchase deposits; (vi) gives the developer 180 days after a sale to record the deed; and (vii) provides that if the developer has substantially complied in good faith with the Virginia Time-Share Act, a nonmaterial error or omission is not actionable and the purchaser cannot cancel his purchase contract after the expiration of the cancellation period. Finally, the bill contains technical amendments.

Patron - Suit

[P]HB906 Trust for care of animal. Amends the Uniform Trust Code to provide that trust assets can be used for burial or other postdeath expenditures of the pet if provided for in the trust instrument and more clearly defines the trustee's duties and rights. Also delineates that excess funds shall be distributed pursuant to the residuary clause of the settlor's will.

Patron - Oder

HB907 Virginia Residential Landlord and Tenant Act; confidentiality of tenant records; interest on security deposits. Adds two exceptions to a landlord's holding a tenant's records confidential, which exceptions are for information requested (i) pursuant to a subpoena in a civil case and (ii) by a contract purchaser of the landlord's property, provided the contract purchaser agrees in writing to maintain the confidentiality of such records. The bill also sets out the rate of interest to be paid on security deposits for the years 2004, 2005, and 2006. The bill also contains technical amendments.

Patron - Oder

HB1025 Sheriff's duty to remove property pursuant to an ejectment proceeding. Makes it clear that a sheriff does not have to remove the property of a defendant in an ejectment proceeding, but he must oversee the removal of such property. The bill also provides that the sheriff and owner of the real property do not have liability for the loss for any removed personal property.

Patron - Hurt

HB1236 Exemptions to the Virginia Fair Housing Law. Removes exemption of single-family house from the Fair Housing Law section relating to restrictive covenants. Section 36-96.6 states in pertinent part that any restrictive covenants based on race, color, religion, national origin, sex, elderliness, familial status or handicap are void and against Virginia public policy. This bill incorporates HB 696.

Patron - Melvin

HB1319 Tenants by the entirety in real and personal property; transferred into trusts. Amends statute to allow any property owned as tenants by the entirety to be transferred into joint, separate, revocable or irrevocable trusts. Currently only the principal family residence can be transferred into a trust while maintaining tenants by the entirety's immunity. The changes also eliminate the requirements that the property has to be transferred in equal shares if being transferred to separate trusts.

Patron - Morgan

HB1536 Virginia Residential Landlord and Tenant Act; property of deceased tenants. Authorizes the landlord to dispose of the property of a deceased tenant provided the landlord gives at least 10 days written notice to the contact person authorized by the tenant in the rental agreement or to the estate of the tenant in accordance with law.

Patron - Suit

HB1562 Virginia Residential Property Disclosure Act; disclosure of previous mining operation and the presence of abandoned mines. Provides that for the sale of new dwellings the builder or owner, if the builder is not the owner, must disclose to the purchaser whether the builder or owner has any knowledge of (i) whether mining operations had previously been conducted on the property or (ii) the presence of abandoned mines, shafts, or pits. The disclosure requirement is limited to property located wholly or partially in the Town of Ashland, City of Richmond and Counties of Charles City, Chesterfield, Goochland, Hanover, Henrico, New Kent, and Powhatan.

Patron - Waddell

HB1575 Utility easements. Provides that in the case of utility easements, the easement is considered to touch and concern the servient estate and shall run with the land whether or not the easement is appurtenant or in gross. The bill applies

to easements expressly granted by an instrument recorded on or after July 1, 2006.

Patron - Parrish

HB1584 Charges for utility services in manufactured home parks. Authorizes manufactured home park owners the same authority as residential and commercial building owners to charge residents for actual utility costs and other reasonable service charges outlined in a rental agreement or lease. Currently, manufactured home park owners are prohibited from charging amounts in addition to the actual utility costs.

Patron - Suit

SB118 Landlord and tenant duties and responsibilities; evictions; domestic violence. Provides that a tenant may not be evicted because of family abuse against the tenant that occurs on the leased premises where the perpetrator has been barred from the dwelling unit or subjected to a protective order if the tenant makes certain timely notifications to the landlord.

Patron - Howell

SB269 Condominium Act; conversion condominiums; notice to locality. In the case of receipt of an application for a condominium that is a conversion condominium, the agency shall, within five business days, also issue a notice of filing to the chief administrative officer of the county or city in which the proposed condominium is located, which notice shall include the name and address of the applicant and the name and address or location of the proposed condominium.

Patron - Whipple

SB427 Virginia Residential Landlord Tenant Act; confidentiality of tenant records. Authorizes a tenant to designate a third party to receive a duplicate copy of a summons in an unlawful detainer action and any other written notices from the landlord. The bill also provides that the failure of the landlord to provide the copy to the designated third party does not affect the validity of any judgment entered against the tenant.

Patron - Lambert

SB430 Virginia Condominium Act; authorization of condominium association to be applicants in land use matters; disclosure. Provides that the declarant is authorized to execute, file, and process any subdivision, site plan, zoning, or other land use applications or disclosures related to the condominium during the period that the condominium is under his control. The bill also provides that once the condominium is no longer under the control of the declarant, the authority to execute such land use applications shall belong to the executive organ of the unit owners' association or a representative appointed by the unit owners' association. In addition, the bill clarifies the owner of condominiums for purposes of compliance with the disclosures in land use proceedings pursuant to § 15.2-852 and disclosures of real parties in interest pursuant to § 15.2-2289. This bill is identical to HB 128.

Patron - Devolites Davis

SB433 Mortgage satisfaction. Imports into the Virginia Code provisions of the Uniform Residential Mortgage Satisfaction Act relating to definitions, notifications, rescinding erroneously recorded certificates of satisfaction, requirements on secured creditors, and the form and effect of satisfaction. Current Code provisions relating to payoff statements, mortgage satisfaction via settlement agents and court proceedings, and penalties for errors or omissions in satisfaction procedures are retained. The bill was passed by the 2005 Session, but was required to be reenacted.

Patron - Devolites Davis

[P]SB446 Fee for recording name of registered agent. Increases the clerks' filing fee for appointment of a resident agent for a nonresident property owner from \$1 to \$10.
Patron - Devolites Davis

[P]SB448 Uniform Real Property Electronic Recording Act. Reenacts the Uniform Act which was passed in 2005 with the requirement that it be reenacted by the 2006 Session. The Act authorizes circuit court clerks to record land transaction records electronically, and to convert paper records into electronic records. The bill also states that in any circumstance where the law requires that a land records document be an original that an electronic land records document satisfying this Act satisfies the law.
Patron - Devolites Davis

[P]SB670 Virginia Residential Property Disclosure Act; disclosure of resource protection areas. Requires the owner of residential real property located in any resource protection areas and other environmentally protected zones that are subject to governmental regulation, to furnish to a purchaser a written disclosure stating that such property is located in such a resource protection area or other environmentally protected zone.
Patron - O'Brien

Failed

[F]HB696 Exemptions to the fair housing law. Removes exemption of single-family house from the Fair Housing Law section relating to restrictive covenants. Section 36-96.6 states in pertinent part that any restrictive covenant based on race, color, religion, national origin, sex, elderliness, familial status, or handicap is void and against Virginia public policy. The above change to the Fair Housing Law exemptions makes § 36-96.6 applicable to single-family homes and their owners. This bill was incorporated into HB 1236.
Patron - Suit

[F]HB878 Property Owners' Association Act; display of political signs. Provides that, notwithstanding any provision in a declaration, no declaration or association's rules and regulations or architectural guidelines shall restrict or prohibit the display by a lot owner on his lot of a candidate sign or a sign that advertises the support or defeat of any question submitted to the voters in accordance with state election law. For the purposes of the bill, "candidate sign" means a sign on behalf of a candidate for public office or a slate of candidates for public office. The bill provides, however, that an association may restrict the display of such signs (i) in the common areas or (ii) in accordance with federal or state law, and may establish reasonable restrictions as to the size, place, duration, and manner of placement or display of such signs, except that no restriction on the duration of the display of such signs shall be less than (a) 45 days before the primary election, general election or vote on the proposition or (b) seven days after the primary election, general election, or vote on the proposition. The bill also requires the association disclosure packet to contain a statement of any restrictions on the size, place, duration, and manner of placement or display of such signs. The bill contains technical amendments. The bill also clarifies that the display of the flag of (i) the United States, (ii) the Commonwealth, (iii) any active branch of the armed forces of the United States, or (iv) any military valor or service award of the United States also includes display on mailboxes and similar structures.
Patron - Frederick

[F]HB1008 Trusts. Amends Uniform Trust Code to make the applicable statutes prospective, so that the new sec-

tions apply to trusts that are irrevocable or that become irrevocable on July 1, 2006, or after.
Patron - Hurt

[F]HB1026 Property; noncharitable irrevocable trusts. Makes prospectively effective (July 1, 2006) the application of the Uniform Trust Code provision relating to the modification or termination of noncharitable irrevocable trusts.
Patron - Hurt

[F]HB1320 Extension of tenants by the entirety protection from creditors. Allows the tenants by the entirety protection against creditors to extend to a conveyance of property to a limited liability company. Current law allows the protection of tenants by the entirety ownership of a husband and wife's principal residence to continue after they convey it to a revocable or irrevocable trust. This amendment extends that protection to conveyance of property to a limited liability company. It also eliminates the requirement that it be a principal residence, and in the case of revocable trusts, that it be conveyed in equal shares.
Patron - Morgan

[F]HB1360 Enjoyment of easement; driveway easements. Provides that in cases of driveway easements, the dominant estate shall not participate in any activity or place objects on the burdened land that create unsafe road conditions.
Patron - Bell

[F]HB1368 Property; Home Serenity and Tranquility Act; civil penalty. Creates the Home Serenity and Tranquility Act, which prohibits the operation on an athletic field owned or operated by a public or private entity of any event (i) before the hour of eight o'clock in the morning, (ii) after the hour of six o'clock in the evening, or (iii) on Sunday without the unanimous written consent of the affected homeowners. The bill defines athletic field, homeowner, and affected homeowner. The bill provides a civil penalty for violation and gives an aggrieved homeowner a cause of action for violations.
Patron - Hull

[F]SB399 Unclaimed property; minimum reportable amount. Establishes a minimum reportable amount for the holder of unclaimed property. The bill exempts holders from reporting unclaimed property of any single owner if the cumulative value of the owner's unclaimed property is \$50 or less.
Patron - Hanger

[F]SB447 Mortgage satisfaction. Imports into the Virginia Code provisions of the Uniform Residential Mortgage Satisfaction Act relating to definitions, notifications, rescinding erroneously recorded certificates of satisfaction, requirements on secured creditors, and the form and effect of satisfaction. Current Code provisions relating to payoff statements, mortgage satisfaction via settlement agents and court proceedings, and penalties for errors or omissions in satisfaction procedures are retained. The bill was passed by the 2005 Session, but was required to be reenacted.
Patron - Devolites Davis

[F]SB582 Enjoyment of easement; visual nuisance. States that unreasonable interference with the enjoyment of an easement, if the easement provides the principal route of ingress and egress to the owner of the dominant estate's residence, includes placing objects adjacent to or in the vicinity of the easement that create a visual nuisance.
Patron - Stosch

[F]SB623 Condominium Act; responsibility for insurance deductibles. Requires a condominium unit owner to pay

the deductible under the condominium's master casualty policy if the cause of damage to or destruction of any portion of the condominium originated in or through the owner's unit or any component thereof, without regard to whether the unit owner was negligent.

Patron - Cuccinelli

Carried Over

[C]HB393 Condominium Act; conversion condominiums; rights of certain elderly or disabled persons. Gives a tenant in a conversion condominium who is elderly or disabled and eligible for a lease extension under current law and ordinance, the ability to assign the right to purchase his unit to a government agency, housing authority, or nonprofit corporation for the purpose of leasing that unit back to the tenant and keeping the unit as affordable housing.

Patron - Englin

[C]HB1096 Condominium and Property Owners' Association Acts; display of flags. Provides that, except as otherwise expressly provided in the declaration, no condominium instruments or declaration shall restrict or prohibit the display by a unit or lot owner of a flag of (i) the United States, (ii) the Commonwealth, (iii) any active branch of the armed forces of the United States, or (iv) any military valor or service award of the United States. The bill provides, however, that an association may restrict the display of such flags in the common areas and may establish reasonable restrictions as to the size, place, duration, and manner of placement or display of such flags. The bill also requires the public offering statement, resale certificate, or association disclosure packet to contain a statement of any restrictions on the size, place, duration, and manner of placement or display of such flags. The bill contains technical amendments.

Patron - Amundson

[C]SB248 Condominium and Property Owners' Association Acts; display of flags. Provides that, except as otherwise expressly provided in the declaration, no condominium instruments or declaration shall restrict or prohibit the display by a unit or lot owner of a flag of (i) the United States, (ii) the Commonwealth, (iii) any active branch of the armed forces of the United States, or (iv) any military valor or service award of the United States. The bill provides, however, that an association may restrict the display of such flags in the common areas and may establish reasonable restrictions as to the size, place, duration, and manner of placement or display of such flags. The bill also requires the public offering statement, resale certificate, or association disclosure packet to contain a statement of any restrictions on the size, place, duration, and manner of placement or display of such flags. The bill contains technical amendments.

Patron - Ticer

[C]SB268 Condominium Act; conversion condominiums. Provides that tenants residing in a county where the urban county executive form of government is in effect (Fairfax County) shall have the right to transfer their right to purchase their units to the local housing authority or a qualified nonprofit organization actively engaged in producing and preserving affordable housing as determined by such county. The acquisition of such units by the local housing authority or such qualified nonprofit organization shall not (i) exceed the greater of one unit or five percent of the total number of units in the condominium and (ii) impede the condominium conversion process. In determining which, if any, units shall be acquired

pursuant to this section, preference shall be given to elderly or disabled tenants. The bill contains a technical amendment.

Patron - Whipple

[C]SB492 Easements; land locked parcels. Requires beginning July 1, 2006, that no parceled land can be subdivided so as to have a land locked parcel unless a permanent 20 foot right of way is provided. Property land locked prior to that date shall have an entrance and exit right of way of 20 feet if an existing utility right of way permits.

Patron - Ruff

[C]SB621 Property Owners' Association Act; display of political signs. Provides that, except as otherwise expressed in the declaration, no declaration or association's rules and regulations or architectural guidelines shall restrict or prohibit the display by a lot owner on his lot of a candidate sign or a sign that advertises the support or defeat of any question submitted to the voters in accordance with state election law. For the purposes of the bill, "candidate sign" means a sign on behalf of a candidate for public office or a slate of candidates for public office. The bill provides, however, that an association may restrict the display of such signs (i) in the common areas or (ii) in accordance with federal or state law, and may establish reasonable restrictions as to the size, place, duration, and manner of placement or display of such signs, except that no restriction on the duration of the display of such signs shall be less than (a) 30 days before the primary election, general election or vote on the proposition or (b) seven days after the primary election, general election, or vote on the proposition. The bill also requires the association disclosure packet to contain a statement of any restrictions on the size, place, duration, and manner of placement or display of such signs. The bill contains technical amendments. The bill also clarifies that the display of the flag of (i) the United States, (ii) the Commonwealth, (iii) any active branch of the armed forces of the United States, or (iv) any military valor or service award of the United States also includes display on mailboxes and similar structures.

Patron - Puller

Public Service Companies

Passed

[P]HB317 Passenger rail service liability. Authorizes an authority, comprised of two or more political subdivisions of the Commonwealth that provide public rail transportation services to contract with a railroad company to allocate financial responsibility for claims related to passenger rail services. The measure limits the aggregate liability of the authority and the railroad company for claims arising from a single accident or incident related to passenger rail services to \$250 million per incident or accident. Willful and wanton conduct, felonious criminal conduct, and gross negligence are not subject to the cap. The bill provides for an adjustment to the cap for inflation starting in 2011. This bill is identical to SB 652.

Patron - Albo

[P]HB439 Sewage treatment facilities; governing board. Requires that certain entities that provide sewerage services to residents of the Commonwealth and to another state be managed by a governing board that is comprised of an equal number of residents of Virginia and of the other state. The requirement applies to such entities that operate a sewage treatment facility located in Virginia that has a capacity of at least five million gallons per day and was financed through the Virginia Revolving Loan Fund. The number of members of the

governing board is determined based on the number of Virginia localities in which the entity provides sewerage services, with the governing body of each such locality appointing two members. If the members of the governing board deadlock on an issue pertaining to the management of the entity's business and affairs, one-half of the members of the board may petition the State Corporation Commission to arbitrate the issue over which the board is deadlocked. If the articles of incorporation, bylaws, charter, or other organic document of such an entity that was in existence prior to July 1, 2006, is not amended by January 1, 2008, to comply with the requirements regarding the governing board, then the locality wherein the sewage treatment facility is located is authorized to acquire the facility and related property, which acquisition may be by condemnation for the purpose of providing sewerage service to persons residing within the Commonwealth and the Bluestone watershed.

Patron - Crockett-Stark

HB599 Public utilities; propane air. Clarifies that a propane-air facility that is not organized as a public service company and that sells or delivers propane air only to one or more public utilities is not a public utility. Such facilities shall nevertheless be subject to the State Corporation Commission's jurisdiction relating to gas pipeline safety and enforcement. This bill is identical to SB 507.

Patron - Cosgrove

HB1081 Diversion of utility service; remedies. Specifies that a provider of utility services that have been tampered with or diverted may seek injunctive and equitable relief, and an award of damages, including reasonable attorney fees and costs. In addition, the aggrieved party may recover an award of actual damages or \$500, whichever is greater for each action.

Patron - Scott, J.M.

HB1198 Voice-over-Internet protocol service; E-911 notice. Eliminates the jurisdiction of the State Corporation Commission to regulate voice-over-Internet protocol service. Voice-over-Internet protocol service is excluded from the scope of the definitions of telephone service, telecommunications service, local exchange telephone service, and interexchange telephone service. Voice-over-Internet protocol service means any service that: (i) enables real-time, two-way voice communications; (ii) requires a broadband connection from the user's location; (iii) requires Internet protocol-compatible customer premises equipment (CPE); and (iv) permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network. Providers of voice-over-Internet protocol service or wireless telecommunications service that do not include enhanced 911 (E-911) service are required to provide to their affected subscribers any notice of the absence of E-911 service that is required by the Federal Communications Commission (FCC). Consumers of voice-over-Internet protocol service will be subject to the special local tax for E-911 service. If the FCC requires providers to prepare and file a plan setting forth how providers of voice-over-Internet protocol service propose to develop and implement the capability for voice-over-Internet protocol service users to have E-911 service, the providers shall submit a copy of the plan to the State Corporation Commission and Wireless E-911 Services Board. Providers are not liable for damages for acts or omissions resulting from rendering service related to emergency calls unless the act or omission results from its gross negligence or willful misconduct.

Patron - Marshall, R.G.

HB1220 Electric utility restructuring; municipal utilities. Provides that a municipal electric utility will not

become subject to the provisions of the Electric Utility Restructuring Act as a result of serving an area that was served by an incumbent electric utility as of July 1, 1999, if the change in service areas is made pursuant to mutual agreement between the municipality and the affected incumbent electric utility in accordance with a provision in the Utility Facilities Act. This bill is identical to SB 613.

Patron - Barlow

HB1541 Electric utility restructuring; net energy metering. Expands the definition of an eligible customer-generator to include a customer that contracts with other persons to own, operate, or both, an eligible electrical generating facility. Currently, the customer must own and operate the generating facility. The measure also allows such facilities to have any renewable energy as their total source of fuel; currently, only facilities that use solar, wind, or hydro energy are eligible. Finally, the measure allows a facility that is located on the customer's premises and is connected to the wiring on the customer's side of its interconnection with the distributor to qualify for net energy metering; currently, the facility must be located on the customer's premises.

Patron - Toscano

SB262 Virginia Energy Plan. Establishes an energy policy of the Commonwealth and directs the Division of Energy of the Department of Mines, Minerals and Energy, in consultation with the State Corporation Commission, Department of Environmental Quality, and Virginia Center for Coal and Energy Research, to prepare, by July 1, 2007, a ten-year comprehensive Virginia Energy Plan to implement the Commonwealth's energy policy. With respect to offshore energy resources, the bill (i) declares that it is the policy of the Commonwealth to encourage the members of the State Congressional Delegation and federal executive agencies to develop, support, and enact federal legislation, and to take appropriate federal executive action that will provide an exemption to the moratorium that prevents until 2012 any surveying, exploration, development, or production of potential natural gas deposits in areas off the Commonwealth's Atlantic shore that are under federal jurisdiction, and to develop, support, and enact federal legislation that will enable the Commonwealth to exercise exclusive jurisdiction with respect to offshore wind energy resources; (ii) directs royalties and other moneys paid by the federal government as a result of the development of offshore energy resources to be deposited in a State Offshore Energy Revenue Fund and allocated among the Virginia Water Quality Improvement Fund, the Transportation Trust Fund, clean coal technology research, a Coastal Energy Research Consortium and other alternative energy initiatives, and grants for producing and using clean and efficient energy; (iii) directs all agencies, boards and commissions of the Commonwealth to ensure that any permits or approvals that are required for the exploration and production of hydrocarbons within federal jurisdictional areas off the Commonwealth's Atlantic shore provide that such exploration and production will be undertaken in a manner protective of the environment and public safety; (iv) prohibits the drilling of any wells for natural gas or oil in areas off the Commonwealth's Atlantic shore within 30 miles of the shoreline; and (v) prohibits the construction of onshore natural gas exploration and production facilities on the Eastern Shore. Other initiatives (a) establish a Clean Coal Technology Research Fund, to be administered by the Virginia Center for Coal and Energy Research and used to finance research initiatives at state institutions of higher education and to encourage qualified state educational institutions to apply for federal grants to finance a center of excellence for advancing new clean coal technologies; (b) require designs for state buildings to incorporate reasonable cost-effective energy conservation measures and alternative energy systems; (c) direct

the Commonwealth Transportation Board to encourage the use of biodiesel and other alternative fuels, to the extent practicable, in vehicles used to provide public transportation; (d) create the Virginia Coastal Energy Research Consortium, to include Old Dominion University, the Virginia Institute of Marine Science, the Virginia Tech Advanced Research Institute, James Madison University, and Norfolk State University, to serve as an interdisciplinary study, research, and information resource on coastal energy issues, including wave or tidal action, currents, offshore winds, thermal differences, and methane hydrates; (e) prohibit community associations from enacting any provisions restricting solar power or the use of solar energy collection devices on units or lots that are part of the development, except to the extent provided in the applicable instruments, declaration or rules, and authorizes community associations to prohibit or restrict the installation and use of such solar energy collection devices on the common elements or common areas; and (f) declare it to be the policy of the Commonwealth to encourage the members of the State Congressional Delegation and federal executive agencies to develop, support, and enact federal legislation, and to take appropriate federal executive action, that will increase the Corporate Average Fuel Efficiency standards from the current standard by promoting performance-based tax credits for advanced technology, fuel-efficient vehicles to facilitate the introduction and purchase of such vehicles and by advocating for market incentives and education programs to build demand for high-efficiency, cleaner vehicles, including tax incentives for highly efficient vehicles. The bill directs the State Corporation Commission to develop a system for scoring parcels in the Commonwealth for their suitability as wind energy facilities, liquefied natural gas facilities, nuclear energy facilities, and solar energy facilities, upon recommendation by the Department of General Services for state-owned land, local governing bodies with the consent of the parcel's owner, or the owner of a parcel. Parcels that are scored as being optimal sites for such low-emission energy facilities would be eligible to use a one-stop permitting process, as may be adopted by the General Assembly. The State Corporation Commission and Secretary of Natural Resources are directed to prepare a proposal for a one-stop permitting process for low-emission energy facilities, which proposal shall be presented by December 1, 2006. The bill also provides grant awards for producing and using clean and efficient energy including grant awards in the amount of 0.85 cents for each kilowatt hour of electricity produced by a corporation from certain renewable energy resources and grants to individuals and corporations equal to 15 percent of the cost incurred in installing photovoltaic property, solar water heating property, or wind-powered electrical generators. The grants are limited to \$2,000 for each system of photovoltaic property, \$1,000 for each system of solar water heating property, and \$1,000 for each system of wind-powered electrical generators. Finally, the measure exempts from property taxation certified pollution control equipment and facilities used in collecting, processing, and distributing landfill gas and other gas recovered from waste products..

Patron - Wagner

SB380 Gas utilities; performance-based regulation. Provides that performance-based ratemaking of a gas utility may include fixed or capped rates and reduction or elimination of regulatory requirements, in addition to existing elements. A performance-based ratemaking methodology for a gas utility means a method of establishing rates and charges that are in the public interest and that departs from cost-of-service ratemaking methodology. In deciding whether to approve a request for such methodology, the State Corporation Commission shall include, but not be limited to, in its consideration, measures that are reasonably estimated to preserve or improve system reliability, safety, supply diversity, and transportation

options, and other customer benefits that are reasonably estimated to accrue from the proposal. The measure does not apply to plans for performance-based regulation pending on January 1, 2006.

Patron - McDougle

SB395 Enhanced Public Safety Telephone Services Act. Expands the powers and duties of the Wireless E-911 Services Board to include developing a statewide enhanced 9-1-1 plan for voice-over-Internet service and future communications technologies accessing E-911 for emergency purposes. The formula for distribution of money in the Wireless E-911 fund is revised to provide that 60 percent will be provided to public safety answering points (PSAPs), 30 percent will be provided for payment of Wireless E-911 CMRS costs, and the remaining 10 percent will be provided for needs-based grants to be defined by the Board for PSAPs. The bill also increases the size of the Board from 14 to 15 members.

Patron - Stolle

SB507 Sewage treatment facilities; governing board. Requires that certain entities that provide sewerage services to residents of the Commonwealth and to another state be managed by a governing board that is comprised of an equal number of residents of Virginia and of the other state. The requirement applies to such entities that operate a sewage treatment facility located in Virginia that has a capacity of at least five million gallons per day and was financed through the Virginia Revolving Loan Fund. The number of members of the governing board is determined based on the number of Virginia localities in which the entity provides sewerage services, with the governing body of each such locality appointing two members. If the members of the governing board deadlock on an issue pertaining to the management of the entity's business and affairs, one-half of the members of the board may petition the State Corporation Commission to arbitrate the issue over which the board is deadlocked. If the articles of incorporation, bylaws, charter, or other organic document of such an entity that was in existence prior to July 1, 2006, is not amended by January 1, 2008, to comply with the requirements regarding the governing board, then the locality wherein the sewage treatment facility is located is authorized to acquire the facility and related property, which acquisition may be by condemnation for the purpose of providing sewerage service to persons residing in the Commonwealth and the Bluestone Watershed. This bill is identical to HB 439.

Patron - Puckett

SB613 Electric utility restructuring; municipal utilities. Provides that a municipal electric utility will not become subject to the provisions of the Electric Utility Restructuring Act as a result of serving an area that was served by an incumbent electric utility as of July 1, 1999, if the change in service areas is made pursuant to mutual agreement between the municipality and the affected incumbent electric utility in accordance with a provision in the Utility Facilities Act. This bill is identical to HB 1220.

Patron - Quayle

SB652 Passenger rail service liability. Authorizes an authority, comprised of two or more political subdivisions of the Commonwealth that provide public rail transportation services to contract with a railroad company to allocate financial responsibility for claims related to passenger rail services. The measure limits the aggregate liability of the authority and the railroad company for claims arising from a single accident or incident related to passenger rail services to \$250 million per incident or accident. Willful and wanton conduct, felonious criminal conduct, and gross negligence are not subject to the

cap. The bill provides for an adjustment to the cap for inflation starting in 2011. This bill is identical to HB 317.

Patron - Saslaw

SB666 Public-Private Transportation Act; "concessions." Authorizes "concession" agreements under the Public-Private Transportation Act of 1995.

Patron - Saslaw

SB688 Public utility lines crossing railroads. Establishes a procedure for the State Corporation Commission to determine matters pertaining to the construction and operation of municipal water, sewer, and telecommunications lines, wires, pipes, and conduits that cross railroads. The application shall include standard railroad liability protection insurance. If the Commission grants an application requiring the railroad to grant to the municipality a license for such crossing, it may require the payment to the railroad company of damages and a fee, which fee shall not exceed the actual costs reasonably expected to be incurred by the railroad company as a result of the crossing and the periodic inspection of such works, but shall take into consideration the system-wide administrative and other costs of implementing crossing agreements.

Patron - Wampler

Failed

HB700 Electricity rates. Requires that from July 1, 2006, until the end of the capped rate period, an electric utility shall not be eligible to have its tariffs adjusted to reflect changes in its fuel costs, including the cost of purchased power, other than through a comprehensive rate case to establish reasonable and just rates for the service of the utility. The electric utility's capped rates will be adjusted to the levels established through the rate case.

Patron - Hogan

HB725 Underground utility damage prevention; trenchless excavation. Establishes restrictions on the conduct of trenchless excavation. Steps required to be taken by trenchless excavators include (i) ensuring that bore equipment stakes are installed not less than 36 inches from marked utility lines; (ii) ensuring that grounding rods are installed not less than 24 inches from a buried utility line that has a marked or staked location; and (iii) ensuring that a minimum radial clearance of 12 inches is maintained between the bore path and any underground utility lines during pullback. In addition, the use of trenchless excavation is prohibited in the vicinity of buried utility lines that have not been marked or exposed. The location of utility lines in the bore path are required to be exposed by hand digging which, if the boring will parallel buried lines, shall be done at reasonable distances of not greater than 150 feet along the bore path.

Patron - McQuigg

HB944 Public utilities; wireless service. Provides that commercial mobile radio service is a public utility for purposes of regulation of certain aspects of service by the State Corporation Commission. The measure does not authorize regulation of the rates of wireless service.

Patron - Morgan

HB1153 Virginia Energy Plan. Establishes an energy policy of the Commonwealth and directs the Division of Energy of the Department of Mines, Minerals and Energy, in consultation with the State Corporation Commission, Department of Environmental Quality, and Virginia Center for Coal and Energy Research, to prepare a comprehensive Virginia Energy Plan to implement the policy. The measure directs the

Virginia Liaison Office to work with members of the State Congressional Delegation and executive agencies to obtain an exemption to the existing federal moratorium on offshore natural gas exploration and development activity, and to enable Virginia to exercise exclusive jurisdiction over offshore wind energy resources. Royalties, lease payments, and other moneys paid by the federal government to the Commonwealth that are attributable to the development of offshore energy resources are to be deposited in the State Offshore Energy Revenue Fund and allocated among Chesapeake Bay water quality improvement programs and efforts, the Transportation Trust Fund, clean coal technology research, funding a methane hydrates research center and other alternative energy initiatives, and grants for producing and using clean and efficient energy. The Virginia Liaison Office is also directed to work with members of the State Congressional Delegation and executive agencies to enact legislation that increases the corporate average fuel efficiency standards for motor vehicles. The Center for Coal and Energy Research is directed to encourage qualified state institutions of higher education to apply for federal grants to finance a center of excellence for advancing new clean coal technologies and will administer a clean coal technology research fund. Designs for state buildings are required to incorporate reasonable cost-effective energy conservation measures and alternative energy systems. The measure requires all localities and transportation districts that provide mass transit or public transportation through the use of diesel-fueled vehicles to use biodiesel fuel in amounts not less than 1 percent of total diesel fuel consumption by volume, effective when the annual capacity in the Commonwealth for the production of biodiesel fuel exceeds one million gallons, but in no event before July 1, 2007, as a condition for receiving state funding. A methane hydrates research center is established at Old Dominion University. The measure invalidates any restrictive covenant or similar specification that restricts or prohibits solar energy collection devices. The measure also directs the State Corporation Commission to develop a system for scoring parcels in the Commonwealth for their suitability as wind energy facilities, liquefied natural gas terminals, and nuclear energy facilities, upon recommendation by the Department of General Services for state-owned land, local governing bodies with the consent of the parcel's owner, or the owner of a parcel. Parcels that are scored as being optimal sites for such low-emission energy facilities would be eligible to use a one-stop permitting process, as may be adopted by the General Assembly. If approvals for such a facility are granted through the one-stop permitting process, the use of the parcel for the low-emission energy facility would be deemed to satisfy local zoning requirements. The existing Surry and North Anna nuclear plant sites and other sites determined through the U.S. Nuclear Regulatory Commission licensing process to be suitable for development of new nuclear generating units shall be deemed optimal sites without further proceedings. The bill also provides grant awards for producing and using clean and efficient energy including (i) grant awards in the amount of 0.85 cents for each kilowatt hour of electricity produced by a corporation from certain renewable energy resources and (ii) grants to individuals and corporations equal to 15 percent of the cost incurred in installing photovoltaic property, solar water heating property, or wind-powered electrical generators. The grants are limited to \$2,000 for each system of photovoltaic property, \$1,000 for each system of solar water heating property, and \$1,000 for each system of wind-powered electrical generators. The measure provides individual income tax deductions for 20 percent of the cost of certain appliances meeting energy star efficiency requirements developed by the federal government and for fuel cells, heat pumps, air conditioners, boilers, furnaces and water heaters meeting specified performance measures, and for the sales and use tax paid on motor vehicles using clean special fuel sources as a source of propulsion. Finally, the measure

exempts certified pollution control equipment and facilities used in collecting, processing, and distributing landfill gas or natural gas recovered from waste from taxation. This bill is identical to HB 1292.

Patron - Lingamfelter

HB1292 Virginia Energy Plan. Establishes an energy policy of the Commonwealth and directs the Division of Energy of the Department of Mines, Minerals and Energy, in consultation with the State Corporation Commission, Department of Environmental Quality, and Virginia Center for Coal and Energy Research, to prepare a comprehensive Virginia Energy Plan to implement the policy. The measure directs the Virginia Liaison Office to work with members of the State Congressional Delegation and executive agencies to obtain an exemption to the existing federal moratorium on offshore natural gas exploration and development activity, and to enable Virginia to exercise exclusive jurisdiction over offshore wind energy resources. Royalties, lease payments, and other moneys paid by the federal government to the Commonwealth that are attributable to the development of offshore energy resources are to be deposited in the State Offshore Energy Revenue Fund and allocated equally among the Virginia Water Quality Improvement Fund, the Transportation Trust Fund, and distributions to Virginia citizens on a per capita basis. The Virginia Liaison Office is also directed to work with members of the State Congressional Delegation and executive agencies to enact legislation that increases the corporate average fuel efficiency standards for motor vehicles. The Center for Coal and Energy Research is directed to encourage qualified state institutions of higher education to apply for federal grants to finance a center of excellence for advancing new clean coal technologies and will administer a clean coal technology research fund. Designs for state buildings are required to incorporate reasonable cost-effective energy conservation measures and alternative energy systems. The measure requires all localities and transportation districts that provide mass transit or public transportation through the use of diesel-fueled vehicles to use biodiesel fuel in amounts not less than 1 percent of total diesel fuel consumption by volume, effective when the annual capacity in the Commonwealth for the production of biodiesel fuel exceeds one million gallons, but in no event before July 1, 2007, as a condition for receiving state funding. A methane hydrates research center is established at Old Dominion University. The measure invalidates any restrictive covenant or similar specification that restricts or prohibits solar energy collection devices. The measure also directs the State Corporation Commission to develop a system for scoring parcels in the Commonwealth for their suitability as wind energy facilities, liquefied natural gas terminals, and nuclear energy facilities, upon recommendation by the Department of General Services for state-owned land, local governing bodies with the consent of the parcel's owner, or the owner of a parcel. Parcels that are scored as being optimal sites for such low-emission energy facilities would be eligible to use a one-stop permitting process, as may be adopted by the General Assembly. If approvals for such a facility are granted through the one-stop permitting process, the use of the parcel for the low-emission energy facility would be deemed to satisfy local zoning requirements. The existing Surry and North Anna nuclear plant sites and other sites determined through the U.S. Nuclear Regulatory Commission licensing process to be suitable for development of new nuclear generating units shall be deemed optimal sites without further proceedings. The bill also provides grant awards for producing and using clean and efficient energy including (i) grant awards in the amount of 0.85 cents for each kilowatt hour of electricity produced by a corporation from certain renewable energy resources and (ii) grants to individuals and corporations equal to 15 percent of the cost incurred in installing photovoltaic property, solar water heating property,

or wind-powered electrical generators. The grants are limited to \$2,000 for each system of photovoltaic property, \$1,000 for each system of solar water heating property, and \$1,000 for each system of wind-powered electrical generators. The measure provides individual income tax deductions for 20 percent of the cost of certain appliances meeting energy star efficiency requirements developed by the federal government and for fuel cells, heat pumps, air conditioners, boilers, furnaces and water heaters meeting specified performance measures, and for the sales and use tax paid on motor vehicles using clean special fuel sources as a source of propulsion. Finally, the measure exempts certified pollution control equipment and facilities used in collecting, processing, and distributing landfill gas or natural gas recovered from waste from taxation. This bill was incorporated into HB 1153.

Patron - Saxman

HB1306 Public-Private Transportation Act and the Public-Private Education Facilities and Infrastructure Act; required disclosure by private entity. Requires a private entity to include with its initial submittal the disclosure of (i) whether the private entity directly employs or intends to use the services of a legislator or a firm in which a legislator is a member and (ii) whether a legislator has a personal interest in the proposal or the private entity as defined in § 30-101. The bill also provides that if, after the initial submittal of the proposal, the private entity subsequently employs or uses the services of a legislator or a firm in which a legislator is a member, that the private entity must provide written disclosure to the responsible public entity within 30 days.

Patron - Byron

HB1426 Public-Private Transportation Act of 1995 (PPTA). Provides for the granting of concessions under the PPTA and the taxation thereof.

Patron - Wardrup

SB132 Utility service; disconnection of military personnel. Prohibits public utilities from disconnecting service to residential accounts if the customer is in the military and deployed to a foreign armed conflict or national or domestic emergency.

Patron - O'Brien

SB541 Public-Private Education Facilities and Infrastructure Act; review and implementation of qualifying projects; Public-Private Partnership Advisory Council. Creates the Public-Private Partnership Advisory Commission to review and advise responsible public entities that are agencies or institutions of the Commonwealth on proposals received pursuant to the Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA) and proposed interim or comprehensive agreements pursuant to the Public-Private Transportation Act of 1995 (PPTA). The bill also requires that the guidelines that must be adopted by responsible public entities as required by the PPEA include provisions for the financial review and analysis of the proposed qualifying project and the disclosure of such analysis to the appropriating body and consideration of nonfinancial benefits of a proposed qualifying project, and the bill contains technical amendments.

Patron - Stosch

SB616 Electrical transmission facilities; zoning preemption. Provides that the State Corporation Commission's approval of the construction of facilities that are appurtenant to an approved electrical transmission line, including substations but not generation facilities, satisfies local zoning requirements with respect to the facilities. Currently, the Com-

mission's approval of a transmission line satisfies zoning requirements only with respect to the transmission line.

Patron - Wagner

[F]SB719 Approval of route of petroleum products pipelines. Prohibits any public service corporation from acquiring property for a petroleum products pipeline unless the State Corporation Commission has approved the pipeline's route. The measure establishes procedural requirements and criteria for the Commission's consideration of a request for approval of such a pipeline.

Patron - Howell

Carried Over

[C]HB679 Telephone directories; liability for errors. Requires telephone companies to verify the accuracy of information provided for use in telephone directories. If a directory is published with errors, the telephone company shall not charge for directory information calls regarding the listing with the erroneous information and shall give the subscriber whose information is incorrect a credit of \$10 per month.

Patron - Wittman

[C]HB1116 Railroads; blocking roads; penalty. Increases the maximum fine that may be imposed on railroads for violating prohibitions on blocking streets and roads from \$500 to \$2,500.

Patron - Athey

[C]HB1245 Telephone and telegraph line installation; restoring condition of surface; notice. Requires a telephone or telegraph company that opens up or disturbs the surface of private property in erecting, repairing, laying or installing poles, wires, conduits, or cables to restore it as nearly as practicable to the condition that existed prior to its disturbance. The measure also gives the owner of damaged private property the right to recover the cost of restoring and maintaining the property, with interest, costs, and reasonable attorney fees, if the company fails to do so. Localities and the Commonwealth Transportation Board currently have a similar right to recover the costs of restoring and maintaining their properties. The measure also requires companies to give the owner prior written notice of its intent to conduct such activities on the property, including the scheduled date of its commencement, a description of the activity, and contact information. However, such notice is not required for activities conducted in making emergency repairs necessitated by an unplanned interruption in utility service.

Patron - Hugo

[C]HB1603 Multiline telephone systems. Requires owners or operators of multiline telephone systems serving residential facilities, hotels and motels, business locations, and educational institutions to ensure that a public safety answering point is able to identify the location from which a call to 9-1-1 is placed.

Patron - Rapp

[C]SB278 Renewable portfolio standard. Requires 20 percent of the electric energy sold by a supplier to retail customers in Virginia to be generated from renewable energy sources by the 2015/2016 reporting year. The requirement is phased in over a 10-year period. A supplier shall be excused from the requirements to the extent that renewable energy resources are not reasonably available in sufficient quantities in the marketplace for the suppliers to meet them. A supplier complies with the requirement by self-generating the renewable energy or purchasing sufficient renewable energy credits.

The credits evidence the generation of the energy from renewable sources. A distributor's costs of compliance with these requirements will be recoverable through fuel factor adjustments.

Patron - Whipple

Religious and Charitable Matters; Cemeteries

Failed

[F]HB1223 Access to cemeteries located on private property. Adds any organization exempt from taxation pursuant to § 501 (c) (3) of the Internal Revenue Code, which has given reasonable notice to the owner of record or to the occupant of the property or both, to the list of those who must be given access to a cemetery or grave located on private property. The bill also provides that the right of access shall be for repairing, restoring or improving the gravesite or cemetery, in addition to maintaining the gravesite or cemetery.

Patron - Barlow

[F]SB408 R. E. Lee Camp Confederate Memorial Park. Corrects the full name of the property conveyed to the Commonwealth as a perpetual park and war memorial.

Patron - Hanger

State Corporation Commission

Passed

[P]HB538 State Corporation Commission; fees. Establishes a charge of \$0.50 per page for copies of records furnished by the State Corporation Commission. Currently the charge is \$1 for the first two pages and \$0.50 per each additional page.

Patron - Parrish

Taxation

Passed

[P]HB69 Sales and use tax exemption; medicines for farm animals. Exempts medicines for commercial farm animals from sales and use tax. This bill is identical to SB 73.

Patron - Orrock

[P]HB121 Real property tax exemption; elderly and disabled. Changes certain provisions regarding real estate tax exemptions for the elderly and disabled by: (i) for localities in Northern Virginia, increasing from \$340,000 to \$540,000 the maximum financial worth cap a locality may impose and adding Clarke, Fauquier, and Stafford Counties to the localities in Northern Virginia for which the higher cap is applicable; and (ii) for certain other localities in central Virginia and Tidewater, increasing such cap from \$200,000 to \$350,000, and adding cities of Norfolk and Richmond to the localities for which the higher cap is applicable. This bill incorporates HB 87, HB 277, HB 540, HB 560, HB 1097, and HB 1444.

Patron - Marshall, R.G.

HB168 False claims of employment status; penalty. Makes it unlawful for a person to knowingly coerce, induce, or threaten an individual to falsely declare his employment status for the purpose of evading the withholding or payment of individual income tax. This bill also makes it unlawful for an employer to falsely claim the employment status of an individual employed by him for the purpose of evading the withholding or payment of individual income tax. "Employment status" has the same meaning as defined by the United States Internal Revenue Code. The penalty for violation is a Class 1 misdemeanor.

Patron - Lingamfelter

HB194 Tax sales of real estate. Deletes the deposition requirement and replaces it with the written report of the real estate appraiser where there is no dispute as to title or value of the property in order for the court to appoint a special commissioner to sell the property and execute the deeds. This change is intended to make tax sales less costly.

Patron - Kilgore

HB327 Personal property tax; classification of watercraft used for business purposes. Creates separate classes of personal property for rate purposes of watercraft based on the weight of the watercraft and whether it is used for business purposes.

Patron - Morgan

HB407 Department of Taxation; earned income tax credit information. Requires the Department of Taxation to obtain information from each income tax taxpayer on whether he claimed a federal earned income tax credit and the amount claimed and permits the Department of Taxation to provide this and other information to the Department of Social Services regarding clients of the Department of Social Services, and permits the Department of Social Services to provide related information to the Department of Taxation. This bill is identical to SB 42.

Patron - Callahan

HB491 Real estate reassessment; notice. Requires localities to add onto the notice to taxpayers of real estate reassessments the amount of the immediately prior assessment amount, and if the tax rate that will apply to the new assessed value has been established, then the notice shall include such rate, the total amount of the new tax levy, and the percentage change in the new tax levy from the immediately prior one. If the tax rate that will apply to the new assessed value has not been established, then the notice shall include the time and place of the next meeting of the local governing body at which public testimony will be accepted on any real estate tax rate changes. This bill incorporates HB 1298.

Patron - Frederick

HB518 Local tourism zones. Allows any county, city, or town to establish, by local ordinance, a local tourism zone with tax incentives and regulatory flexibility.

Patron - Armstrong

HB522 Tire recycling fee; extension of time. This bill would extend from July 1, 2006, to July 1, 2008, the \$1.00 fee imposed on the sale of each new tire. Beginning July 1, 2008, the fee would decrease to \$0.50 per tire.

Patron - Oder

HB530 Sales and use tax; semiconductor production exemption. Provides a sales and use tax exemption for tangible personal property used in semiconductor manufactur-

ing as well as other semiconductor equipment. This bill is identical to SB 475.

Patron - Parrish

HB531 Conformity of taxation with Internal Revenue Code; emergency. Provides that any reference to federal income tax laws in Chapter 3 (§ 58.1-300 et seq.) of Title 58.1 refers to the federal law as it exists on December 31, 2005. Current law specifies that such references refer to federal law as it existed on January 7, 2005. This bill contains an emergency clause and is identical to SB 69.

Patron - Parrish

HB532 Sales and use tax exemption; school supplies, clothing and footwear, and computers. Provides a sales and use tax exemption, beginning in 2006, for certain school supplies, clothing and footwear purchased during a three-day period each year beginning on the first Friday in August. The exempt items are: each school supply item with a selling price of \$20 or less and each article of clothing or footwear with a selling price of \$100 or less. The bill also authorizes dealers to absorb the sales and use tax on all other items sold during the same time period and thereby relieve the purchasers of the obligation to pay such tax. Dealers who absorb such taxes are liable for payment of the same to the Tax Commissioner. The bill incorporates HB 121, HB 131, HB 484, HB 509, HB 528, HB 708, HB 1125, and HB 1206 and is identical to SB 571. This bill is identical to SB 571.

Patron - Parrish

HB534 Motor fuels tax; DMV suggested changes; penalties. Eliminates registered and certified mail requirements for assessments; requires certified mail for license cancellation notices; prohibits use of letters of credit as security; allows for license denial or cancellation for failure to obtain a new or additional certificate of deposit; requires persons who transport motor fuel for hire to file monthly returns; establishes a Class 1 misdemeanor for willfully and intentionally applying for or collecting a refund on taxable fuel or for willfully and intentionally using fuel for a taxable purpose after a refund for the fuel has been issued. It also grandfathers licensed persons who have an irrevocable letter of credit with DMV prior to June 30, 2006, so they will not be required to replace such letters.

Patron - Parrish

HB568 Communications tax reform. Completely revises the taxation of communications services as follows. Applies a statewide communications sales and use tax to retail communication and video services on a competitively neutral basis. The communications sales and use tax rate will be 5 percent on the following: Local Exchange; Paging; Inter-Exchange (Both interstate and intrastate); Cable Television; Satellite Television; Wireless; and Voice over the Internet (VoIP).

A \$0.75 "911 Tax" will be applied to each local exchange line (landline) and the current \$0.75 "911 Fee" will continue to be applied to each wireless number.

The state communications sales and use tax, and state 911 fees and taxes replace the following currently billed taxes and fees: Local Consumer Utility Tax (LCUT); Local Gross Receipts Tax (BPOL) - (Only the portion above 0.5 percent currently billed to customers, where applicable); Local E-911; Virginia Relay Fee; and Cable Franchise Fee.

A statewide rights-of-way use fee will be applied to all cable TV service lines as is currently applied on all local exchange telephone lines. The rate of the fee will be the same as deter-

mined annually by the Virginia Department of Transportation in accordance with § 56-468.1 of the Virginia Code.

The sales and use tax, 911 tax, and the cable rights-of-way fee assessed on consumers of video services from a single provider will be remitted to the Virginia Department of Taxation, which will administer the distribution of the Communications Sales and Use Tax Trust Fund within 30 days of receipt of the collections for a given month. The rights-of-way use fee assessed on consumers of both cable video services and voice services from a single provider will be remitted in accordance with subsection I of § 56-468.1. The 911 fees will be remitted directly to the Wireless 911 Board for administration.

The redistribution of taxes and fees is intended to be revenue neutral to localities and the Wireless 911 Board and shall cover the current cost of the Virginia Relay Center.

The provisions of the act will be effective on January 1, 2007.
Patron - Nixon

HB569 Cigarette tax; penalty for failure to properly affix stamps. Increases from \$250 to \$500 the penalty for failure to affix tax stamps to 100 or more packs of cigarettes. If the number of unstamped packs exceeds 500, it shall be prima facie of intent to defraud. If a person sells, transports, receives or possesses 3,000 or more packages of unstamped cigarettes, the Tax Department may impose a penalty, not to exceed \$2,500 per pack.

Patron - Nixon

HB576 Sales and use tax; exemption for certain church property. Expands the current exemption for tangible personal property purchased by nonprofit churches to include that which is used in any form for recording and reproducing services.

Patron - Nixon

HB612 Cigarette tax; deduction of bad debts from taxes owed. Permits stamping agents to deduct the cost of the tax stamps on cigarettes they have sold but for which payment is uncollectible. This bill is identical to SB 418.

Patron - O'Bannon

HB772 Tax administration; judicial appeals of assessments. Precludes circuit courts from granting relief to taxpayers seeking correction of erroneous assessments in cases in which the erroneous assessment was attributable to the taxpayer's willful failure or refusal to provide necessary information as required by law.

Patron - Armstrong

HB779 Transient occupancy tax on certain rentals. Raises the maximum amount of transient occupancy tax that Nelson County may charge for the rental of condominiums, apartments, townhouses, or like buildings from 2 percent to 5 percent, and requires any additional revenue to be spent on tourism.

Patron - Abbitt

HB784 Lottery; penalty. Makes changes that will enhance the ability of the Lottery to continue as a strong revenue producer for the Commonwealth, such as allowing licensed agents to provide other surety besides a bond that is satisfactory to the Lottery Director; allows lottery ticket sales be in cash or by debit card; creating a Class 5 felony for making, printing, or otherwise producing a document purporting to be Lottery correspondence; and reduces certain other penalties from a Class 2 to a Class 3 felony.

Patron - Albio

HB786 Individual income taxes; credit for purchase of long-term care insurance. Provides a credit against individual income taxes for certain long-term care insurance premiums paid by the individual during the taxable year. The amount of the credit for each taxable year shall equal 15 percent of the amount paid during the taxable year by the individual in long-term care insurance premiums for long-term care insurance coverage for himself. The total credits over the life of any policy would not be allowed to exceed 15 percent of the amount of premiums paid for the first 12 months of coverage. The credit would be available beginning with the 2006 taxable year. Any unused credit may be carried over in the next five taxable years. The Tax Commissioner shall establish guidelines regarding the information that must be included by a taxpayer with his tax return for proof of payment of the premiums. The credit would replace the current income tax deduction for long-term care insurance. This bill is identical to SB 287.

Patron - Landes

HB862 Personal property tax; classification of certain aircraft. Creates a separate classification for personal property tax rate purposes for aircraft having a registered empty gross weight equal to or greater than 20,000 pounds that are not owned and operated by scheduled air carriers recognized under federal law. Localities are thereby authorized to set a tax rate for such aircraft at any rate that does not exceed that applicable to the general class of tangible personal property. This bill is identical to SB 521.

Patron - Byron

HB869 Local license taxes. Permits localities to select a due date for businesses to apply for annual local licenses between March 1 and May 1 and they must do so no later than the 2007 license year. Under current law the due date is March 1. This bill is identical to SB 522.

Patron - Byron

HB896 State and local sales and use tax and local taxes on meals; gratuities or service charges on meals. Excludes from the sales price of meals all gratuities or service charges for purposes of calculating the sales and use tax and the local tax on meals; however the mandatory service charges or gratuities in excess of 20 percent would still be subject to the sales and use tax and the local meals tax. This bill is identical to SB 85.

Patron - Gear

HB909 Enterprise zone job creation grant program; grant eligible position. Provides that personal service providers would not be eligible for enterprise zone grants.

Patron - Oder

HB916 Real estate tax assessments for open space property; golf courses. Clarifies that golf courses are included in the category of open-space land for purposes of special assessments for real estate tax purposes.

Patron - Oder

HB926 Economic Development for Virginians with Disabilities Grant Program. Creates a grant fund to be distributed to nonprofit organizations that sell donated goods and spend at least 75 percent of their revenues on program services, including employing or training people with disabilities or people with barriers to self-sufficiency. The term "people with barriers to self-sufficiency" is defined as people who have limited or no work experience, a low level of education or training, physical or mental disabilities, or lack of workplace skills.

The grant funds are to assist with capital costs associated with construction of retail stores and other employment facilities. The program shall be administered by the Secretary of Health and Human Resources. The bill is contingent on funding in the appropriation act.

Patron - Landes

HB963 Income tax; agricultural best management practices tax credit. Adds taxpayers who have equines that create needs for agricultural best management practices to those who are engaged in agricultural production for market who may qualify for the agricultural best management practices tax credit, for taxable years beginning on or after January 1, 2007.

Patron - Bulova

HB976 Motor vehicle sales and use tax; exemptions. Includes registration certificates issued by the United States Armed Forces as valid documents that can be used by military personnel who have owned a vehicle for more than 12 months to obtain an exemption from the motor vehicle sales and use tax.

Patron - Suit

HB980 Escrow payments on sale of certain tobacco products. Requires the Attorney General to provide nonparticipating tobacco product manufacturers with information regarding the sale of their cigarettes in the Commonwealth in order to facilitate full and accurate escrow payments by such manufacturers. It also requires quarterly escrow payments, rather than annual, by nonparticipating tobacco product manufacturers that (i) are new to the market, (ii) default on any Master Settlement Agreement provisions, or (iii) as determined by the Attorney General, pose a risk of not making their escrow payments in the future.

Patron - Hogan

HB1043 Coal tax credits. Provides that the \$3-per-ton coal employment and production incentive tax credit may be allocated amongst coal producers and electricity generators. The allocation would be pursuant to a contract between such parties. Any amount allocated to a coal producer could be used as credit against the corporate income tax or any other tax imposed by the Commonwealth. Credits on or after January 1, 2006, and prior to July 1, 2011, that exceed the taxpayer's tax liability could be redeemed by the Tax Commissioner. Finally, the carryover period is extended from five to 10 years. This bill is identical to SB 365.

Patron - Kilgore

HB1129 State Lottery Department. Prohibits the sale of lottery tickets over the Internet. The bill provides that nothing shall be construed to prohibit (i) the use of the Internet to relay information or data relating to sales made to purchasers by licensed sales agents, their employees, or employees of the Department or (ii) the sale by the Department of prepaid subscriptions for the purchase of lottery tickets or shares for subsequent prize drawings.

Patron - Cline

HB1148 Sales tax on motor fuels. Sets the effective date for sales tax on fuels in certain transportation districts.

Patron - Orrock

HB1173 Real property assessments; affordable housing. Provides that (i) certain federal, state or local restrictions, as well as special expenses be considered in determining the fair market value and the capitalization rate for certain real property designated as affordable housing, and (ii) federal and state income tax credits with respect to real property shall not

be considered real property or income attributable to real property.

Patron - Rapp

HB1217 Department of Taxation; electronic receipts of certain transactions. Requires the Department of Taxation to accept, in lieu of a printed paper copy of recordation receipts from clerks of Court, a monthly electronic transfer of the recordation receipt copy on magnetic tape or other media acceptable to the Department. This is a recommendation of the Committee on District Courts.

Patron - Moran

HB1231 Real estate taxes; computation of deferral. Repeals the requirement that the deferral amount be calculated using a base-line amount equivalent to the real estate tax in the first full tax year of ownership by the taxpayer after the adoption of the deferral program by the locality, multiplied by 105 percent, or such higher percentage adopted by the locality in each tax year until the current tax year.

Patron - Welch

HB1235 Sales and use tax revenue in certain public facilities in the City of Norfolk; dedication of revenue. Adds the City of Norfolk to the list of cities permitted to retain the sales and use tax revenue generated in certain public facilities for which Norfolk issues bonds. The retention of the tax revenue expires when the bonds are retired. The bill also provides that public facilities shall not include residential condominiums, townhomes, or residential units.

Patron - Melvin

HB1277 Tobacco Products Manufacturers. Requires certain tobacco sales reports and documents to be filed directly with the Attorney General. Currently, the Commissioner of Agriculture and the Attorney General receive the reports.

Patron - Ware, R.L.

HB1283 Local taxes; cap on penalty. Provides that the penalty for failing to pay a local tax or assessment shall in no case exceed the amount of the tax assessed.

Patron - Johnson

HB1290 Machinery and tools tax; method of valuation. Requires commissioners of the revenue, in valuing machinery and tools to consider any bona fide, independent appraisal presented by the taxpayer. The bill would also provide that idle machinery and tools used in certain businesses be taxable as capital and subject to the State intangible personal property tax (the Commonwealth currently exempts intangible personal property from tax). Finally, the bill would require the Tax Commissioner to examine and report on certain related issues.

Patron - Saxman

HB1323 Transient occupancy tax; Montgomery County. Adds Montgomery County to the list of counties permitted to impose a transient occupancy tax of up to 5 percent, with any amount generated over 2 percent to be spent for tourism purposes.

Patron - Nutter

HB1366 Tax administration; "jeopardized by delay" definition. Makes a technical change to the definition of "jeopardized by delay" in the BPOL tax and local business tax provisions so it conforms to the state income tax definition.

Patron - Hull

HB1370 Sales and use tax; Tax Commissioner's exemption reports. Clarifies the process by which the Tax Commissioner creates and submits sales and use tax exemption reports to the chairmen of the House and Senate Finance Committees.

Patron - Hull

HB1421 Real property tax; nonjudicial sale of tax delinquent properties. Clarifies, with regard to nonjudicial sales of tax delinquent properties, (i) the status of other liens against such properties, which are unaffected by the sale; (ii) the means (Treasurer's Deed) by which title is transferred; and (iii) the treatment of excesses and shortfalls in the proceeds of the sale.

Patron - Ingram

HB1505 Virginia Coalfield Economic Development Authority Tax. Allows localities to use a portion of the revenues for improving water and sewer systems.

Patron - Phillips

HB1535 Income tax; subtraction for certain death benefit payments. Allows a beneficiary taxpayer to subtract the death benefit payments received from an annuity contract, when calculating Virginia taxable income, that are subject to federal income taxation, for taxable years beginning on or after January 1, 2007.

Patron - Welch

HB1539 Sales and use tax; exemption for gas and oil. Extends the sunset date from July 1, 2006, to July 1, 2011, for the sales and use tax exemption for equipment and materials used in drilling and refining natural gas and oil.

Patron - Parrish

SB42 Department of Taxation; earned income tax credit information. Requires the Department of Taxation to obtain information from each income tax taxpayer on whether he claimed a federal earned income tax credit and the amount claimed and permits the Department of Taxation to provide this and other information to the Department of Social Services regarding clients of the Department of Social Services, and permits the Department of Social Services to provide related information to the Department of Taxation. This bill is identical to HB 407.

Patron - Puller

SB69 Conformity of taxation with Internal Revenue Code; emergency. Provides that any reference to federal income tax laws in Chapter 3 (§ 58.1-300 et seq.) of Title 58.1 refers to the federal law as it exists on December 31, 2005. Current law specifies that such references refer to federal law as it existed on January 7, 2005. This bill contains an emergency clause. This bill incorporates SB 155 and is identical to HB 531.

Patron - Chichester

SB70 Income taxes; payments to producers of quota tobacco and tobacco quota holders. Provides a subtraction from income, for taxable years beginning on or after January 1, 2006, in computing individual and corporate income taxes for payments to producers of quota tobacco and tobacco quota holders pursuant to the American Jobs Creation Act of 2004.

Patron - Ruff

SB73 Sales and use tax exemption; certain medicines and drugs. Exempts from sales and use tax medicines and drugs (i) used by veterinarians in treating agricultural production animals; (ii) sold to farmers for direct use in producing

an agricultural product for market; or (iii) used by a veterinarian for agricultural production animals and dispensed or sold on prescription by the veterinarian. This bill is identical to HB 69.

Patron - Houck

SB85 State and local sales and use tax and local taxes on meals; gratuities or service charges on meals. Excludes from the sales price of meals all gratuities or service charges for purposes of calculating the sales and use tax and the local tax on meals; however the mandatory service charges and gratuities in excess of 20 percent would still be subject to the sales and use tax and local meals tax. This bill is identical to HB 896.

Patron - Watkins

SB86 Local transient occupancy tax; cities and towns. Provides that the transient occupancy tax shall be imposed only for the occupancy of any room or space suitable or intended for occupancy by transients for dwelling, lodging, or sleeping purposes. In 2005 the General Assembly passed a substantially similar restriction for county transient occupancy taxes.

Patron - Watkins

SB110 Sales tax exemptions; medicines and drugs. Provides that medicines and drugs purchased by nursing homes, clinics, and similar entities are exempt from sales tax. Currently, only medicines purchased by hospitals and nonprofit nursing homes are exempt from the tax.

Patron - Stosch

SB139 Virginia Military Family Relief Fund; contribution of tax refund; report. Establishes the Virginia Military Family Relief Fund, a special nonreverting fund to assist Virginia members of the armed services who have been called to active duty and to assist their families with living expenses. The Fund will be used by the Adjutant General to provide monetary grants to National Guard members and reservists who are called to either state or federal active duty to assist with living expenses. The bill also provides an income tax refund checkoff to individuals who want to contribute all or part of their income tax refund or additional contribution to the Military Family Relief Fund. This bill incorporates SB 385.

Patron - O'Brien

SB186 Use value assessment and taxation; rollback taxes. Provides that, at the option of the locality, rollback taxes under local use value assessment ordinances shall not apply to a subdivision, separation, or split-off of property which results in parcels that do not meet minimum acreage requirements, provided that title to the subdivided parcels is held in the name of an immediate family member for at least the first 60 months following the subdivision.

Patron - Martin

SB260 Classification and taxation of property. Provides that in valuing machinery and tools for taxation, the commissioner of the revenue shall, if requested in writing, consider an independent appraisal submitted by the taxpayer. The bill also provides that, for taxable years beginning on or after January 1, 2007, certain certified pollution control equipment and facilities are exempt from state and local taxation, pursuant to Section 6 of Article X of the Constitution of Virginia. Finally, the bill requires that the Tax Commissioner convene a working group to consider several issues relating to the assessment and valuation for appraisals relating to machinery and tools, and to report by November 1, 2006. Further, the bill clarifies that idle

machinery and tools are intangible capital segregated for state, not local, taxation.

Patron - Wagner

SB287 Individual income taxes; credit for purchase of long-term care insurance. Provides a credit against individual income taxes for certain long-term care insurance premiums paid by the individual during the taxable year. The amount of the credit for each taxable year shall equal 15 percent of the amount paid during the taxable year by the individual in long-term care insurance premiums for long-term care insurance coverage for himself. The total credits over the life of any policy would not be allowed to exceed 15 percent of the amount of premiums paid for the first 12 months of coverage. The credit would be available beginning with the 2006 taxable year. Any unused credit may be carried over in the next five taxable years. The Tax Commissioner shall establish guidelines regarding the information that must be included by a taxpayer with his tax return for proof of payment of the premiums. The credit would replace the current income tax deduction for long-term care insurance. This bill is identical to HB 786.

Patron - Blevins

SB302 Local taxes; use of collection agents. Prohibits localities from referring delinquent accounts for collection to an attorney, the sheriff, or other delinquent tax collector unless the treasurer has sent written notification of the delinquency to the taxpayer's address as contained in local tax records, or, if the treasurer has reason to believe such address is not current, to such other address that the treasurer may obtain.

Patron - Williams

SB358 Real property tax exemption in redevelopment or conservation areas or rehabilitation districts. Authorizes local governing bodies to provide for the partial exemption from taxation of (i) new structures located in redevelopment or conservation areas or rehabilitation districts and (ii) other improvements to real estate located in redevelopment or conservation areas or rehabilitation districts. The partial exemption would be a percentage of the increase in assessed value as a result of the new structure or improvement or an amount not to exceed 50 percent of the construction cost of such structure or improvement. The local governing body would be allowed to establish criteria for qualifying real estate including, but not limited to, the square footage for new structures. The bill is contingent on a constitutional amendment authorizing the exemption.

Patron - Edwards

SB365 Coal tax credits. Provides that the \$3-per-ton coal employment and production incentive tax credit may be allocated among coal producers and electricity generators. The allocation would be pursuant to a contract between such parties. Any amount allocated to a coal producer could be used as credit against the corporate income tax or any other tax imposed by the Commonwealth. Credits earned on or after January 1, 2006, and prior to January 1, 2011, that exceed the taxpayer's tax liability could be redeemed by the Tax Commissioner. Finally, the carryover period is extended from 5 to 10 years. This bill is identical to HB 1043.

Patron - Wampler

SB404 Property taxes; generating equipment of electric suppliers. Provides that generating equipment of electric suppliers utilizing wind turbines may be taxed at a rate or rates that exceeds the real estate rate, but does not exceed the personal property rate. The bill has an effective date of January 1, 2007.

Patron - Hanger

SB417 Taxation of certified pollution control equipment and facilities; development of five-year plan. The Virginia Economic Development Partnership Authority, with other agencies, is required to prepare and execute a specific five-year plan to assist local governments that are dependent upon manufacturing facilities to diversify their economies. The bill also provides that certain certified pollution control equipment and facilities are exempt from state and local taxation, pursuant to Section 6 of Article X of the Constitution of Virginia.

Patron - Hanger

SB418 Cigarette tax; deduction of bad debts from taxes owed. Permits stamping agents to deduct from cigarette taxes owed the cost of the tax stamps on cigarettes they have sold but for which payment is uncollectible. This bill is identical to HB 612.

Patron - Hanger

SB463 Montgomery County; transient occupancy tax. Authorizes Montgomery County to impose a transient occupancy tax up to a rate of 5 percent. All revenues collected from that portion of the tax above 2 percent would be required to be spent on promoting tourism.

Patron - Edwards

SB468 Transient occupancy tax; Historic Triangle area. Eliminates the January 1, 2008, sunset date for the additional transient occupancy tax in the Counties of James City and York and makes other technical changes.

Patron - Norment

SB475 Sales and use tax; semiconductor production exemption. Provides a sales and use tax exemption for tangible personal property used in semiconductor manufacturing as well as other semiconductor equipment. This bill is identical to HB 530.

Patron - Colgan

SB506 Coal and Gas Road Improvement Fund. Allows localities that comprise the Virginia Coalfield Economic Development Authority to use revenue from their Coal and Gas Road Improvement Fund to repair or enhance existing water and sewer systems and lines to meet the needs of the public.

Patron - Puckett

SB521 Tangible personal property; classifications. Establishes a separate class of tangible personal property for aircraft having a registered empty gross weight equal to or greater than 20,000 pounds that are not owned or operated by scheduled air carriers recognized under federal law. This bill is identical to HB 862.

Patron - Newman

SB522 Local license tax. Authorizes localities to establish a license application date between March 1 and May 1 and they must do so no later than the 2007 license year. Under current law, the license application date is March 1. This bill is identical to HB 869.

Patron - Newman

SB571 Sales and use tax exemption; school-related items. Provides a sales and use tax exemption, beginning in 2006, for certain school-related items purchased during a specific three-day period during August each year. The exempt items are (i) school supplies, where the selling price of each item is \$20 or less, and (ii) footwear and clothing where the selling price of each item is \$100 or less. The bill also autho-

rizes dealers to absorb the sales and use tax on all other items sold during the same time period and thereby relieve the purchaser of the obligation to pay such tax. Dealers who absorb such taxes are liable for payment of the same to the Tax Commissioner. This bill is identical to HB 532.

Patron - McDougale

[P]SB583 Tax administration; amended return filing after change in another state. Allows taxpayers one year from the final determination of a change made by any other state to file an amended return in the Commonwealth; requires taxpayers to file amended returns to report a reduction in credit for taxes paid to another state due to changes made by the other state; and reconciles inconsistent statutory periods for filing amended returns resulting from federal changes.

Patron - Stosch

[P]SB597 Local license tax; retailers of certain fuels. Provides that when the Department of Mines, Minerals and Energy (DMME) determines that the weekly U.S. Retail gasoline price has increased by 20 percent or more in one week, and does not fall below that rate for 28 days, then the gross receipts taxes on fuel sales of a gas retailer made in the following licensing year shall not exceed 110 percent of the gross receipt taxes on fuel sales made in the license year of the increase. DMME must report its findings no later than January 30 each year to VML, VACO and the Virginia Petroleum, Convenience and Grocery Association.

Patron - Watkins

[P]SB601 Sales and use tax exemption; semiconductor wafers. Exempts from sales and use tax semiconductor wafers for use or consumption by a semiconductor manufacturer.

Patron - Stosch

[P]SB655 Entitlement to certain sales tax revenues. Entitles the City of Norfolk 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 35 years, and all such sales tax revenues shall be applied to repayment of the bonds. The bill also clarifies that a public facility does not include any residential condominiums, town homes, or residential units.

Patron - Rerras

[P]SB690 Job creation tax credits. Adds to the type of jobs for which the job creation tax credit can be taken, the manufacturing of components that produce, store, and dispense hydrogen as a vehicle fuel. The sunset clause applicable to this section is extended from December 31, 2006, to December 31, 2011.

Patron - Rerras

[P]SB714 Retail sales and use tax; commercial and industrial exemptions. Makes permanent certain retail sales and use tax exemptions related to the refining and processing of oil and natural gas and extend the sunset for exemption related to extraction and processing of natural gas and oil from July 1, 2006, to July 1, 2011.

Patron - Norment

[P]SB729 Tobacco taxes; roll-your-own tobacco. Makes roll-your-own tobacco subject to the cigarette excise tax instead of the tobacco products tax. The cigarette tax on roll-your-own tobacco, however, would be imposed at the same rate and in the same manner as the tobacco products tax. Distributors of roll-your-own tobacco would be considered cigarette stamping agents and would be required to prepare an invoice describing the manufacturer, brand, and quantity in

ounces of roll-your-own tobacco included in each shipment to dealers located within the Commonwealth. A copy of the invoice would be attached to the shipment and would be deemed to be the cigarette revenue stamp. Accordingly, Non-participating Manufacturers (NPMs) would be required to include sales of roll-your-own tobacco when determining their required annual escrow deposit. The bill is effective January 1, 2007.

Patron - Hawkins

[P]SB731 Real estate reassessment; notice. Requires localities to add onto the notice to taxpayers of real estate reassessments the amount of the immediately prior assessment amount, and if the tax rate that will apply to the new assessed value has been established, then the notice shall include such rate, the total amount of the new tax levy, and the percentage change in the new tax levy from the immediately prior one. If the tax rate that will apply to the new assessed value has not been established, then the notice shall include the time and place of the next meeting of the local governing body at which public testimony will be accepted on any real estate tax rate changes. Finally, if such meeting is more than 60 days from the date of the reassessment notice, the notice will include information about when the date of the meeting will be set and where it will be publicized.

Patron - Herring

Failed

[F]HB12 Sales and use tax exemption; school supplies, clothing, and footwear. Provides a sales and use tax exemption for certain school supplies, clothing, and footwear purchased during a four-day period each year beginning on the first Thursday in August, beginning in 2006. The exempt items are the following: each article of school supplies with a selling price of \$20 or less and each article of clothing or footwear with a selling price of \$100 or less. The bill also authorizes dealers to absorb the sales and use tax on all other items sold during the same time period and thereby relieve the purchasers of the obligation to pay such tax. Dealers who absorb such taxes are liable for payment of the same to the Tax Commissioner. This bill was incorporated into HB 532.

Patron - Jones, S.C.

[F]HB40 Estate tax. Confirms the amount of Virginia estate tax due from an estate to the maximum amount of the federal estate tax credit for state estate taxes, as permitted under federal estate tax law, as such law shall be amended from time to time. Under current law the amount of Virginia estate tax cannot be less than the federal credit under federal law as such law existed on January 1, 1978. The bill incorporates HBs 516 and 519.

Patron - Tata

[F]HB85 Sales and use tax revenue dedicated to the Transportation Trust Fund. Increases the amount of sales and use tax revenue dedicated to the Transportation Trust Fund from an amount generated by a one-half percent sales and use tax, to an amount generated by a 1 percent sales and use tax.

Patron - Cole

[F]HB86 Individual income tax; personal exemption amount. Increases the personal exemption amount for an individual from \$900 to \$1,000 for taxable years beginning on or after January 1, 2006.

Patron - Cole

[F]HB87 Real estate tax exemptions for the elderly and handicapped. Adds Stafford County, Fauquier County, and

Clarke County to the list of localities in the Northern Virginia area that may use higher income levels and total net worth amounts in determining eligibility for real estate tax exemptions for the elderly and handicapped. This bill was incorporated into HB 121.

Patron - Cole

[F]HB96 Coalfield employment enhancement tax credit. Extends the sunset date for the credit from January 1, 2008, to January 1, 2015.

Patron - Kilgore

[F]HB112 Motor vehicle sales and use tax; basis of tax. Allows the DMV Commissioner to collect the motor vehicle sales and use tax on the basis of the final sale price less any rebates given by the manufacturer or dealer, in the case of the sale or use of a new motor vehicle.

Patron - Albo

[F]HB118 Sales and use tax revenue dedicated to the Transportation Trust Fund. Increases the amount of sales and use tax revenue dedicated to the Transportation Trust Fund from an amount generated by a 0.50 percent sales and use tax, to an amount generated by a 0.75 percent sales and use tax.

Patron - Marshall, R.G.

[F]HB130 Sales tax exemption; energy efficient products. Provides a sales tax exemption for purchases made during the period October 5, 2006, through October 8, 2006, of certain energy-efficient products.

Patron - Cosgrove

[F]HB131 Sales and use tax exemption; school supplies, clothing and footwear, and computers. Provides a sales and use tax exemption, beginning in 2006, for certain school supplies, clothing and footwear, and computers purchased during a 10-day period each year beginning on the first Friday in August. The bill also authorizes dealers to absorb the sales and use tax on all other items sold during the same time period and thereby relieve the purchasers of the obligation to pay such tax. Dealers who absorb such taxes are liable for payment of the same to the Tax Commissioner. This bill was incorporated into HB 532.

Patron - Cosgrove

[F]HB140 Personal Property Tax Relief. Reinstates the Personal Property Tax Relief Act of 1998 at 100 percent reimbursement for qualifying vehicles effective January 1, 2007.

Patron - Cole

[F]HB145 Motor vehicle fuels sales tax. Makes the imposition of the 2 percent motor vehicle fuels sales tax optional for the localities in certain transportation districts. Under current law, the tax is imposed automatically in those districts.

Patron - Cole

[F]HB161 Income tax; subtraction of federal, state, or local government employee retirement payments. Reduces taxable income by the amount of any federal, state, or local government employee retirement payments received.

Patron - Lingamfelter

[F]HB169 Real estate tax; limitation on tax rate. Provides that localities must set real estate tax rates so that the total real estate tax revenue will not increase by more than 3 percent over the previous year's total real property tax levies with one exception. The exception would allow a locality to set its property tax rate at a rate not to exceed the rate of population growth plus the rate of inflation in the locality for the

immediately preceding year, but in no event shall the rate be set at any amount that would produce more than 6 percent growth.

Patron - Lingamfelter

[F]HB174 Transient occupancy tax; exemption. Exempts from local transient occupancy taxes rooms or spaces rented by any nonstock Virginia corporation whose primary activity is the operation of a lodging facility.

Patron - Lingamfelter

[F]HB199 Sales and use tax and motor vehicle sales and use tax; definition of sale price. Reduces the sale price (i) for determining general sales and use tax by any cash rebates and (ii) for determining motor vehicle sales and use tax by any cash discount allowed and taken; any finance charges, carrying charges, service charges or interest from credit extended on sales of tangible personal property under conditional sale contracts or other conditional contracts providing for deferred payments of the purchase price; any separately stated local property taxes collected; or any cash rebates. Where used articles are taken in trade, or in a series of trades as a credit or part payment on the sale of new or used articles, the tax levied by this chapter shall be paid on the net difference between the sales price of the new or used articles and the credit for the used articles. The reductions in sale price for the motor vehicle sales and use tax (other than cash rebates) are the same reductions allowed for general sales and use tax under current law.

Patron - Marshall, R.G.

[F]HB202 Real property tax exemption; elderly and disabled. For localities in Northern Virginia, increases from \$340,000 to \$400,000 the maximum financial worth cap a locality may use in providing real estate tax exemptions to the elderly or disabled.

Patron - Marshall, R.G.

[F]HB219 Income tax; employer-provided commuting benefits tax credit. Grants an income tax credit for taxable years beginning on or after January 1, 2007, to employers who pay employees' eligible commuting expenses, which include multiple-passenger vehicle and mass transit transportation costs, parking fees, and showers and bike rack installation costs. The credit equals 40 percent of such costs, not to exceed \$240 per employee each year. Unused credits may be carried over for five years.

Patron - Jones, D.C.

[F]HB242 Admissions tax; Scott County. Authorizes Scott County to impose a tax on admissions to any off-track horse race wagering facility in the amount of \$0.25 for each patron admitted.

Patron - Kilgore

[F]HB245 Income tax; age deduction. Provides that those taxpayers born after January 1, 1939, and no later than January 1, 1942, who are subject to the means test at age 65 with regard to the \$12,000 deduction are allowed a deduction of no less than \$6,000.

Patron - Shannon

[F]HB248 Sales and use tax; exemption for certain contractors. Exempts from paying the sales and use tax any person who contracts on or after July 1, 2006, to perform services for and provide tangible personal property for consumption or use by the Commonwealth, any political subdivision of the Commonwealth, or the United States, if the Commonwealth, political subdivision, or the United States certifies that

title to such tangible personal property will pass to such governmental entity.

Patron - Shannon

HB249 Individual income tax; senior citizen tax relief. Provides for indexing the \$12,000 and \$6,000 age deduction amounts based on the Consumer Price Index for All Urban Consumers, for taxable years beginning on or after January 1, 2007.

Patron - Shannon

HB270 Income tax; toll payment tax credit. Provides a tax credit against income tax for taxpayers making electronic toll collection payments, such as Smart Tag, in an amount equal to 10 percent of the total amount paid annually for tolls on Virginia highways, for taxable years beginning on and after January 1, 2007.

Patron - Poisson

HB277 Real property tax exemption; elderly and disabled. For localities in Northern Virginia, increases from \$340,000 to \$540,000 the maximum financial worth cap a locality may impose in providing real estate tax exemptions to the elderly or disabled. This bill was incorporated into HB 121.

Patron - Caputo

HB315 Real estate tax; limitation on tax rate. Provides that the total tax revenue in a locality may not exceed 105 percent of the total tax revenue in the locality in the immediately prior year unless approved by at least a two-thirds majority vote of the local governing body.

Patron - Albo

HB319 Personal property tax; valuation of automobiles. Requires that automobiles be valued for personal property tax purposes according to the National Automobile Dealers Association Used Car Pricing Guide or the Kelley Blue Book, whichever reports a lower value.

Patron - Albo

HB328 Sales and use tax exemption; funeral expenses. Provides a sales and use tax exemption for the first \$2500 in funeral expenses that are otherwise taxable.

Patron - Morgan

HB390 Sales and use tax exemption; Energy Star certified products. Exempts certain energy-efficient products from sales and use tax. This bill was incorporated into HB 130.

Patron - Englin

HB394 Income tax; tax credit for low-income renters. Provides an income tax credit for taxable years beginning on or after January 1, 2007, for certain low-income individuals and persons filing joint returns in an amount equal to 25 percent of their annual housing rental expenses up to an amount equal to 6 percent of the federal poverty guidelines.

Patron - Englin

HB395 Cigarette tax. Increases the cigarette tax rate from \$0.30 per pack to \$0.80 per pack.

Patron - Englin

HB410 Recordation tax; distribution for transportation. Provides for the distribution of excess recordation tax revenues to the Commonwealth Transportation Board for use throughout the Commonwealth for (i) projects that will reduce poor air quality, (ii) projects that will reduce traffic congestion, and (iii) projects that will aid the safety of motorists or pedestrians.

Patron - Marshall, R.G.

HB422 Individual income tax; personal exemption amount. Increases the personal exemption amount for an individual from \$900 to \$1,000 for taxable years beginning on or after January 1, 2007.

Patron - Nutter

HB423 Sales and use tax; distribution to certain localities. Distributes certain sales and use tax revenues to localities that have experienced a reduction in machinery and tools tax revenues of at least 50 percent during the two most recently ended fiscal years, excluding any reduction due to a decrease in the tax rate. The annual amount to be distributed shall be the lesser of one-half of the annual amount distributed to the county, city, or town pursuant to § 58.1-605, or one-half of the two-year reduction in the machinery and tools tax revenues for the locality. Such annual payments shall continue until the fiscal year immediately following two successive fiscal years in which the county's, city's, or town's total machinery and tools tax revenues for those two fiscal years equal or exceed 80 percent of the amount of such revenues collected in the two-year period immediately preceding the two fiscal years in which there was at least a 50 percent reduction in such revenues.

Patron - Nutter

HB428 Tax administration; filing of tax returns by military personnel in combat zones. Prohibits the Tax Commissioner from imposing interest or penalties and from performing collection actions with regard to tax returns of military personnel serving in combat zones, for taxable years beginning on or after January 1, 2006.

Patron - Nutter

HB442 Coalfield employment enhancement tax credit. Eliminates the restriction for tax credit being claimed under both the coalfield employment enhancement tax credit and the coal employment and production incentive tax credit for the same ton of coal.

Patron - Kilgore

HB449 Income tax; land preservation tax credits. Expands the land preservation tax credit by removing the \$100,000 annual credit limit that a taxpayer may take for qualified donations of conservation easements and putting a \$2.5 million or 50 percent of the fair market value, whichever is less, cap on each donated easement. However, the credit may exceed \$2.5 million, up to 50 percent of the fair market value of the donated interest if (i) the taxpayer has submitted two qualified appraisals from two different qualified appraisers, and (ii) the Secretary of Natural Resources, who has the sole discretion, has determined that the qualified donation provides exceptional benefit to the Commonwealth by meeting standards adopted by the Virginia Land Conservation Foundation. It also requires the filing of a statement for less-than-fee interest donations that describes how such interest meets the requirements of IRC § 170(h). It also adds, as qualified donations, easements on historic buildings or a complex of historic buildings or a portion of such buildings if the building is listed on the Virginia Landmarks Register, provided there are restrictions on the exterior surfaces of the building or complex of buildings. A fee of 1 percent of the value of the donated interest, or \$5,000, whichever is less, is imposed on any taxpayer who transfers unused tax credits.

Patron - Ware, R.L.

HB450 Income tax; land preservation tax credits. Removes the \$100,000 annual credit limit that a taxpayer may take for qualified donations of conservation easements and requires the filing of a statement for less-than-fee interest

donations that describes how such interest meets the requirements of IRC § 170(h). It also adds as qualified donations easements on historic buildings or a complex of historic buildings or a portion of such buildings if the building is listed on the Virginia Landmarks Register, provided there are restrictions on the exterior surfaces of the building or complex of buildings. A fee of 1 percent of the value of the donated interest, or \$5,000, whichever is less, is imposed on any taxpayer who transfers unused tax credits. It also allows the tax credits to pass at the death of the taxpayer to his estate and allows the estate to transfer unused tax credits.

Patron - Ware, R.L.

HB477 Motor vehicle registration and driver's license application contents. Adds language to motor vehicle registration forms and driver's license application forms that allows such registrants and applicants to contribute \$1 for Prevent Blindness Virginia, a nonprofit organization that provides driver education, vision screening and vision screening training.

Patron - Ware, R.L.

HB479 Income tax; tax credit for health insurance premiums paid by small business employers. Provides a tax credit for taxable years beginning on or after January 1, 2007, to employers who pay at least one-half of the annual health insurance premium per employee. The amount of the credit is the lesser of \$500 or the amount paid per employee. The total amount of credits available to each employer annually is limited to \$25,000. The credits are available to employers with 50 or fewer full-time employees.

Patron - Frederick

HB483 Income tax; age deduction. Reinstates the \$6,000 and \$12,000 deduction for taxpayers aged 62 through 64, and 65 and older, respectively, for taxable years beginning on and after January 1, 2006. However, individuals with taxable income exceeding \$150,000 and married couples with taxable income exceeding \$250,000 are not eligible for the deduction.

Patron - Frederick

HB484 Sales and use tax exemption; school supplies, clothing and footwear, and computers. Provides a sales and use tax exemption for certain school supplies, clothing and footwear, and computers purchased during a seven-day period each year beginning on the Tuesday prior to the first Monday in September, beginning in 2006. The exempt items are: each article of school supplies with a selling price of \$20 or less, each article of clothing or footwear with a selling price of \$100 or less, and each article of computers or related peripheral equipment with a selling price of \$1,500 or less. The bill also authorizes dealers to absorb the sales and use tax on all other items sold during the same time period and thereby relieve the purchasers of the obligation to pay such tax. Dealers who absorb such taxes are liable for payment of the same to the Tax Commissioner. This bill was incorporated into HB 532.

Patron - Frederick

HB486 Income tax; teleworking tax credit. Grants a tax credit to certain qualified employers for eligible costs incurred to provide an employee with the ability to telework, for taxable years beginning on or after January 1, 2007. The credit equals 75 percent of the cost of the initial set-up to enable teleworking for an employee who works five or more days weekly. The credit per employee is limited to \$1,000 annually.

Patron - Frederick

HB488 Insurance premiums license tax; disposition of motor vehicle insurance license tax. Requires the revenues generated by the license tax on motor vehicle insurance companies to be credited to the Transportation Trust Fund when deposited in the state treasury.

Patron - Frederick

HB489 Commonwealth Transportation Investment Fund. Creates the Commonwealth Transportation Investment Fund and dedicates to it one-third of all insurance license tax revenues, to be used for transportation projects throughout the Commonwealth. The Commonwealth Transportation Board is authorized to issue revenue bonds provided that the total face amount of bonds issued in any fiscal year shall not exceed two-thirds of the amount of insurance license tax revenues estimated to be dedicated in that year. The proceeds of the bonds shall be allocated among various transportation modes according to the formula under current law. All other revenues in the Fund not needed to pay debt service on the bonds, are allocated for transportation construction projects among the several highway systems of the Commonwealth according to the formula under current law. The particular transportation projects to be funded shall be determined by the Commonwealth Transportation Board. The bill also increases from \$800 million to \$1.2 billion the amount of Commonwealth of Virginia Federal Highway Reimbursement Anticipation Notes that were authorized in 2000 and dedicated to transportation projects, and makes other changes to transportation projects that were authorized in 2000.

Patron - Frederick

HB509 Sales and use tax exemption; clothing, school supplies, computers, and sport or recreational equipment. Provides a sales and use tax exemption for purchases made during a three-day period each year beginning the first Friday in August of the following items: (i) clothing with a sales price of \$100 or less per item; (ii) school supplies with a sales price of \$100 or less per item; (iii) computers with a sales price of \$3,500 or less per item; and (iv) sport or recreational equipment with a sales price of \$50 or less per item. The exemption does not apply to sales of items for use in a trade or business. The bill also authorizes dealers to absorb the sales and use tax on all other items sold during the same time period and thereby relieve the purchasers of the obligation to pay such tax. Dealers who absorb such taxes are liable for payment of the same to the Tax Commissioner. This bill was incorporated into HB 532.

Patron - Armstrong

HB516 Estate tax. Gradually phases out the Virginia estate tax by 25 percent per year over a four-year period. This bill was incorporated into HB 40.

Patron - Armstrong

HB519 Estate tax. Exempts from the estate tax (i) all estates where the majority of assets are an interest in a closely held business, including working farms, and (ii) all estates where the gross estate is worth \$10 million or less. This bill was incorporated into HB 40.

Patron - Armstrong

HB528 Sales and use tax holiday for clothing and computers. Establishes a sales and use tax exemption during the period from August 23 through August 27, 2006, and each such time period thereafter, for "clothing and footwear" costing less than \$200 per article; "computer systems" costing less than \$1,250; and "computers," "computer hardware," and "computer software" costing less than \$500. The bill also requires the Department of Taxation to promulgate regulations that

implement the temporary exemption program by August 1, 2006. This bill was incorporated into HB 532.

Patron - Rust

HB533 Income tax; land preservation tax credit. Requires that the value of the donated interest in land (i) be calculated using an amount that does not exceed the assessed value of the property for purposes of local property tax, and (ii) not exceed such assessed value. If the most recent general reassessment of property in the locality occurred more than two years before the conveyance, the assessed value shall be adjusted by dividing the assessed value by the median ratio for the locality from the most recent Assessment/Sales Ratio Study published by the Department of Taxation. This bill was incorporated into HB 450.

Patron - Parrish

HB536 Sales and use tax; exemption for certain contractors. Exempts from paying the sales and use tax any person who contracts on or after July 1, 2006, to perform services for and provide tangible personal property for consumption or use by the Commonwealth, any political subdivision of the Commonwealth, or the United States, if the Commonwealth, political subdivision, or the United States certifies that title to such tangible personal property will pass to such governmental entity.

Patron - Parrish

HB540 Real property taxes; exemption for certain elderly or disabled persons. Increases, and makes uniform statewide, the maximum income and net worth amounts of elderly or disabled persons that localities may use in providing real estate tax exemptions for such persons (i) from \$50,000 to \$75,000 for annual income, and (ii) from \$200,000 to \$350,000 for net worth. The net worth cap is also increased by increasing from 10 to 20 the number of acres on which the person's home is located that can be excluded in calculating net worth. The bill states that an emergency exists and is effective upon passage. This bill was incorporated into HB 121.

Patron - McClellan

HB559 Taxation; extend statute of limitations for refunds. Extends the statute of limitations from 3 to 10 years for taxpayers to file amended returns in order to get a refund. The bill also deletes obsolete language.

Patron - Amundson

HB560 Real property tax exemption; elderly and disabled. For localities in Northern Virginia, increases from \$340,000 to \$500,000 the maximum financial worth cap a locality may impose in providing real estate tax exemptions to the elderly or disabled. This bill was incorporated into HB 121.

Patron - Amundson

HB578 Local piggyback income tax and personal property tax. Allows localities to impose a local income tax at a rate of either 0.50 percent or 1 percent upon the Virginia taxable income of individuals, trusts, estates, and corporations provided the personal property tax rate does not exceed \$0.01 per \$100 of value on personally owned motor vehicles. The Tax Commissioner collects the tax and returns it to localities based on taxpayers' residences. A new classification for personal property tax purposes is created for motor vehicles used for nonbusiness purposes. The provisions of the act will take effect January 1, 2007.

Patron - Watts

HB579 Income tax; deduction for individuals of incarcerated family members. Provides a \$1,000 deduction to taxpayers who have a parent, spouse, or child who normally

resides in the same home but who is incarcerated in a Virginia correctional facility.

Patron - Watts

HB581 Motor fuel tax; rate increase. Increases the tax on gasoline, diesel fuel, and alternative fuel by \$0.085 per gallon, increases the motor carrier road tax by an equivalent of \$0.085 per gallon of fuel used in the Commonwealth, and increases the alternative use fee for certain motor carriers from \$100 to \$150 (the fee is an alternative to paying the motor carrier road tax). All motor fuels taxes will be indexed every two years beginning July 1, 2007, by an amount equal to the percentage change in the U.S. Department of Labor's Producer Price Index for Highway and Street Construction. The revenue generated is used for transportation purposes as required by existing law.

Patron - Watts

HB613 Income tax; energy efficiency tax credit. Grants an income tax deduction for taxable years beginning on or after January 1, 2006, to individuals who purchase energy efficient equipment for their homes. The amount of the deduction equals 50 percent of such equipment expenditures, but not more than \$5,000 total.

Patron - O'Bannon

HB659 Recordation tax; dedicated for transportation. Dedicates recordation tax revenues not already dedicated, to the Commonwealth Transportation Board for transportation projects in localities throughout the Commonwealth on a pro rata basis pursuant to the amount of the recordation tax collected in each locality.

Patron - Wardrup

HB660 Insurance license tax; dedication for transportation. Dedicates all insurance license tax revenues to be used for transportation projects throughout the Commonwealth.

Patron - Wardrup

HB661 Sales and use tax revenue dedicated to the Transportation Trust Fund. Increases the amount of sales and use tax revenue dedicated to the Transportation Trust Fund from an amount generated by a 0.50 percent sales and use tax, to an amount generated by a 0.75 percent sales and use tax.

Patron - Wardrup

HB678 Publications tax; Water Quality Improvement Fund. Creates a tax to be imposed on newspapers, magazines, newsletters, or other publications at the rate of \$0.01 on every such publication delivered and sold in the Commonwealth. The revenue generated shall be deposited into the Water Quality Improvement Fund.

Patron - Wardrup

HB708 Sales and use tax exemption; school-related items. Provides a sales and use tax exemption for certain school-related items purchased during a specific one-week period during the end of August each year, beginning in 2006. The exempt items are: school supplies, footwear, and clothing when the selling price of each item is \$100 or less. The bill also authorizes dealers to absorb the sales and use tax on all other items sold during the same time period and thereby relieve the purchaser of the obligation to pay such tax. Dealers who absorb such taxes are liable for payment of the same to the Tax Commissioner. This bill was incorporated into HB 532.

Patron - Ware, O.

HB753 Income tax; income tax credit for low-income taxpayers. Replaces the current income tax credit for

low-income taxpayers with a refundable credit equal to 10 percent of the federal earned income tax credit, effective for taxable years beginning on or after January 1, 2006.

Patron - McEachin

HB770 Income tax; distribution of revenues to localities. Requires the transfer of 1 percent of individual income tax revenues to localities in 2006, and the amount increases 1 percent each year until it reaches a maximum of 5 percent for 2010 and thereafter. The revenues are distributed to counties and cities as follows: (i) 50 percent based on the relative share of the total state income tax paid by taxpayers filing returns in each locality, (ii) 40 percent based on where wages are earned, and (iii) 10 percent divided equally among all counties and cities.

Patron - Sickles

HB797 Commissioners of the revenue; certain DMV duties. Requires local commissioners of the revenue to participate in the Department of Motor Vehicles Select program through which he would perform select DMV transactions including titling, registration, plate issuance, address changes, providing copies of DMV records, and Motor Voter registration.

Patron - Fralin

HB802 Income tax; toll payment tax credit. Provides a tax credit against income tax, for taxpayers owning and operating commercial vehicles, in an amount equal to 25 percent of the total amount paid for tolls on Virginia highways, for taxable years beginning on and after January 1, 2007.

Patron - Fralin

HB835 Income tax credit; veterinarian pro bono tax credit. Allows a nonrefundable credit to veterinarians of \$40 for each spaying, neutering or euthanasia procedure performed at no cost on animals from public pounds and 501 (c) (3) shelters.

Patron - Welch

HB850 Income tax; revenue surplus tax credit. Allows a tax credit of surplus revenues for individuals after contributions have been determined for the Revenue Stabilization Fund and the Water Quality Improvement Fund.

Patron - Cline

HB880 Individual income tax credit and sales and use tax exemption; certain energy efficient products. Provides, retroactive to January 1, 2005, (i) a sales and use tax exemption for the purchase of solar energy systems and other energy efficient products and (ii) an individual income tax credit equal to 60 percent of the expenses incurred for materials and labor of installing a solar energy system, not to exceed \$8,000. This bill was incorporated into HB 1153.

Patron - Gear

HB897 Real estate tax; limitation on tax rate. Provides that an annual assessment, biennial assessment or general reassessment of real property may not result in more than a five percent increase in the total real estate tax levies for a county, city or town, with one exception. The bill also provides that a county, city or town may not set its real property tax rate for any tax year at a rate that would produce more than 105 percent of the previous year's total real property tax levies for such county, city or town, with one exception. The exception would allow a locality to set its property tax rate at a rate not to exceed the rate of population growth plus the rate of inflation in the locality for the immediately preceding year. The average tax increase on individuals would not exceed five percent. However, some taxpayers could be above the average while

others could fall below the average. Under current law, (i) the annual growth rate in a locality's total real estate taxes from an annual assessment, biennial assessment or general reassessment is not capped, provided the locality holds a public hearing in regard to its real property tax rate; and (ii) there is no cap on real property tax rates.

Patron - Gear

HB973 Individual income tax; senior citizen tax relief. Provides for indexing the \$12,000 and \$6,000 age deduction amounts based on the Consumer Price Index for All Urban Consumers, for taxable years beginning on or after January 1, 2007.

Patron - Jones, S.C.

HB1003 Sales and use tax; increase in certain localities. Imposes an additional 0.25 percent sales and use tax in Arlington County, Fairfax County, the City of Alexandria, the City of Fairfax, and the City of Falls Church if approved by ordinance by the governing bodies of those localities whose population comprise at least 90 percent of the population in all of such localities. The bill is effective the first day of the month following 60 days from the date of such approval. The revenue is to be used solely for each locality's financial obligations to the Washington Metropolitan Area Transit Authority.

Patron - Ebbin

HB1072 Local food and beverage tax; Floyd County. Adds Floyd County to the list of counties that may impose the local food and beverage tax without approval at referendum, provided that a public hearing is held and that an ordinance passed the governing body by unanimous vote.

Patron - Dudley

HB1082 Sales and use tax; increase in certain localities. Imposes an additional 0.25 percent sales and use tax in Arlington County, Fairfax County, the City of Alexandria, the City of Fairfax, and the City of Falls Church if approved by ordinance by the governing bodies of those localities whose population comprise at least 90 percent of the population in all of such localities. The bill is effective the first day of the month following 60 days from the date of such approval. The revenue is to be used solely for each locality's financial obligations to the Washington Metropolitan Area Transit Authority.

Patron - Scott, J.M.

HB1086 Real property assessments; consideration of affordable housing limitations. Requires local tax assessors to consider the impact of legally imposed rent restrictions on real property operated as affordable housing in determining the fair market value of such property. The bill also provides that federal and state income tax credits with respect to real property shall not be considered real property or income attributable to real property. This bill was incorporated into HB 1173.

Patron - Scott, J.M.

HB1097 Real property tax exemption; elderly and disabled. For localities in Northern Virginia, increases from \$340,000 to \$540,000 the maximum financial worth cap a locality may impose in providing real estate tax exemptions to the elderly or disabled. This bill was incorporated into HB 121.

Patron - Sickles

HB1098 Income tax; age deduction. Increases the amount of the married taxpayers' adjusted federal adjusted gross income from \$75,000 to \$100,000 for purposes of the \$1 for \$1 reduction of the age deduction for taxable years beginning on or after January 1, 2006.

Patron - Sickles

HB1113 Income tax credit; veterinarian pro bono tax credit. Allows a nonrefundable credit to veterinarians of \$40 for each spaying, neutering or euthanasia procedure performed at no cost on animals from public pounds and 501 (c) (3) shelters, for taxable years beginning on or after January 1, 2007.

Patron - Athey

HB1114 Income tax; animal adoption tax credit. Grants an income tax credit for taxable years beginning on or after January 1, 2007, to individuals for one-half of the adoption fees they pay when they adopt one or more animals from public pounds or charitable animal shelters. The amount of the credit may not exceed \$25 per adoption.

Patron - Athey

HB1124 Sales and use tax revenue; distribution to localities based on real estate tax revenue growth. Distributes sales and use tax revenue generated by a one-half percent sales and use tax among all counties and cities whose total real property tax revenues for the most recently ended fiscal year do not exceed the total real property tax revenues for the immediately preceding fiscal year by a rate that is more than the sum of the rate of the population growth plus the rate of inflation for the immediately preceding year.

Patron - Cline

HB1125 Sales and use tax exemption; school-related items. Beginning in 2006, provides a sales and use tax exemption for certain school-related items purchased during a specific one-week period during the end of August each year. The exempt items are: (i) school supplies, footwear, and clothing where the selling price of each item is \$100 or less; (ii) computer systems where the selling price for each system is \$1,500 or less; and (iii) computers, computer hardware, computer software, and portable calculators where the selling price for each item is \$500 or less. This bill was incorporated into HB 532.

Patron - Cline

HB1126 Income tax; motion picture production company tax credit. Grants a tax credit against the individual and corporate income taxes, for taxable years beginning on or after January 1, 2007, for any motion picture production company that produces films in the Commonwealth. The credit is equal to 10 percent of the total aggregate payroll for residents employed in connection with such production when total production costs in Virginia are at least \$300,000 but not more than \$1 million. The credit rises to 20 percent of such payroll if the production costs in Virginia exceed \$1 million. Any unused credit may be carried forward for 10 years.

Patron - Cline

HB1128 State Lottery Department. Prohibits the State Lottery Department from paying fees in excess of \$200,000 to any individual or entity for using copyrighted words, phrases, or any other material.

Patron - Cline

HB1160 Income tax and insurance premiums tax; employer-provided commuting expenses tax credit. Grants an income or insurance premiums tax credit to employers in an amount equal to 50 percent of the eligible commuting expenses that they pay for their employees. The annual credit shall not exceed \$600 per employee or the employer's tax liability, whichever is less, and shall be effective for tax years beginning on or after January 1, 2006.

Patron - Eisenberg

HB1197 Residential development impact fee assessments; adequate public facilities. Allows localities with a population of at least 80,000 and that has had an annual growth rate of at least one and one-quarter percent over the previous three years to adopt ordinances for the assessment of impact fees when certain public facilities are inadequate to support a proposed residential development. If the proposed development is for senior residents only, then impact fees may be assessed in relation to the adequacy of public safety, or public sewer or water facilities. For all other proposed residential developments, the impact fees may be assessed in relation to the adequacy of education, transportation, or public water or sewer needs. Such fees shall be a pro rata share of the costs of reasonable and necessary capital improvements attributable to the proposed development. Prior to any impact fee assessment, the locality must identify the particular public facility needs in its comprehensive plan, and must have in place a capital improvement program that provides a reasonable basis for determining the extent or level of inadequacy of such facilities in the area of the proposed development. If the locality does not apply impact fees paid by a developer to the capital project that served as the basis for such assessment within six years of collection, then the developer may seek a writ of mandamus to compel the locality to do so.

Patron - Marshall, R.G.

HB1206 Sales and use tax exemption; school supplies. Provides a sales and use tax exemption for school supplies that cost \$100 or less per item and are purchased during a specific three-day period in the first part of August each year, beginning in 2006. This bill was incorporated into HB 532.

Patron - Moran

HB1215 Local cigarette tax. Authorizes Isle of Wight County to impose a cigarette tax not to exceed the greater of \$0.05 per pack or the amount of the state cigarette tax.

Patron - Barlow

HB1251 Sales and use tax; exemption for certain contractors. Exempts from paying the sales and use tax any person who contracts on or after July 1, 2006, to perform services for and provide tangible personal property for consumption or use by the Commonwealth, any political subdivision of the Commonwealth, or the United States, if the Commonwealth, political subdivision, or the United States certifies that title to such tangible personal property will pass to such governmental entity.

Patron - Hugo

HB1298 Real estate reassessment; notice. Requires localities to add onto the notice to taxpayers of real estate reassessments (i) the amount of the immediately prior assessment amount, and (ii) the time and place of the next meeting of the local governing body at which public testimony will be accepted on any real estate tax rate changes. This bill was incorporated into HB 491.

Patron - Hall

HB1315 Sales and use tax; exemption for certain contractors. Exempts from paying the sales and use tax any person who contracts on or after July 1, 2006, to perform services for and provide tangible personal property for consumption or use by the Commonwealth, any political subdivision of the Commonwealth, or the United States, if the Commonwealth, political subdivision, or the United States certifies that title to such tangible personal property will pass to such governmental entity.

Patron - Frederick

HB1364 Business, professional and occupational license (BPOL) tax; media exemption. Repeals the BPOL tax exemption for newspapers, magazines, newsletters or other publications issued daily or regularly at average intervals not exceeding three months, as well as for radio and television broadcasting stations.

Patron - Wardrup

HB1367 Income tax credit; veterinarian pro bono tax credit. Allows a nonrefundable credit to veterinarians of \$40 for each spaying, neutering or euthanasia procedure performed at no cost on animals from public pounds and 501 (c) (3) shelters.

Patron - Hull

HB1384 Local telecommunications tax; Town of Abingdon. Permits the Town of Abingdon to impose the local telecommunications tax and prohibits Washington County from imposing the tax in Abingdon during any time that Abingdon imposes the tax.

Patron - Johnson

HB1385 Car tax relief. Removes the cap on the overall amount of car tax relief beginning January 1, 2007, and gradually increases the amount of car tax relief to 100 percent of the reimbursable amount for qualifying vehicles over a six-year period. The bill is effective January 1, 2007.

Patron - Albo

HB1436 Transportation Trust Fund; dedication of certain recordation tax revenue. Dedicates to the Transportation Trust Fund the additional recordation tax revenue generated by the recordation tax increase enacted during the 2004 Special Session I. This bill was incorporated into HB 1257.

Patron - Lingamfelter

HB1444 Real property tax exemption for the elderly and disabled; City of Norfolk. Increases the financial worth cap and total income caps that the City of Norfolk may impose in providing real estate tax exemptions to the elderly or disabled. This bill was incorporated into HB 121.

Patron - Miller

HB1446 Income tax; deduction for licensed medical caregivers. Grants an income tax deduction in the amount of \$10,000 for licensed medical caregivers who provide medical-related services to individuals in their homes.

Patron - Watts

HB1449 Income tax; in-home health care tax credit. Provides an income tax credit for every individual taxpayer who pays medical and in-home care expenses for family members living with the taxpayer, for taxable years beginning on or after January 1, 2007. The amount of the credit is equal to the amount in excess of \$10,000 paid for such expenses and that is not reimbursed.

Patron - Watts

HB1470 Income tax; tax credit for waste motor oil/fluids reclamation systems. Adds waste motor oil/fluids reclamation systems to the current credit for waste motor oil burning equipment that a business purchases. The credit may not exceed \$5,000 annually and the effective date for the purchase of reclamation systems is for taxable years beginning on or after January 1, 2007.

Patron - Saxman

HB1480 Income tax; career and technical education equipment tax credit. Provides a corporate and individ-

ual income tax credit for approved and accepted donations of career and technical equipment to Virginia's public school systems. The credit, available for taxable years beginning on or after January 1, 2007, will be 50 percent of the assessed value of the equipment but may not exceed that taxpayer's tax liability. It may be carried over for 5 years.

Patron - Nutter

HB1484 Sales and use tax; payments by certain vendors. Repeals, effective May 1, 2006, the requirement that certain vendors make an additional payment of sales and use tax to the Department of Taxation in June 2006. Under current law the requirement would be repealed effective August 1, 2006. The bill has an emergency clause.

Patron - Gear

HB1553 Individual income tax; senior citizen tax relief. Provides for indexing the \$12,000 and \$6,000 age deduction amounts based on the Consumer Price Index for All Urban Consumers, for taxable years beginning on or after January 1, 2007.

Patron - Scott, J.M.

HB1600 Major business facility job tax credit. Provides that the state income tax credit for certain companies that create new jobs for qualified full-time employees shall apply when 25 or more new jobs are created in BRAC-impacted census tracts in the Commonwealth.

Patron - Brink

HB1601 Motor fuel tax; increase. Increases the tax on gasoline, diesel fuel, and alternative fuel by \$0.055 per gallon, increases the motor carrier road tax by an equivalent of \$0.055 per gallon of fuel used in the Commonwealth, and increases the alternative use fee for certain motor carriers from \$100 to \$150 (the fee is an alternative to paying the motor carrier road tax). The revenue generated is used for transportation purposes as required by existing law.

Patron - Hull

HB1611 Motor vehicle sales and use tax; increase. Increases the motor vehicle sales and use tax from 3 percent to 5 percent and dedicates the revenue generated for transportation purposes. The authority to impose the additional tax ceases on December 31 of any year in which any of the additional revenue is not used for transportation purposes.

Patron - Brink

SB56 Special assessments for land preservation. Provides that a local assessing office may find one of the following documents useful in making his determination as to whether certain real estate is devoted solely to agricultural or horticultural use: (i) the assigned USDA/ASCS farm number, and evidence of participating in a federal farm program, or (ii) federal tax forms (1040F) Farm Expenses and Income, (4835) Farm Rental Income and Expenses, or (1040E) Cash Rent for Agricultural Land, or (iii) a Conservation Farm Management Plan prepared by a professional, or (iv) documentation of gross sales averaging more than \$5,000 annually over the previous three years.

Patron - Reynolds

SB60 Sales and use tax exemption; school-related items. Authorizes certain counties and cities by a majority vote of the local governing body to provide an exemption from their local sales and use tax for certain school-related items purchased during a specific one-week period during the end of August each year. The state sales and use tax also would not apply to such school-related items in participating counties and cities. The exempt items would be clothing and school supplies

where the selling price of each item is \$100 or less. To be eligible, a county or city must have a high unemployment rate and be contiguous to a state, including the District of Columbia, that has a sales tax holiday in effect. In addition, any county or city with a high unemployment rate that is contiguous to such counties and cities would also be eligible for the sales tax holiday. A high unemployment rate is defined as a 10-year average annual unemployment rate greater than 5 percent. The bill also authorizes dealers in participating counties and cities to absorb the sales and use tax on all other items sold during the same time period and thereby relieve the purchaser of the obligation to pay such tax. Dealers who absorb such taxes are liable for payment of the same to the Tax Commissioner.

Patron - Reynolds

SB63 Grants and tax refunds for producing and using clean and efficient energy. Provides tax refunds and grant awards for using clean and efficient energy including (i) grant awards in the amount of 0.85 cents for each kilowatt of electricity produced by a corporation from certain renewable energy resources; (ii) grants to individuals and corporations equal to 15 percent of the cost incurred in installing photovoltaic property, solar water heating property, or wind-powered electrical generators (grants are limited to \$2,000 for each system of photovoltaic property, \$1,000 for each system of solar water heating property, and \$1,000 for each system of wind-powered electrical generators); (iii) a refund of sales and use tax paid on certain appliances meeting energy star efficiency requirements developed by the federal government and for heat pumps, air conditioners, and natural gas water heaters meeting specified performance measures; and (iv) a refund of one-half of the sales and use tax paid on motor vehicles using clean fuel sources as a source of propulsion. Refunds of sales and use taxes on appliances, heat pumps, air conditioners, natural gas water heaters, and motor vehicles using clean fuel sources as a source of propulsion are limited to a maximum of \$500 in tax paid per item. In addition, no person shall receive more than \$5,000 in refunds in any calendar year for each of the appliances, heat pumps, air conditioners, natural gas water heaters, and motor vehicles covered under the bill. The tax refunds and grants programs sunset in 2011.

Patron - Whipple

SB64 Sales tax on motor fuels. Increases from 2 percent to 4 percent the sales tax on fuels in every county or city situated in the Northern Virginia Transportation District. In the first full fiscal year of the tax increase such counties and cities would be required to reduce their real estate tax rates in order to reduce real estate tax revenues in the following fiscal year by the amount of incremental revenues generated by the sales tax increase. The reduction in real estate tax rates would be required only in the first fiscal year of the sales tax increase.

Patron - Whipple

SB91 Income tax credit; production of electricity from renewable resources. Provides an individual and corporate income tax credit for producing electricity from renewable resources of energy. Tax credit would be allowed for electricity that is produced in the 10-year period beginning on the date that a qualified facility for producing electricity from renewable resources is placed in service. The credit amount would equal 0.85 cents for each kilowatt of electricity produced from renewable resources that is sold by the taxpayer to an unrelated person. The bill would be effective for taxable years beginning January 1, 2007.

Patron - Watkins

SB93 Land preservation tax credit. The bill provides an aggregate limit of \$600,000 or 50 percent of the fair market value in tax credit for each parcel of land donated under the

Virginia Land Conservation Incentives Act of 1999, which limit includes any transfer of unused tax credits. Under the bill, the value of any improvement to land shall not be considered for purposes of valuing land donations for tax credit. The fair market value of the land must not exceed the highest and best use for which the property is adaptable, and must be supported by market evidence. The bill would restrict tax credit to land or interest in land that (i) meets guidelines of objective criteria established by the Virginia Land Conservation Foundation or (ii) the Secretary of Natural Resources has otherwise determined provides exceptional benefit to the Commonwealth in cases that do not meet the objective criteria. The bill would permit only one transfer of unused tax credits associated with donated property and would prohibit nonprofit organizations from transferring any tax credit, and it would allow as a credit against the estate tax any unused credit held by the decedent of the estate at the time of his death. Land dedicated as open space within a residential or commercial development; as open space in any real estate development plan; or dedicated to full-fill density requirements to obtain approvals for zoning, subdivision, site plan, or building permits would not qualify for purposes of the tax credit. The bill provides that no more than one donation can be made from the same parcel of land during a 15-year period, unless there is no affiliation between the persons or entities who already have been allowed credit with respect to the parcel and the persons or entities seeking credit. In cases in which the fair market value of a donation of property is being contested, the burden of proof would be on the taxpayer to show there is a reasonable probability that (i) the property is physically adaptable for the highest and best use that is proposed in the appraisal and (ii) there is a need or demand for such use in the reasonably near future. In general, the provisions of the bill are applicable to conveyances of property made on or after July 1, 2006. This bill incorporates SB 403.

Patron - Watkins

SB96 Sales and use tax exemption; commercial and industrial exemptions. Provides a sales and use tax exemption for personal property purchased by a contractor on or after July 1, 2006, and used solely in any construction project for a local school division.

Patron - Blevins

SB127 Sales and use tax; dedication of portion of revenue to local transportation and education. Provides that 0.25 percent of the sales and use tax revenue shall be returned to the locality in which it was collected to be used for transportation, and that 0.25 percent of the sales and use tax revenue shall be returned to the locality in which it was collected to be used for education purposes.

Patron - O'Brien

SB138 Fair market value for real property valuations. Provides that the fair market value of real property shall be determined with regard to the percentage increase or decrease in the average sales price of real property that is sold in the same assessment area.

Patron - O'Brien

SB140 Estate tax. Conforms the amount of Virginia estate tax due from an estate to the maximum amount of the federal estate tax credit for state estate taxes, as permitted under federal estate tax law, as such law shall be amended from time to time. Under current law the amount of Virginia estate tax cannot be less than the federal credit under federal law as such law existed on January 1, 1978. This bill was incorporated into SB 504.

Patron - O'Brien

SB155 Corporate income taxes; charitable contributions for Hurricane Rita relief efforts. Expands the temporary suspension of limits on charitable deductions to cover donations made by corporations for Hurricane Rita relief efforts. A temporary suspension of limits on charitable deductions is in effect at the federal level for corporate donations for Hurricane Katrina relief efforts. This bill was incorporated into SB 69.

Patron - Norment

SB189 Education tax credits. Allows individuals and businesses to claim a tax credit on their Virginia income tax return for contributions to Department of Taxation-approved nonprofit foundations that provide financial assistance to public schools for capital projects or provide scholarships to students in the Commonwealth. The total amount of credits available in any given year is capped at \$50 million. In addition, an individual taxpayer may claim a credit for \$800, or \$1,200 if filing jointly, for education expenses paid for a dependent who is a student.

Patron - Martin

SB219 Reassessment of real property; publication of revenue-neutral tax rate. Requires a locality to calculate and publish in its budget a revenue-neutral tax rate in years in which real estate in the locality has been reassessed. The revenue-neutral tax rate is calculated for comparison purposes to demonstrate the tax rate that would be required to produce the same amount of revenue in the next fiscal year as if real estate had not been reassessed.

Patron - Quayle

SB226 Sales tax on food. Repeals provisions relating to the rate of the state sales tax on food.

Patron - Chichester

SB254 Sales and use tax; exemption for certain contractors. Exempts from paying the sales and use tax any person who contracts on or after July 1, 2006, to perform services for and provide tangible personal property for consumption or use by the Commonwealth, any political subdivision of the Commonwealth, or the United States, if the Commonwealth, political subdivision, or the United States certifies that title to such tangible personal property will pass to such governmental entity.

Patron - Howell

SB258 Machinery and tools tax; method of valuation. Requires machinery and tools that are placed in service on or after July 1, 2006, to be valued at their depreciated basis for federal income tax purposes if the owner has depreciated their value pursuant to the Internal Revenue Code. Such machinery and tools that were placed in service prior to July 1, 2006, will be valued commencing in 2010 at their depreciated basis for federal income tax purposes, and between 2006 and 2010 the valuation will be determined by a phased-in blending of the value determined by the method in effect on January 1, 2006, and by its depreciated basis for federal income tax purposes.

Patron - Wagner

SB264 Virginia College Savings Plan; income tax deductions and sales of prepaid tuition contracts. Increases the income tax deduction for payments under prepaid tuition contracts and contributions to savings trust accounts to \$3,000 per contract or account beginning January 1, 2006, and to \$4,000 per contract or account beginning January 1, 2008. Under current law, the annual deduction may not exceed \$2,000 per prepaid tuition contract or savings trust account.

The bill provides that the Board of the Virginia College Savings Plan shall not enter into any prepaid tuition contract on or after July 1, 2008.

Patron - Bell

SB267 Sales and use tax; increase in certain localities. Imposes an additional 0.25 percent sales and use tax in Arlington County, Fairfax County, the City of Alexandria, the City of Fairfax, and the City of Falls Church if approved by ordinance by the governing bodies of those localities whose population comprise at least 90 percent of the population in all of such localities. The bill is effective the first day of the month following 60 days from the date of such approval. The revenue is to be used solely for each locality's financial obligations to the Washington Metropolitan Area Transit Authority. This bill is contingent on matching federal funds being appropriated and distributed to the Washington Metropolitan Area Transit Authority.

Patron - Whipple

SB270 Grants and tax refunds and exemptions for producing and using clean and efficient energy. Provides tax refunds and grant awards for using clean and efficient energy including (i) grant awards in the amount of 0.85 cents for each kilowatt hour of electricity produced by a corporation from certain renewable energy resources; (ii) grants to individuals and corporations equal to 15 percent of the cost incurred in installing photovoltaic property, solar water heating property, or wind-powered electrical generators (grants are limited to \$2,000 for each system of photovoltaic property, \$1,000 for each system of solar water heating property, and \$1,000 for each system of wind-powered electrical generators); (iii) a sales and use tax exemption for certain energy efficient products that have been awarded the energy star certification mark based on requirements developed by the U.S. Environmental Protection Agency and the U.S. Department of Energy; and (iv) a refund of one-half of the sales and use tax paid on motor vehicles using clean fuel sources as a source of propulsion. Refunds of the sales and use tax on motor vehicles using clean fuel sources as a source of propulsion are limited to a maximum of \$500 in tax paid per item. The tax refunds and grants programs sunset in 2011.

Patron - Whipple

SB276 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 from a sale of an apartment building or complex to its tenant organization or to a nonprofit organization, effective for taxable years beginning on and after January 1, 2007.

Patron - Whipple

SB279 Community Housing Tax Credit. Establishes a tax credit that would replace the current low-income housing tax credit. Any developer or investor who builds or substantially rehabilitates a multifamily housing project that qualifies for the federal low-income housing tax credit would be eligible for a tax credit equal to 50 percent of the cost to acquire the land for the multifamily housing project. However, the credit would not exceed an amount equal to \$5,000 multiplied by the number of low-income housing units placed in service as a result of the project. The developer or investor would not be able to claim more than \$500,000 in tax credit in any taxable year. The credit would have a five-year carryover period. Any unused credit could be transferred to another taxpayer for use on a Virginia income tax return. The Board of Housing and Community Development would be required to promulgate guidelines for the credit.

Patron - Whipple

SB385 Individual income tax; refund checkoff for Military Family Relief Fund of Virginia. Provides an income tax refund checkoff to individuals who want to contribute part or all of their income tax refund or an additional contribution to the Military Family Relief Fund of Virginia. The fund will be used by the Adjutant General of the National Guard to provide monetary grants to National Guard members and reservists who are called to either state or federal active duty. The Adjutant General is responsible for developing and publishing criteria and eligibility requirements for National Guard members and reservists to receive the grants or loans. This bill was incorporated into SB 139.

Patron - McDougle

SB403 Land preservation tax credit. The bill provides an aggregate limit of \$600,000 in tax credit for each parcel of land donated under the Virginia Land Conservation Incentives Act of 1999, which limit includes any transfer of unused tax credits. The bill provides that no more than one donation can be made from the same parcel of land during a 15-year period, unless there is no affiliation between the persons or entities who already have been allowed credit with respect to the parcel and the persons or entities seeking credit. For donations of property made on or after January 1, 2007, the bill would require that the donation be reviewed by a licensed reviewer for purposes of determining whether or not the donation is in compliance with standards promulgated by the Department of Taxation. No credit would be allowed for any donation made on or after such date unless the licensed reviewer certifies compliance, and the donation is subsequently registered with the Department. The Department would issue licenses to qualified applicants seeking to become licensed reviewers. This bill was incorporated into SB 93.

Patron - Hanger

SB478 Sales and use tax; exemption for certain contractors. Exempts from paying the sales and use tax any person who contracts on or after July 1, 2006, to perform services for and provide tangible personal property for consumption or use by the Commonwealth, any political subdivision of the Commonwealth, or the United States, if the Commonwealth, political subdivision, or the United States certifies that title to such tangible personal property will pass to such governmental entity.

Patron - Colgan

SB504 Estate tax. Provides that for deaths occurring on or after December 31, 2006, a tax in the amount of the federal credit shall be imposed on the taxable estate of a resident whose gross estate exceeds \$10 million. However, the tax will not be imposed on an estate if the majority of the assets are an interest in a closely-held business or a working farm.

Patron - Norment

SB544 Neighborhood Assistance Act. Makes several changes to the program including (i) increasing the annual cap for tax credits allowed under the program from \$8 million to \$12 million, (ii) providing that \$1 million of the cap increase would be dedicated for education programs and \$3 million for providing grants to private schools for students with disabilities, and (iii) reducing the tax credit percentage for donations made by corporations and individuals from 45 percent to 40 percent along with eliminating the restriction placed upon individuals from claiming a tax credit for the donation if a charitable contribution deduction is also taken. The Department of Education would administer the Schools for Students with Disabilities Fund from which grants would be made to private schools for students with disabilities. The Department would be required to establish an application process for such schools

seeking grants from the Fund. The Department would review the application and make a determination of whether to award a grant, based in part on the intended use of grant moneys by the applicant. The Fund would be funded from monetary donations for which the Department would allocate the annual \$3 million in tax credits. The Board of Education would be required to establish regulations for the grants program, including regulations for procedures to allocate the \$3 million in tax credits in fiscal years in which more than \$3 million in monetary donations were made to the Fund.

Patron - Stosch

SB575 Sales tax exemption; mixed use developments that include affordable housing. Entitles a locality or a local redevelopment authority to the sales tax revenues generated on the premises of a mixed-use development that incorporates residential units, provided that at least 20 percent of the residential units are used for affordable housing. The mixed-use development would have to be certified by the Department of Housing and Community Development as a qualifying project. The sales tax revenues would be used to service the payments on obligations issued by the locality or the redevelopment authority for the mixed-use development. The entitlement to the sales tax revenues would not exceed 35 years. The obligations would have to be issued by July 1, 2010.

Patron - Stolle

SB595 Sales and use tax; refund for exempted entities. Allows nonprofit entities to apply for a refund of the sales and use tax paid on purchases after January 1, 2007, instead of exempting such entities from paying the tax at the time of purchase.

Patron - Watkins

SB630 Sales and use tax revenue dedicated to the Transportation Trust Fund. Increases the amount of sales and use tax revenue dedicated to the Transportation Trust Fund from an amount generated by a 0.50 percent sales and use tax, to an amount generated by a 0.75 percent sales and use tax.

Patron - Cuccinelli

SB659 Estate tax. Conforms the amount of Virginia estate tax due from an estate to the maximum amount of the federal estate tax credit for state estate taxes, as permitted under federal estate tax law, as such law shall be amended from time to time. Under current law the amount of Virginia estate tax cannot be less than the federal credit under federal law as such law existed on January 1, 1978. This bill was incorporated into SB 504.

Patron - McDougle

SB661 Income tax; employer-provided commuting benefits tax credit. Grants an income tax credit for taxable years beginning on or after January 1, 2007, to employers who pay employees' eligible commuting expenses, which include multiple-passenger vehicle and mass transit transportation costs, parking fees, and showers and bike rack installation costs. The credit equals 40 percent of such costs, not to exceed \$240 per employee each year. Unused credits may be carried over for five years.

Patron - Miller

SB678 Motor fuels taxes; elimination of certain refunds. Eliminates the current refund of fuels taxes for fuels used in operating or propelling recreational or pleasure watercraft. All revenues attributable to the repeal of the refund would be deposited into the Game Protection Fund to be used for the direct benefit of the boating public.

Patron - Hanger

[F]SB698 Major business facility job tax credit. Provides that the state income tax credit for certain companies that create new jobs for qualified full-time employees shall apply when 25 or more new jobs are created in BRAC-impacted census tracts in the Commonwealth.

Patron - Whipple

[F]SB708 Funding of transportation in the Commonwealth. Provides several mechanisms for funding transportation in the Commonwealth. The bill would provide that all moneys credited to specified transportation-related funds shall be solely used for the purposes set forth therein relating to the funding and maintenance of highways (including access roads and bikeways adjacent thereto), public transportation, congestion mitigation, railways, seaports, and airports; making payments on bonds and obligations related to funding transportation projects; or making loans to finance transportation projects. The bill would raise new revenues for transportation by (i) imposing an additional \$200 fee upon certain convictions relating to violations of Virginia's driving laws; (ii) imposing annually additional fees on any driver with a driver's record having a balance of 8 or more demerit points; (iii) increasing motor vehicle registration fees by \$10 for all vehicles and doubling the gross weight registration fee for vehicles weighing more than 10,000 pounds; (iv) increasing current liquidated damages for violations of any weight limit imposed under law or for violations of any weight limit included in a permit that has been issued; (v) imposing additional liquidated damages of \$20 for every violation of any weight limit imposed under law or any weight limit included in a permit that has been issued; (vi) increasing the state grantor's tax to 30 cents for each \$100 of value with the revenues from the increase in the tax distributed to the respective locality and required to be used for local or regional transportation projects; (vii) authorizing local governments to impose a local grantor's tax at the rate of 10 cents for each \$100 of value with the revenues to be used for local or regional transportation projects; (viii) increasing the motor fuels tax on diesel fuel to 17.5 cents per gallon (the current rate of the motor fuels tax on gasoline and gasohol); (ix) imposing a 5 percent tax on motor fuels that would be based on the statewide average retail price of a gallon of self-serve unleaded regular gasoline over rolling six-month periods and that would be imposed at a cents per gallon rate; and (x) increasing the motor vehicle sales and use tax from 3 percent to 3.75 percent, phased-in over fiscal years 2007, 2008, and 2009. The bill would also dedicate for transportation purposes all insurance license tax revenues relating to automobile insurance policies. The bill would allow individuals to apply for a refund of any motor fuels tax paid in excess of 17.5 cents per gallon. Individuals would apply for a refund when the cumulative amount of the refund would exceed \$5.

Patron - Hawkins

[F]SB726 Motor vehicle sales and use tax; increase. Increases the motor vehicle sales and use tax from 3 percent to 5 percent and dedicates the revenue generated for transportation purposes. The authority to impose the additional tax ceases on December 31 of any year in which any of the additional revenue is not used for transportation purposes.

Patron - Hawkins

Carried Over

[C]HB67 State recordation tax; additional distribution to localities. Provides that 50 percent of the amount of state recordation taxes collected that are attributable to deeds and other instruments recorded shall be apportioned and distributed annually to or for each such county or city, beginning June 30, 2007. This provision applies to any county or city that has a

Purchase of Development Rights program in effect, or has filed a statement of intent with the Virginia Department of Agriculture and Consumer Services that it will create such a program within three years or less from the date of such filing.

Patron - Lewis

[C]HB155 Classification of taxable real property. Permits localities to tax residential property at a lower tax rate than that imposed on the general class of real property by creating a separate classification for taxation purposes.

Patron - Alexander

[C]HB159 Virginia Technology and Biotechnology Investment Act created. Creates a research and development tax credit, not to exceed 50 percent of the tax liability due and not to exceed \$500,000, for "technology" and "biotechnology" companies in Virginia and permits the credit to be carried over for up to 10 years, for taxable years beginning on and after January 1, 2006. The bill also creates a tax credit for individual taxpayers, estates, trusts, partnerships, and corporations that invest in technology or biotechnology companies. This tax credit, not to exceed 15 percent of the qualified investment and not to exceed \$500,000, can be claimed for each of the five tax years beginning on and after January 1, 2006. In no event will more than \$5 million in either of the credits be allowed annually. In addition, any unused tax credits can be carried over, in most circumstances, for up to 10 years. The bill permits technology or biotechnology companies to carry over net operating losses for up to 10 years. The bill creates a "corporation tax benefit certificate program" to be administered by the Innovative Technology Authority in cooperation with the Tax Department. Under the program, technology or biotechnology companies may transfer their unused but otherwise allowable research and development tax credits or net operating loss carryovers for a minimum of 75 cents on the dollar to another corporation taxpayer provided neither is an affiliate or a subsidiary of the other. The proceeds from the transfer can be used for a broad range of "costs" associated with operating a technology or biotechnology company.

Patron - Purkey

[C]HB212 Sales and use tax exemption; nonprofit military organizations. Permits nonprofit organizations of past or present members of the Armed Forces of the United States to obtain a sales tax exemption from the Department of Taxation.

Patron - Cox

[C]HB306 Car tax; dedicates a portion of income tax to localities. Repeals the car tax reimbursement program and replaces it by dedicating 17.5 percent of the state individual income tax collections to localities. The bill is effective January 1, 2009, but only if a constitutional amendment is ratified in November, 2008, exempting from taxation all motor vehicles used for nonbusiness purposes.

Patron - Rust

[C]HB485 Recordation tax. Reduces the recordation tax rates to the levels prior to the increase imposed by Chapter 3 of the Acts of Assembly of 2004, Special Session I.

Patron - Frederick

[C]HB529 Local meals tax. Prohibits a referendum on the local food and beverage tax from being held more than once every three years in the same county.

Patron - Parrish

[C]HB668 Motor fuels tax; refund for taxicabs. Clarifies the refund of fuels tax for taxicabs to include travel to medical facilities and public transportation facilities.

Patron - Wardrup

HB836 Meals tax; referendum required in certain cities. Restricts the imposition in any city having a population of 400,000 or more of any new meals tax or tax rate increase without approval by referendum.

Patron - Welch

HB874 Sales and use tax exemption; telecommunications companies. Restores the sales and use tax exemption for telecommunication companies that was eliminated in the 2004 Special Session I.

Patron - Byron

HB974 Motor vehicle sales and use tax; exemptions. Exempts from the motor vehicle sales and use tax cars with an EPA fuel efficiency rating of 50 mpg or greater, and SUV's with an EPA fuel efficiency rating of 30 mpg or greater.

Patron - Englin

HB1250 Income tax; indexing rates, filing thresholds, personal exemptions, and standard deduction. Indexes to the rate of inflation the amount of the income tax brackets for tax rates, filing thresholds, personal exemptions, and standard deductions.

Patron - Hugo

HB1294 Income tax; Public/Private Education Investment tax credit. Creates income tax credits for business entities and individual taxpayers who make contributions to eligible public school foundations and eligible scholarship foundations. For individual taxpayers, the amount of the annual credit is 100 percent of the contribution but may not exceed \$800 for individual taxpayers and \$1,200 for married taxpayers filing jointly. The amount of the annual credit for business entities is 90 percent of the contribution with no limit on the dollar amount. The public school foundations are required to disburse annually 90 percent of the contributions for capital improvement projects approved by the local school board and for extracurricular activities. The scholarship foundations are required to disburse 90 percent of its contributions for qualified educational expenses through scholarships. There is a \$20 million cap on total tax credits awarded annually, with \$10 million allocated for contributions made to public school foundations and \$10 million allocated for contributions made to scholarship foundations. The credit would be effective for taxable years beginning on and after January 1, 2006.

Patron - Saxman

HB1328 Assessment of real estate devoted to water-dependent use. Establishes and defines, for special assessment for land preservation, real estate devoted to water-dependent use. Consistent with constitutional mandate for establishing and defining such real estate, the bill provides that the General Assembly has determined that the classification of real estate devoted to water-dependent use is in the public interest for the preservation or conservation of such real estate. All provisions applicable to real estate devoted to agricultural, horticultural, forestal, and open-space uses apply equally to real estate devoted to water-dependent use. In addition, the commissioner of the revenue or duly appointed assessor shall value real estate devoted to water-dependent use in the same manner he values real estate devoted to agricultural, horticultural, forestal, or open-space use. Moreover, if property is subsequently rezoned to water-dependent, it shall be eligible for consideration for special assessment and taxation only after three years have passed since the rezoning was effective. Furthermore, the Director of the Department of Conservation and Recreation, the State Forester, and the Commissioner of Agriculture and Consumer Services shall provide, to the commissioner of the revenue or duly appointed assessor of each

locality adopting a land-use plan, a statement of the standards which shall be applied uniformly throughout the Commonwealth in determining whether real estate is devoted to water-dependent use. The provisions of this act become effective on January 1, 2009 upon the passage of a constitutional amendment authorizing such provisions.

Patron - Wittman

HB1462 Sales and use tax; commercial and industrial exemptions. Restores the exemption, eliminated by the General Assembly in the 2004 Special Session I, for certain public service corporations, telecommunications companies, and telephone companies. The bill is effective July 1, 2007.

Patron - Hull

HB1485 Sales and use tax exemption; nonprofit schools. Exempts nonprofit schools from the following two criteria used, among others, in determining sales and use tax exemption for nonprofit entities: (i) that the entity's annual general administrative costs, including salaries and fundraising, relative to its annual gross revenue, under generally accepted accounting principles, is not greater than 40 percent; and (ii) that if the entity's gross annual revenue was \$250,000 or greater in the year prior to applying for the exemption, then the entity must provide a financial audit performed by an independent certified public accountant.

Patron - Janis

HB1489 Income tax; deduction for organ donation medical expenses. Provides an income tax deduction for medical expenses not covered by insurance that are paid by the transplant recipient and that have not been taken as a medical deduction on the taxpayer's federal income tax return, effective for taxable years beginning on or after January 1, 2007. The amount of the deduction is the lesser of \$5,000 or the actual amount paid by the taxpayer.

Patron - Amundson

HB1549 Tangible personal property tax relief reimbursement payments to localities. Provides that tangible personal property tax relief reimbursement payments to localities be made within 15 days of each locality's billing date for tangible personal property tax in effect on January 1, 1998.

Patron - Griffith

HB1568 Income tax; rent reductions tax credit. Removes the January 1, 2010, sunset date and allows the VHDA to approve an additional \$100,000 in credits, for a total of \$150,000, for rental fees that are reduced by 50 percent or more.

Patron - McClellan

HB1595 Local license taxes; repeal. Repeals local license taxes.

Patron - Hugo

HB1599 Local cigarette tax; administration. Requires any locality that levies a cigarette tax and permits the use of meter impressions or stamps to evidence its payment to enter into an arrangement with the Department of Taxation to allow tobacco wholesalers to use a dual die or stamp to evidence payment of local and state taxes. Under current law entering into such an arrangement is permitted but not required.

Patron - Hugo

SB45 Real property taxes; service charges in lieu of; Virginia Port Authority. Clarifies the basis for determining

service charges in lieu of real property taxes for real property owned by the Virginia Port Authority and its instrumentalities.

Patron - Locke

[C]SB331 Individual income taxes; tax credits for tuition expenses. Establishes a pilot program for refundable income tax credits for tuition and textbook expenses charged by a private school or a public school to parents of certain children. The credit is the lesser of \$1,000 or actual tuition expenses for taxable years beginning January 1, 2006, and is limited to low income taxpayers in counties with a population of less than 10,000. For purposes of public school funding, a child for whom credit is taken will be included in the average daily membership of the school division in which the child resides, but the amount of the credit taken will be deducted from the state funds available to that school division. The tax credit will expire on January 1, 2009.

Patron - Obenshain

[C]SB333 Rules and procedures for tax cases in circuit courts. Establishes new rules and procedures for cases involving taxes administered by the Department of Taxation (individual, corporate, sales and use taxes) intended to streamline the resolution of disputes once they enter the court system. For example, discovery would be expedited using stipulations for matters previously discovered in the course of the initial collection process; depositions would be used only with the consent of both parties or if ordered by the court; and bifurcation of issues, in the court's discretion, in order to speed the resolution of the case. The bill also establishes a Small Tax Case procedure for use in cases where taxes owed are \$50,000 or less. Procedures such as no requirement to file an answer to the initial petition in order to contest petition, and stipulations will be used. Overall, the procedure will be informal (briefs and oral argument not required) and will allow the introduction of any evidence that has probative value.

Patron - Obenshain

[C]SB626 Taxes and fees for the Virginia Water Quality Improvement Fund. Establishes a \$1 per day lodging fee on the sale of hotel, motel, and similar rooms and provides that such revenues plus \$40 million annually in recordation tax revenues shall be deposited into the Virginia Water Quality Improvement Fund for funding of water quality.

Patron - Quayle

[C]SB692 Costs of blight abatement. Authorizes localities to place a lien on blighted properties repaired or acquired by the locality to recover any accrued unpaid interest on the cost of improvements made by the locality to bring such property in compliance with applicable building codes or the cost of disposing of the property. Currently, localities are authorized to charge simply the costs, but not any accrued unpaid interest thereon, of blight abatement to the property owner.

Patron - Devolites Davis

Trade and Commerce

Passed

[P]HB1094 Virginia Post-Disaster Anti-Price Gouging Act. Authorizes the Governor, upon finding that during a disaster a supplier is selling necessary goods or services at such an unconscionable price that it presents an imminent and substantial danger to the public welfare by creating public panic,

to issue 30-day emergency orders requiring the supplier to reduce the price to the prevailing price in the local market.

Patron - Amundson

[P]HB1103 Virginia Consumer Protection Act; choice of remedies. Provides that a person who accepts a cure offer under the Virginia Consumer Protection Act may not bring another legal action that is substantially based on the same allegations of fact on which the action under the Act was based.

Patron - Athey

[P]SB77 Virginia Post-Disaster Anti-Price Gouging Act. Provides that the duration of a "time of disaster," which currently is the shorter of the period of a declared state of emergency or the 30 days following the natural disaster or other occurrence that resulted in the Governor's or President's declaration of the state of emergency, may be extended to include the 30 days that follow an extension or renewal of the state of emergency. It is unlawful for a supplier, during the time of disaster, to sell necessary goods and services at an unconscionable price within the area for which a state of emergency has been declared.

Patron - Watkins

[P]SB717 Purchase of service handguns; retired state law-enforcement officers. Allows any state-level law-enforcement officer who retires after 20 years of state service to purchase his service handgun for \$1, even if a portion of his service was with another state agency.

Patron - Stolle

Failed

[F]HB238 Virginia Racing Commission; local referendum on racetrack or satellite facility. Provides that no local referendum for approval of a racetrack or satellite facility shall be held more often than every seven years in the same county, city, or town. Currently this time period is three years.

Patron - Marshall, R.G.

[F]HB396 Enterprise zones. Provides that the combined state and local sales and use tax rate in an enterprise zone shall be 2.5 percent and authorizes localities to increase the local license tax thresholds from \$50,000 and \$100,000 to \$250,000 and \$500,000, respectively. Revenues from the 2.5 percent sales and use tax shall be distributed as follows: 1 percent shall be distributed in the same manner as the local sales and use tax, 1 percent shall be distributed to the general fund of the state treasury, and 0.5 percent shall be distributed to the Transportation Trust Fund.

Patron - McEachin

[F]HB500 Consumer reports. Requires each national consumer reporting agency to furnish to any consumer, upon request and at no charge, two complete consumer reports per calendar year. Currently, federal law requires such agencies to provide consumers with one free consumer report annually.

Patron - Armstrong

[F]HB766 Identity theft; security freezes; penalty. Authorizes any consumer to freeze access to his credit report. If a consumer has placed a freeze on his credit report, a consumer reporting agency is prohibited from releasing the credit report, or any information in it, without the consumer's express authorization. The measure provides a means by which a consumer can release his report, permanently, temporarily, or to a specific third party. Consumer reporting agencies may charge a consumer up to \$10 for each freeze, removal of the freeze, or temporary lift of the freeze for a period of time, and a fee of no

more than \$12 for a temporary lift of a freeze for a specific party. A violation is a prohibited practice under the Consumer Protection Act. This bill was incorporated into HB 1508.

Patron - Sickles

[F]HB1511 Credit report security freeze; credit header information; penalties. Authorizes an individual to freeze access to his credit report. If a consumer has placed a freeze on his credit report, a consumer reporting agency is prohibited from releasing the credit report, or any information in it, without the consumer's express authorization. The measure provides a means by which a consumer can release his report, permanently, temporarily, or to a specific third party. Certain disclosures are exempt from the freeze. The measure also limits the release of credit header information to persons who would have a permissible purpose to obtain a consumer's credit report under the federal Fair Credit Reporting Act. "Credit header" refers to nonpublic identifying information in a consumer's credit file, including a consumer's social security number. Violations are a prohibited practice under the Consumer Protection Act. This bill was incorporated into HB 1508.

Patron - Plum

[F]SB218 Identity theft; security freezes; civil penalty. Authorizes any consumer under the age of 18 or over the age of 65 who is living in a nursing facility or other institution to freeze access to his credit report. If a consumer has placed a freeze on his credit report, a consumer reporting agency is prohibited from releasing the credit report, or any information in it, without the consumer's express authorization. The measure provides a means by which a consumer can release his report, permanently, temporarily, or to a specific third party. Consumer reporting agencies may charge a consumer up to \$10 for each freeze, removal of the freeze, or temporary lift of the freeze. A person violating the requirements is liable to an injured person for the greater of actual damages or \$1,000, and reasonable costs and attorney fees.

Patron - Quayle

[F]SB295 Identity theft; security freezes; penalty. Authorizes any consumer to freeze access to his credit report. If a consumer has placed a freeze on his credit report, a consumer reporting agency is prohibited from releasing the credit report, or any information in it, without the consumer's express authorization. The measure provides a means by which a consumer can release his report, permanently, temporarily, or to a specific third party. Consumer reporting agencies may charge a consumer up to \$25 for each freeze or removal. Certain disclosures are exempt from the freeze. A violation is a prohibited practice under the Consumer Protection Act.

Patron - Cuccinelli

Carried Over

[C]HB425 Home Care Consumer and Worker Protection Act. Provides protection for home health care services consumers and providers by ensuring that both parties are well-informed regarding their status as employees, independent contractors, and employers; civil penalties.

Patron - Nutter

[C]HB523 Antifreeze bittering agent. Requires that any engine coolant or antifreeze that is manufactured or sold within the Commonwealth that contains more than 10 percent ethylene glycol, include not less than 30 parts per million, and not more than 50 parts per million, denatonium benzoate as a bittering agent in order to render the coolant or antifreeze unpalatable.

Patron - Oder

[C]HB908 Enterprise zone real property investment grants; mixed-use percentage. Changes from 30 percent to 20 percent the amount of floor space in a mixed-use building that must be devoted to commercial, office, or industrial use in an enterprise zone.

Patron - Oder

[C]HB1508 Credit reports; security breaches. Requires consumer reporting agencies to provide individuals with monthly access to their credit reports for a fee of up to \$2 per report, for up to 12 reports per year. Additional reports would be available for a fee of \$8. The measure also requires data collectors that keep personal information on individuals to notify a Virginia resident when there has been a breach of the security of the data. The notice shall include a description of the categories of information that were acquired by an unauthorized person and a toll-free number that the individual may use to learn what types of information were maintained about the individual. An individual receiving such a notice may obtain, at no cost, consumer credit reports beginning two months following the breach of security and continuing on a quarterly basis for two years thereafter.

Patron - Plum

[C]HB1510 Personal Information Privacy Act; restricted use of social security numbers. Adds several other restrictions to the use of social security numbers (SSNs), including use of SSNs on the Internet, the sale, trade or other disclosure of SSNs, and the refusal to do business with an individual who refuses to disclose his SSN under certain circumstances.

Patron - Plum

[C]SB177 Enterprise zone job creation grant program; grant eligible position. Deletes from the definition of "grant eligible position" language that currently excludes retail, local service, and restaurant establishments.

Patron - Locke

[C]SB178 Enterprise zone real property investment grants; mixed-use percentage. Changes from 30 percent to 20 percent the amount of floor space in a mixed-use building that must be devoted to commercial, office, or industrial use in an enterprise zone. The provisions of the bill would apply to properties placed in service on or after July 1, 2006.

Patron - Locke

Unemployment Compensation

Passed

[P]HB567 Unemployment compensation; maximum weekly benefit. Increases the maximum weekly benefit from \$330 to \$347 for claims effective on or after July 3, 2006.

Patron - Nixon

Failed

[F]HB144 Unemployment compensation; benefit disqualification. Disqualifies a public school teacher for unemployment compensation benefits if the individual's teaching contract is not renewed as a result of a failure to comply with the school board's licensure or certification requirements.

Patron - Cole

[F]HB282 Unemployment compensation; effect of failure to maintain employment records. Eliminates a presumption, established pursuant to Virginia Employment Commission regulation 16 VAC 5-32-10, in favor of the party making an allegation. The presumption arises when an employer fails to maintain work records with respect to an individual in its employ. The bill eliminates this presumption only in situations where the employer is a staffing service or professional service organization that is contractually prohibited from interfacing with the entity to which the employee is assigned.

Patron - Spruill

[F]HB932 Pre-clearance drug testing program. Requires the Virginia Employment Commission to prepare a plan for a voluntary pre-clearance program for drug-free employees. The program will allow participants to be tested for illegal substance use at the expense of the Commonwealth, and those who pass the test would be referred to employers who have notified the Commission that passing a drug screening test is a condition for employment. The Commission is required to complete its plan by November 30, 2006.

Patron - Nutter

[F]SB247 Unemployment compensation; quit to follow military spouse. Provides that good cause for leaving employment exists if an employee voluntarily leaves a job to accompany the employee's spouse, who is on active duty in the military or naval services of the United States, to a new military-related assignment established pursuant to a permanent change of duty order from which the employee's place of employment is not reasonably accessible and is located in a state that, pursuant to statute, does not deem a person accompanying a military spouse as a person leaving work voluntarily without good cause. Benefits paid to qualifying claimants shall be charged against the pool rather than against the claimant's employer. The measure will take effect if the federal government appropriates adequate funds to pay benefits under this provision.

Patron - Ticer

[F]SB382 Unemployment compensation; benefit disqualification. Disqualifies a public school teacher for unemployment compensation benefits if the individual's teaching contract is not renewed as a result of a failure to comply with the school board's licensure or certification requirements.

Patron - McDougle

Carried Over

[C]HB964 Unemployment tax filing; domestic service employees. Requires the Virginia Employment Commission to permit employers to pay unemployment taxes and file reports annually, commencing in 2007, if they employ individuals who perform only domestic service and have a quarterly payroll of not more than \$2,500. Currently such payments and filings are made quarterly.

Patron - Bulova

Waters of the State, Ports and Harbors

Passed

[P]HB552 Regional water supply plans. Allows a town to enter into a regional water supply plan with an adjacent county.

Patron - Saxman

[P]HB1150 Chesapeake Bay and Virginia Waters Clean-up and Oversight Act. Requires the Secretary of Natural Resources to develop a clean-up plan for the Chesapeake Bay and Virginia waters that have been designated as impaired. The plan will include measurable objectives, a description of the strategies to meet the plan's objectives, time frames for accomplishing the objectives, and a plan for disbursing funds for point and nonpoint pollution projects. The plan will also include an analysis of alternative funding mechanisms. The Secretary is to submit the plan by January 1, 2007, and is to submit a progress report on the clean-up semiannually.

Patron - Lingamfelter

[P]HB1457 Impaired waters. Allows an aggrieved party to conduct a use attainability analysis in order to demonstrate that the attainment of the designated use for an impaired water body is not feasible. This analysis would be submitted to, and reviewed by, the State Water Control Board. The Board would then determine whether the development or implementation of the total maximum daily load should be delayed.

Patron - Ware, R.L.

[P]SB106 Local consent to State Water Control Board permits. Requires an application for a new or modified individual Virginia Pollutant Discharge Elimination System permit or a new or modified coverage under a general Virginia Pollutant Discharge Elimination System permit, authorizing direct or indirect discharge of stormwater runoff from a new municipal solid waste landfill into a local watershed protection district established and designated as such by city ordinance prior to January 1, 2006, to contain a certification from the local governing body of the city in which the discharge is to take place, that the discharge is consistent with the city's ordinance establishing and designating the local watershed protection district in order to be considered complete. The bill does not apply to any municipal solid waste landfill in operation on or before January 1, 2006. This bill expires on July 1, 2026.

Patron - Blevins

[P]SB173 Virginia Port Authority police. Allows the Authority to enter into agreements with private terminal operators to permit special police officers to provide and enforce safety and security on the operator's property.

Patron - Quayle

Carried Over

[C]HB1496 Nontidal wetlands permits. Eliminates the requirements of having to obtain permits from both the state and federal governments for impacts to nontidal wetlands. The person would only have to obtain either the State Programmatic General Permit or a federal permit depending on the type of project.

Patron - Cosgrove

Welfare (Social Services)

Passed

HB56 Mandatory reporting of child abuse and neglect by eligibility workers. Requires any person employed by a local department of social services who determines eligibility for public assistance to report suspected child abuse or neglect to the local department or the Department of Social Services' toll-free child abuse and neglect hotline. The bill is effective on January 1, 2007 and the Department of Social Services must provide training to implement its provisions.

Patron - Fralin

HB73 Social services; constitution of local board for a city. Allows a city council to appoint one of its members to the local social services board for that city. This bill is identical to SB 25.

Patron - Orrock

HB727 Administrative changes to adoption laws. Expands jurisdiction and venue choices for parties involved in adoption, reduces the review time of an adoption petition, and adds factors for the court to consider when determining whether or not to grant an adoption petition. Additionally, the bill sets out the procedure for close relative adoptions. The bill also makes several other administrative changes to the adoption laws to make navigating through the adoption process easier and to facilitate use of the process by all involved.

Patron - McQuigg

HB729 Birth parent recommendation of adoptive parents. Creates a new adoption procedure that allows the birth parent to recommend adoptive parents. Additionally, the birth parent can choose between more open parental placement adoption procedures or maintain privacy through use of the agency adoption procedures.

Patron - McQuigg

HB730 Creation of a mutual consent adoption registry; sunset. Creates a mutual consent adoption registry that allows birth parents and adoptees to exchange identifying information after the adoptee has reached 21 years of age. Requires the Department of Social Services to establish the registry and assess a fee for registrants. The fee is to be the lowest fee that will cover the costs associated with operating the registry, but it shall not exceed \$50 per registrant. The bill includes a sunset of July 1, 2009. The provisions of the bill are subject to an appropriation of funds in the General Appropriation Act.

Patron - McQuigg

HB855 Guardianship; petition by parent of incapacitated person. Authorizes the parent or guardian of an incapacitated person who is under the age of 18 to file a petition for guardianship six months prior to the child's eighteenth birthday. Where the petition is brought by any other person, the petition may be filed no earlier than the respondent's eighteenth birthday.

Patron - Ebbin

HB856 Public Guardianship Program; authority to make funeral arrangements. Authorizes, when there is no known next of kin, a public guardian or conservator to make funeral or burial arrangements.

Patron - Ebbin

HB1156 Sexual and domestic violence; confidentiality of records. Requires providers of sexual or domestic violence services to keep victim records confidential and requires the Director of the Department of Social Services to work with the Statewide Domestic Violence Coalition to develop policies and implement methods to ensure the confidentiality of victim records and records pertaining to the address or location of any shelter or facility assisted under the Family Violence Prevention and Services Act, 42 U.S.C. § 10401 et seq.

Patron - Janis

HB1213 Social services; faith-based organizations. Directs the Department of Social Services to coordinate offers of assistance from faith-based organizations during natural disasters. This bill is identical to SB 730.

Patron - Moran

HB1317 Foster care; criminal background checks. Requires a nationwide, rather than statewide, criminal background check for any individual with whom the local board or agency is considering placing a child on an emergency, temporary, or permanent basis, including the birth parent of a child in foster care placement. In emergency circumstances, a statewide Virginia Criminal Information Network search may still be performed to satisfy the background check requirement, provided that a national search is also performed afterwards. The child shall be removed from the home immediately if any adult resident, within three days of the child's placement, fails to provide fingerprints and written permission to perform a national criminal history record check when requested.

Patron - Cosgrove

HB1351 Adult services; reporting of suspected abuse, neglect, or exploitation. Requires local departments of social services or the adult protective services hotline, upon receiving the initial report pursuant to § 63.2-1606, to notify the local law-enforcement agency directly in any cases of (i) sexual abuse as defined in § 18.2-67.10, (ii) serious bodily injury or disease as defined in § 18.2-369 that is believed to be the result of abuse or neglect, or (iii) any other criminal activity involving abuse or neglect that places the adult in imminent danger of death or serious bodily harm.

Patron - Bell

HB1534 Background checks; adoption. Provides that a child-placing agency may approve as an adoptive or foster parent a person who was convicted of felony drug possession or distribution provided that 10 years have elapsed since conviction and his civil rights have been restored by the Governor.

Patron - Welch

HB1589 Family day homes; sex offenders prohibited; penalty. Makes it a Class 1 misdemeanor for a person to operate a family day home if he knows that any of his employees or volunteers are convicted sex offenders. This bill is identical to SB 420.

Patron - Gilbert

SB25 Social services; constitution of local board for a city. Allows a city council to appoint one of its members to the local social services board for that city. This bill is identical to HB 73.

Patron - Houck

SB48 Kinship Foster Care. Requires a local board of social services, before making a foster care placement, to first seek out kinship foster care. The Board of Social Services shall adopt regulations for determining whether the child has a rela-

tive who is eligible to become a kinship foster parent. Kinship foster care placements are subject to the requirements, and receive the benefits, of other foster care placements, including payments for the care of the child.

Patron - Miller

SB253 Mandatory reporting of child abuse and neglect. Requires any adult who has received training in the detection of child abuse and neglect to report it to the local department of social services or the Department of Social Services' toll-free hotline. The bill exempts from the mandatory reporting requirement information required by the doctrine of the religious organization or denomination to be kept in a confidential manner and information that the practitioner would not be required to disclose in court testimony pursuant to other Code provisions.

Patron - Howell

SB257 Child day program exemption from licensure. Allows an exemption from licensure for programs of recreational activities offered by local governments, staffed by local government employees, and attended by school-age children. The programs shall be subject to safety and supervisory standards established by the local governments.

Patron - Wagner

SB420 Family day homes; sex offenders prohibited. Makes it a Class 1 misdemeanor for a person to operate a family day home if he knows that any of the home's employees or volunteers are convicted sex offenders. This bill is identical to HB 1589.

Patron - Hanger

SB421 Child care facilities; criminal background checks; civil penalty. Requires all businesses and organizations that provide care to children, the elderly, or disabled to request a national criminal background check of all employees and volunteers, and punishes failure to do so with a \$500 civil penalty and, in some cases, a Class 3 misdemeanor for a second offense.

Patron - Hanger

SB534 Adoption laws; putative father registry. Makes procedural and administrative changes to adoption laws, creates a "designated adoption," and establishes a putative father registry. The bill removes a provision that Virginia law applies to entrustment agreements executed in the Commonwealth by agencies outside the Commonwealth. Acknowledged, adjudicated, presumed and registered fathers whose identity is not reasonably ascertainable are entitled to notice of an adoption. Consent is not required of a birth father who denies paternity under oath and in writing or a birth parent who, without just cause, has neither visited nor contacted the child for six months. Unmarried birth fathers may consent to the termination of parental rights prior to the birth of the child. The amount of time to object to proceedings is decreased from 21 to 15 days after the notice is mailed. Failure to appear at a hearing waives the right to consent to the adoption. The length of time during which an entrustment agreement can be revoked by the birth parents is reduced from until the child is 25 days old and 15 days have elapsed since execution to until the child is 10 days old and seven days have elapsed. Current law requires that a child be 10 days old before consent to a parental placement adoption can be executed in juvenile court; this bill allows such consent on the third day of the child's life. Consent is revocable for 10 days instead of the current 15 and is not revocable at all after the child is 10 days old. The bill creates a new form of adoption where a birth parent may designate adoptive parents but may use agency adoption and the exchange of certain identifying information does not have to

occur. A Putative Father Registry is established and will be administered by the Department of Social Services and funded by an additional \$50 filing fee. Any man who has engaged in sexual intercourse with a woman is deemed to be on legal notice that a child may be conceived and may register with the Registry which will entitle him to notice if the child is placed for adoption. Provisions related to adult and step-parent adoption are revised.

Patron - O'Brien

SB691 Adoption; sexually violent offenders. Prohibits sexually violent offenders and offenders who are required to register pursuant to § 9.1-902 from adopting a child.

Patron - Obenshain

SB704 Family day home systems and family day homes; civil penalty. Requires any person who operates a family day home approved by a licensed family day system, a licensed family day home, or a voluntarily registered family day home to furnish a written notice to the parent or guardian of each child under the care of the family day home stating (i) the amount of liability insurance in force covering operation of the family day home or (ii) the fact that there is no liability insurance in effect. The bill also requires that such notice be acknowledged in writing and requires the operator to notify parents and guardians in the event the amount of insurance coverage decreases. Any person who fails to give the required notice shall be subject to a civil penalty of \$500 for each such failure.

Patron - Edwards

SB730 Social services; faith-based organizations. Directs the Department of Social Services to coordinate offers of assistance from faith-based organizations during natural disasters. This bill is identical to HB 1213.

Patron - Herring

Failed

HB32 Child Day Programs; exemption from licensure for local recreation programs. Exempts from licensure requirements certain recreation programs attended by children over the age of five. Safety and supervisory standards are to be established by local governments.

Patron - Tata

HB66 Social services; Virginia Caregivers Grant. Increases the grant available to a caregiver of a mentally or physically impaired relative from \$500 to \$3,000 if the caregiver can provide appropriate documentation that without such care, the relative would be domiciled in a nursing facility. Grants from this fund shall not exceed the amount appropriated by the General Assembly to the Virginia Caregivers Grant Fund.

Patron - Purkey

HB227 Domestic violence; confidentiality of records. Requires the Director of the Department of Social Services to work with the Statewide Domestic Violence Coalition to develop policies and implement methods to assure the confidentiality of records pertaining to the address or location of any shelter or facility assisted under the Family Violence Prevention and Services Act, 42 U.S.C. § 10401 et seq. This bill was incorporated into HB 1156.

Patron - Jones, D.C.

HB231 Day care facilities, assisted living facilities, child welfare agencies; emergency preparedness training.

Adds section requiring all operators of assisted living facilities, adult day care centers, and child welfare agencies to complete an emergency preparedness training program as a condition of licensure. The program shall include the essential procedures, operations, and assignments required to prevent, manage, and respond to a critical event or emergency, including natural disasters involving fire, flood, tornadoes, or other severe weather; loss or disruption of power, water, communications, or shelter; medical emergencies; explosions; bomb threats; gun, knife, or other weapons threats; spills or exposures to hazardous substances; the presence of unauthorized persons or trespassers; the loss, disappearance, or kidnapping of a resident; hostage situations; violence on the facility property; incidents involving acts of terrorism; and other incidents posing a serious threat of harm to residents, personnel, or facilities.

Patron - Jones, D.C.

[F]HB246 Income tax; tax credit for certain health care practitioners. Provides an income tax credit to health care practitioners who provide, without compensation, medical services to indigent persons who cannot pay for the services themselves. The amount of the credit is equal to 25 percent of the fee the practitioner would charge for the service, not to exceed \$500 annually for any practitioner. The credit would be available for taxable years beginning on or after January 1, 2007.

Patron - Shannon

[F]HB358 Neighborhood Assistance Act; tax credits. Changes the eligibility requirements for individuals to claim neighborhood assistance tax credits to align them with eligibility requirements for businesses. Individuals will be eligible for the credit for donations of real property and stock as well as monetary donations, and they may still claim the deduction on their federal tax returns for taxable years beginning on or after January 1, 2006.

Patron - Hamilton

[F]HB465 Emergency response; notification of location of certain facilities. Requires the Commissioners of Health, Mental Health, Mental Retardation and Substance Abuse Services, and Social Services to notify the Virginia Department of Emergency Management (VDEM) of the location and capacity of all nursing homes, hospice facilities, group homes, assisted living facilities, and adult day care facilities licensed in the Commonwealth. VDEM is then responsible for forwarding this information to designated local emergency planning contacts and the Virginia Geographic Information Network Office, in order to assist in the planning and implementation of emergency response.

Patron - Ingram

[F]HB583 Public Assistance; eligibility for TANF benefits. Provides that a person shall not be ineligible for Temporary Assistance for Needy Families (TANF) benefits solely as the result of a felony drug possession conviction.

Patron - Watts

[F]HB634 Assisted living facilities; regulations. Strikes the requirement that all licensed assisted living facilities with six or more residents be able to connect by July 1, 2007, to a temporary emergency electrical power source for the provision of electricity during an interruption of the normal electric power supply.

Patron - Phillips

[F]HB726 Parental consent prior to a minor entering into an adoption. Requires that any birth parent 14 years of age or younger must receive parental consent prior to petition-

ing for adoption or entering an entrustment agreement. Provides for judicial consent in lieu of parental consent.

Patron - McQuigg

[F]HB728 Creation of putative father registry; penalty. Creates a putative father registry that requires any man who has sexual intercourse with a woman to register with the registry or forgo his right to oppose the adoption of a child that may have resulted from such intercourse. Also makes it a Class 4 misdemeanor to wrongfully disseminate information contained in the registry.

Patron - McQuigg

[F]HB806 Foster care services. Adds to the definition of foster care services the provision of care to a child and his family when the child has been identified as needing such services to prevent or eliminate the need for relinquishment of custody.

Patron - Fralin

[F]HB873 Information technology professionals; reporting child abuse; penalty. Adds information technology professionals to the list of those required to report suspected child abuse or neglect.

Patron - Byron

[F]HB969 Adult Fatality Review Team; duties; membership; confidentiality; etc.; penalties; report. Requires the Commissioner of the Department of Social Services and the Chief Medical Examiner to develop an Adult Fatality Review Team (Team) to review suspicious deaths of adults in order to create a body of information to help prevent future fatalities. The Team is charged with reviewing the death of any incapacitated adult aged 18 or older, and any adult aged 60 or older (i) who was the subject of an adult protective services investigation or (ii) whose death was due to abuse or neglect or acts suggesting possible abuse or neglect. The bill sets forth duties, membership, confidentiality, reporting, and other requirements for the Team. The bill also excludes any information acquired during a review from the Virginia Freedom of Information Act. This bill is identical to SB 635.

Patron - Ebbin

[F]HB1280 Criminal history and central registry check for placements of children. Strikes the limiting language "statewide" so as to permit the entire record of criminal history information to be obtained and considered by the local board and licensed child-placing agency for an individual with whom the board or agency is contemplating a placement. This bill was incorporated into HB 1317.

Patron - Johnson

[F]HB1332 Juvenile detention facilities; placement of adults. Requires that adults, and juveniles being tried as adults, be held only in adult correctional facilities. The bill also requires that upon reaching age 18, any adult in a juvenile facility shall be transferred to an adult facility.

Patron - Bell

[F]HB1434 Mandatory reporting of child abuse and neglect; civil penalty. Requires any regular minister, priest, rabbi, or accredited practitioner to report suspected child abuse or neglect to a local department of social services or the Department of Social Services' toll-free child abuse and neglect hotline. The bill exempts from the mandatory reporting requirement information required by the doctrine of the religious organization or denomination to be kept in a confidential manner and information that the practitioner would not be required to disclose in court testimony pursuant to other Code provisions.

Patron - Brink

[F]HB1550 Residential community programs. Directs the Department of Corrections, where appropriate and resources are available, to give nonviolent prisoners who have not been convicted of specific offenses or sentenced to one or more life terms the opportunity to participate in a residential community program, work release, or a community-based program. Current law requires that the prisoner not be convicted of any violent crime and be sentenced to at least three years. The bill restricts the cost of keep to no more than 30 percent of the prisoner's gross earnings, and directs the Department to prescribe guidelines for the program that emphasize training and education related to job skills, literacy, money management, and other life skills.

Patron - BaCote

[F]SB32 Social services; time limit on receipt of TANF. Allows the children of VIEW participants to continue receiving TANF financial assistance beyond the initial 24-month period if (i) the VIEW participating parent is no longer the children's legal guardian, (ii) another relative of the children now has legal custody, and (iii) the children otherwise meet the eligibility requirements set forth in §§ 63.2-602 through 63.2-607. This bill is contingent upon appropriation of funds.

Patron - Miller

[F]SB240 Public assistance; eligibility for TANF benefits. Provides that a person shall not be ineligible for Temporary Assistance for Needy Families (TANF) benefits solely as the result of a felony drug possession conviction. This bill is contingent upon the appropriation of funds.

Patron - Ticer

[F]SB458 Income tax; tax credit for certain health care practitioners. Provides an income tax credit to health care practitioners who provide, without compensation, medical services to indigent persons who cannot pay for the services themselves. The amount of the credit is equal to 25 percent of the fee the practitioner would charge for the service, not to exceed \$500 annually for any practitioner. The credit would be available for taxable years beginning on or after January 1, 2007.

Patron - Devolites Davis

[F]SB584 Child abuse or neglect; mandated reporting of certain teenage pregnancies. Requires an attending physician or other health professional to report teenage pregnancies as child abuse or neglect upon finding that a child under the age of 15 is pregnant.

Patron - Cuccinelli

[F]SB615 Child Day Care Regulations. Establishes staff-to-child ratios, activity space guidelines, and training and qualification guidelines for program directors, program leaders, and general staff for regulated child day care centers.

Patron - Wagner

Carried Over

[C]HB415 Nursing homes; notification of sex offenders. Requires nursing homes and certified nursing facilities to notify residents, residents' families, residents' legal representatives, and the public of the presence of a person convicted of a sexual offense for which registration is required pursuant to §9.1-902 residing in the nursing home or certified nursing facility. Also allows such facilities to request from the State Police electronic notification of any sex offender.

Patron - Griffith

[C]HB598 Emergency medical services personnel; reporting child abuse; penalty. Adds emergency medical services personnel certified by the Board of Health to the list of those required to report suspected child abuse or neglect.

Patron - Cosgrove

[C]HB1358 Assisted living facilities; exemption from licensing requirements. Allows, for life-sharing communities, an exemption from the requirement to have a staff member who is awake 24 hours per day. "Life-sharing community" is defined as an assisted living facility, operated by a nonprofit organization, that (i) offers a safe, secure environment in a free-standing, self-contained unit for residents who have been assessed by a medical professional as having a mental disability; (ii) is located in a community setting; (iii) consists of the residents as well as staff or family members who live in the units; (iv) has at least one staff or family member in such facility at all times when residents are present and requires the staff or family member on premises to be responsible for the care and supervision of the residents; (v) has established written emergency procedures that provide for prompt assistance to the staff or family member on premises by other staff members who may be at locations other than the facility where the assistance is requested; and (vi) provides, at the time of admission, written notice to each resident and his legally authorized representative that the facility is exempt from the above requirement.

Patron - Bell

[C]HB1538 Day care facilities; exemptions from licensure. Limits exemption from licensure for "come and go" programs currently exempt. The bill provides that the exemption only applies where the program does not (i) provide care for a child under the age of eight, (ii) provide care for a child who resides more than one half-mile from the program, or (iii) initiate, arrange, or participate in the transportation of a child. The bill also requires that, if the program allows a parent to designate individuals who are not authorized to pick up a child, the parent must provide appropriate legal documentation in support of this request.

Patron - Reid

[C]SB47 Kinship Care Program. Establishes the Kinship Care Program within the Department of Social Services for relatives who are (i) within the third degree by blood or marriage to the parent or step-parent of a child, (ii) caring full-time for that child in the role of a substitute parent as a result of a court's placement of the child in the legal custody of the relative, as defined in § 16.1-228, and (iii) determined to be capable caregivers as defined in the bill. Relatives who qualify as capable caregivers are not required to meet foster care requirements, and they may receive financial assistance and case management services as determined by the local board of social services.

Patron - Miller

[C]SB635 Adult Fatality Review Team; duties; membership; confidentiality; penalties; report; etc. Requires the Commissioner of the Department of Social Services and the Chief Medical Examiner to develop an Adult Fatality Review Team (Team) to review suspicious deaths of adults in order to create a body of information to help prevent future fatalities. The Team is charged with reviewing the death of any incapacitated adult aged 18 or older, and any adult aged 60 or older (i) who was the subject of an adult protective services investigation or (ii) whose death was due to abuse or neglect or acts suggesting possible abuse or neglect. The bill sets forth duties, membership, confidentiality, reporting, and other requirements for the Team. The bill also excludes any information acquired

during a review from the Virginia Freedom of Information Act. This bill is identical to HB 969.

Patron - Howell

Wills and Decedents' Estates

Passed

[P]HB1115 Persons presumed dead. Clarifies existing law and determines the date of death under various presumptions, provides for survivorship matters and beneficiary designations for persons presumed dead, provides for the appointment of a curator when the presumption of death is not applicable, and eliminates surety bond requirements.

Patron - Athey

[P]HB1303 Virginia Small Estate Act. Modifies the collection of personal property by affidavit provision by increasing from \$15,000 to \$50,000 the allowable value of the personal probate estate. The effective date will be January 1, 2007.

Patron - Alexander

[P]SB217 Guardianship and conservatorship; appointment of administrators. States that a tax-exempt charitable organization that has been designated by the Virginia Department for the Aging as a public conservator or guardian may serve in that capacity for other individuals. It further provides that a non-profit charitable organization may serve as an administrator of an estate of an individual if 45 days have elapsed since the decedent's death and no distributee has notified the clerk. Such charitable organization must establish that it made a diligent search for any distributee.

Patron - Quayle

Failed

[F]SB49 Intestate succession. Increases the amount of the surviving spouse's share from 1/3 to 1/2 where there are surviving descendants which are not the children of the surviving spouse.

Patron - Miller

Workers' Compensation

Passed

[P]HB326 Workers' compensation; sole shareholders and members. Authorizes the sole shareholder of a stock corporation with one shareholder and the sole member of a limited liability company with one member to elect to be included as employees under the workers' compensation coverage of the business. The same election is currently afforded to sole proprietors and to all of the partners of a business.

Patron - Morgan

[P]HB417 Birth-Related Neurological Injury Program; Virginia Retirement System. Eliminates requirements that the investment advisors retained by the board of directors of the Birth-Related Neurological Injury Program be from a list provided by the chief investment officer of the Virginia Retirement System and that the board consult with the chief investment officer semiannually. Any investment advisor retained by

the board will be required to either be a federal covered investment advisor or registered with the State Corporation Commission under the Securities Act.

Patron - Tata

[P]HB865 Workers' compensation; temporary partial disability benefits. Provides that the post-injury average weekly wage, in the case of a temporary partial disability of 13 weeks or less, shall be computed by dividing the employee's total earnings during the first two weeks of partial incapacity by two, and that such average is subject to retroactive adjustment for the 90 days preceding an application for an adjustment. If the duration of the partial disability is longer than 13 weeks, it will be computed by dividing the total earnings during the period of partial incapacity by the number of weeks in the period. These provisions apply to commissioned employees, self-employed income, and income from an employer in which the injured worker or a family member has an ownership interest. The provisions may also apply to other employments in the discretion of the Workers' Compensation Commission.

Patron - Byron

[P]HB941 Workers' compensation liability; self-insurance. Corrects the statement of the minimum ratio of debt to equity that an employer is required to demonstrate prior to obtaining certification as a self-insurer. The minimum ratio is currently codified as 2:2, and the 1996 Acts of Assembly stated the ratio as 2.2; this measure restates the ratio as 2.2:1.

Patron - Morgan

[P]HB942 Structured Settlement Protection Act; workers' compensation benefits. Exempts all payments in settlement of workers' compensation claims, including transfers of workers' compensation claims, awards, benefits, settlements or payments made or payable pursuant to Title 65.2, from the provisions of the Structured Settlement Protection Act.

Patron - Morgan

Failed

[F]HB565 Workers' compensation; temporary partial disability benefits. Requires an injured employee who is released to return to work, as a condition of eligibility for partial disability benefits, to prove that he made a reasonable effort to market his residual work capacity during the period for which he seeks compensation. The measure also provides that compensation for a temporary partial disability of 13 weeks or less shall be calculated based on post-injury average weekly wages over the entire period of partial disability. If the duration of the partial disability is longer than 13 weeks, it will be calculated quarterly, provided that if the partial disability period ends before the end of a 13-week interval, the calculation for the final interval shall be as if the period of partial disability was for less than 13 weeks. This bill was incorporated into HB 865.

Patron - Nixon

[F]HB866 Workers' compensation; temporary partial disability benefits; marketing standards. Requires an injured employee who is released to return to work, as a condition of eligibility for partial disability benefits, to prove that he made a reasonable effort to market his residual work capacity during the period for which he seeks compensation.

Patron - Byron

[F]HB1361 Workers' compensation; primacy of coverage. Provides that when an employee suffers an injury cov-

ered by the Workers' Compensation Act that results from a third party's tort, the employer's workers' compensation insurance coverage for the injured employee is secondary to the third party's liability insurance coverage.

Patron - Bell

[F]HB1585 Workers' compensation coverage for first responders. Exempts first responders injured during a declared state of emergency from the requirement that the physician treating the employee be chosen from a three-physician panel provided by the employer. The measure provides that a first responder injured during a state of emergency shall be taken forthwith to any available health care facility and be furnished medical treatment at the employer's expense. It also provides that if certain first responders become ill due to an exposure to a radioactive, chemical or biologic agent, and thereafter transmits the illness to a family member, the family member is entitled to employer-provided medical care.

Patron - Sickles

[F]SB361 Workers' compensation coverage for first responders. Exempts first responders injured during a declared state of emergency from the requirement that the physician treating the employee be chosen from a three-physician panel provided by the employer. The measure provides that a first responder injured during a state of emergency shall be taken forthwith to any available health care facility and be furnished medical treatment at the employer's expense. It also provides that if certain first responders become ill due to an exposure to a radioactive, chemical or biologic agent, and thereafter transmits the illness to a family member, the family member is entitled to employer-provided medical care.

Patron - Edwards

Carried Over

[C]HB416 Virginia Birth-Related Neurological Injury Compensation Program. Provides that "birth-related injury or death" does not include an infant's disability or death caused by maternal disease, infection, or neglect including, but not limited to, chorioamnionitis in cases in which no objective medical evidence indicates hypoxia during the time of labor, delivery, or resuscitation; maternal substance abuse; willful maternal failure during pregnancy to take medications prescribed or adhere to directives from health care providers; or prematurity in cases in which no objective medical evidence indicates hypoxia during the time of labor, delivery, or resuscitation. A procedure for adopting and amending a recommended format for expert panel assessments of birth injury claims is established. A presumption that the report of the medical advisory panel is correct is established, and the procedure for objecting to the report is revised. The measure provides for a waiver of confidentiality of medical records by filing a petition with the Virginia Birth-Related Neurological Injury Compensation Program. The Program is required to make assistance available to individuals completing petitions for acceptance into the Program. The current rebuttable presumption of fetal distress that arises if the hospital fails to provide the fetal heart monitor tape to the claimant is repealed. The measure provides that no inference or presumption shall arise from the absence of a documented umbilical cord blood gas test result. Attorney fees incurred in connection with a petition for entry into the Program are limited to those for services provide after the claimant has received a copy of the report of the medical advisory panel. Certain time limits, including those for rehearings and reviews of Commission determinations, are jurisdictional, while other time limits are specifically subject to extension for good cause. The measure also clarifies provisions regarding

referral of cases from circuit court to the Workers' Compensation Commission.

Patron - Tata

[C]SB643 Virginia Birth-Related Neurological Injury Compensation Program. Provides that "birth-related injury or death" does not include an infant's disability or death caused by maternal disease, infection, or neglect including, but not limited to, chorioamnionitis in cases in which no objective medical evidence indicates hypoxia during the time of labor, delivery, or resuscitation; maternal substance abuse; willful maternal failure during pregnancy to take medications prescribed or adhere to directives from health care providers; or prematurity in cases in which no objective medical evidence indicates hypoxia during the time of labor, delivery, or resuscitation. A procedure for adopting and amending a recommended format for expert panel assessments of birth injury claims is established. A presumption that the report of the medical advisory panel is correct is established, and the procedure for objecting to the report is revised. The measure provides for a waiver of confidentiality of medical records by filing a petition with the Virginia Birth-Related Neurological Injury Compensation Program. The Program is required to make assistance available to individuals completing petitions for acceptance into the Program. The current rebuttable presumption of fetal distress that arises if the hospital fails to provide the fetal heart monitor tape to the claimant is repealed. The measure provides that no inference or presumption shall arise from the absence of a documented umbilical cord blood gas test result. Attorney fees incurred in connection with a petition for entry into the Program are limited to those for services provide after the claimant has received a copy of the report of the medical advisory panel. Certain time limits, including those for rehearings and reviews of Commission determinations, are jurisdictional, while other time limits are specifically subject to extension for good cause. The measure also clarifies provisions regarding referral of cases from circuit court to the Workers' Compensation Commission.

Patron - Watkins

Constitutional Amendments

Passed

[P]HB101 Constitutional amendment (voter referendum); marriage. Provides for a referendum at the November 2006 election on approval of a proposed constitutional amendment to define marriage. The proposed amendment provides that "only a union between one man and one woman may be a marriage valid in or recognized by this Commonwealth and its political subdivisions." The proposed amendment also prohibits the Commonwealth and its political subdivisions from creating or recognizing "a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage." Further, the proposed amendment prohibits the Commonwealth or its political subdivisions from creating or recognizing "another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage." This bill incorporates HB 374 and is identical to SB 526.

Patron - Cosgrove

[P]HB1382 Constitutional amendment (voter referendum); powers of the General Assembly; limitations on powers including incorporation of churches. Provides for a referendum at the November 2006 election on approval of a proposed constitutional amendment relating to incorporation of

churches. The proposed amendment deletes language that prohibits the General Assembly from granting charters of incorporation to churches. This prohibition was held to be unconstitutional in 2002 by the United States District Court for the Western District of Virginia in *Falwell v. Miller* (203 F.Supp. 2d 624). The Court held that the prohibition against incorporation of churches violated the plaintiff church's First Amendment right to the free exercise of religion. Since that case, the State Corporation Commission has granted charters to churches. This amendment deletes the now obsolete language and makes no change in current law.

Patron - McQuigg

[P]HJ41 Constitutional amendment (second resolution); marriage. Provides that "only a union between one man and one woman may be a marriage valid in or recognized by this Commonwealth and its political subdivisions." The proposed amendment also prohibits the Commonwealth and its political subdivisions from creating or recognizing "a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage." Further, the proposed amendment prohibits the Commonwealth or its political subdivisions from creating or recognizing "another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage." This resolution incorporates HJR 23. This proposed constitutional amendment is identical to the amendment proposed in SJR 92.

Patron - Marshall, R.G.

[P]HJ159 Constitutional amendment (second resolution); powers of the General Assembly; limitations on powers including incorporation of churches. Deletes language that prohibits the General Assembly from granting charters of incorporation to churches. This prohibition was held to be unconstitutional in 2002 by the United States District Court for the Western District of Virginia in *Falwell v. Miller* (203 F.Supp. 2d 624). The Court held that the prohibition against incorporation of churches violated the plaintiff church's First Amendment right to the free exercise of religion. Since that case, the State Corporation Commission has granted charters to churches. This amendment deletes the now obsolete language and makes no change in current law.

Patron - McQuigg

[P]SB357 Constitutional amendment (voter referendum); property exempt from taxation. Provides for a referendum at the November 2006 election on approval of a proposed constitutional amendment relating to property tax exemptions. The proposed amendment authorizes the General Assembly to enact legislation that will permit localities to provide a partial exemption from real property taxes for real estate and associated new structures and improvements in conservation, redevelopment, or rehabilitation areas.

Patron - Edwards

[P]SB526 Constitutional amendment (voter referendum); marriage. Provides for a referendum at the November 2006 election on approval of a proposed constitutional amendment to define marriage. The proposed amendment provides that "only a union between one man and one woman may be a marriage valid in or recognized by this Commonwealth and its political subdivisions." The proposed amendment also prohibits the Commonwealth and its political subdivisions from creating or recognizing "a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage." Further, the proposed amendment prohibits the Commonwealth or its political subdivisions from creating or recognizing "another union, partnership, or other legal status to which is assigned the rights,

benefits, obligations, qualities, or effects of marriage." This bill is identical to HB 101.

Patron - Newman

[P]SJ87 Constitutional amendment (second resolution); property exempt from taxation. Authorizes the General Assembly to enact legislation that will permit localities to provide a partial exemption from real property taxation for real estate and associated new structures and improvements in conservation, redevelopment, or rehabilitation areas.

Patron - Edwards

[P]SJ92 Constitutional amendment (second resolution); marriage. Provides that "only a union between one man and one woman may be a marriage valid in or recognized by this Commonwealth and its political subdivisions." The proposed amendment also prohibits the Commonwealth and its political subdivisions from creating or recognizing "a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage." Further, the proposed amendment prohibits the Commonwealth or its political subdivisions from creating or recognizing "another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage." This proposed constitutional amendment is identical to the amendment proposed in HJR 41.

Patron - Newman

Failed

[F]HB374 Constitutional amendment (voter referendum); marriage. Provides for a referendum at the November 2006 election on approval of a proposed constitutional amendment to define marriage. The proposed amendment provides that "only a union between one man and one woman may be a marriage valid in or recognized by this Commonwealth and its political subdivisions." The proposed amendment also prohibits the Commonwealth and its political subdivisions from creating or recognizing "a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage." Further, the proposed amendment prohibits the Commonwealth or its political subdivisions from creating or recognizing "another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage." This bill was incorporated into HB 101.

Patron - Marshall, R.G.

[F]HJ23 Constitutional amendment (second resolution); marriage. Provides that "only a union between one man and one woman may be a marriage valid in or recognized by this Commonwealth and its political subdivisions." The proposed amendment also prohibits the Commonwealth and its political subdivisions from creating or recognizing "a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage." Further, the proposed amendment prohibits the Commonwealth or its political subdivisions from creating or recognizing "another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage." This resolution was incorporated into HJR 41, a companion to HB 101.

Patron - Cosgrove

[F]HJ98 Constitutional amendment (first resolution); transportation funding. Provides that moneys in the Commonwealth Transportation Fund, Transportation Trust Fund, and Highway Maintenance and Operating Fund shall be used for (i) administering, planning, constructing, improving, or

maintaining the roads embraced in the systems of highways for the Commonwealth and its localities or furthering the interests of the Commonwealth in the areas of highways, public transportation, railways, seaports, or airports; (ii) making payments on bonds or other obligations that have been issued or entered into to finance transportation projects; or (iii) making loans to finance transportation projects. The amendment provides for the crediting of various sources of revenue to the transportation funds. It allows for borrowing from transportation funds for other purposes by a four-fifths vote of each house of the General Assembly.

Patron - Albo

Carried Over

☐HJ1 Constitutional amendment (first resolution); Governor's term of office. Permits the Governor to succeed himself in office. The amendment allows two four-year terms (either in succession or not in succession) but prohibits election to a third term. The amendment allows Governors elected in 2009 and thereafter to serve two successive terms. Service for more than two years of a partial term counts as service for one term.

Patron - Purkey

☐HJ2 Constitutional amendments (first resolution); Virginia Redistricting Commission. Establishes 13-member Virginia Redistricting Commission to redraw Congressional and General Assembly district boundaries after each decennial census. Provides procedure for appointment of Commission members and standards to govern redistricting plans including the current Constitution's standards on population equality, compactness, and contiguity and additional standards to minimize splits of localities and to prohibit consideration of incumbency and political data. The amendments also provide for 40 senators and 100 delegates rather than the present ranges of 33 to 40 senators and 90 to 100 delegates.

Patron - Shuler

☐HJ3 Constitutional amendment (first resolution); Transportation Funds. Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, and Highway Maintenance and Operating Fund. All revenues dedicated to Transportation Funds on January 1, 2007, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan or reduction must be repaid with reasonable interest within four years.

Patron - Lingamfelter

☐HJ4 Constitutional amendment (first resolution); terms of office; General Assembly members and the Governor; future amendments. Provides for four-year terms for House of Delegates members and six-year terms for Senate members and the Governor. The resolution also provides that constitutional amendments must be passed in two separate sessions and deletes the requirement that there must be an election for the House of Delegates between those two sessions.

Patron - Shuler

☐HJ18 Constitutional amendment (first resolution); Transportation Funds. Requires the General Assembly to

maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, and Highway Maintenance and Operating Fund. All revenues dedicated to Transportation Funds on January 1, 2007, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan or reduction must be repaid with reasonable interest within four years.

Patron - Marshall, R.G.

☐HJ20 Constitutional amendment (first resolution); Board of Education. Provides for the appointment of the members of the Board of Education as follows: four members, including a member designated as president, appointed by the Governor; three members appointed by the House of Delegates; and two members appointed by the Senate, in accordance with the rules of each house. Members are to be appointed for four-year terms. Terms are staggered. No person may be appointed to more than two consecutive full terms. Members in office when the amendment takes effect will serve until their successors are appointed. Presently, the Constitution provides that all nine members are appointed by the Governor.

Patron - Purkey

☐HJ22 Constitutional amendments (first resolution); Governor's term of office; Board of Education. One amendment permits the Governor to succeed himself in office. The amendment allows two four-year terms (either in succession or not in succession) but prohibits election to a third term. The amendment allows Governors elected in 2009 and thereafter to serve two successive terms. Service for more than two years of a partial term counts as service for one term. A second amendment provides for the appointment of the members of the Board of Education as follows: four members, including a member designated as president, appointed by the Governor; three members appointed by the House of Delegates; and two members appointed by the Senate, in accordance with the rules of each house. Members are to be appointed for four-year terms. Terms are staggered. No person may be appointed to more than two consecutive full terms. Members in office when the amendment takes effect will serve until their successors are appointed. Presently, the Constitution provides that all nine members are appointed by the Governor.

Patron - Purkey

☐HJ24 Constitutional amendment (first resolution); highway and transportation trust funds. Provides that the Highway Maintenance and Operating Fund and the Transportation Trust Fund established in 1986 will be permanent and separate funds and will be funded annually by the General Assembly by appropriations of the revenues generated by the 1986 package of tax and fee increases and the revenues from all other sources that were appropriated to the Funds in the fiscal year ending June 30, 2005. The amendment limits the use of Fund moneys to transportation and related purposes.

Patron - Fralin

☐HJ27 Constitutional amendment (first resolution); Governor's term of office. Extends the Governor's term to six years beginning with the Governor elected in 2009, continues the prohibition on successive terms, and provides six-year terms for the lieutenant governor and attorney general since the

terms for those offices are set by reference to the term of the governor.

Patron - Purkey

[C]HJ29 Constitutional amendment (first resolution); restoration of civil rights. Authorizes the General Assembly to provide by general law for the restoration of civil rights for persons convicted of felonies who have completed service of their sentence including any period or condition of probation, parole, or suspension of sentence. The present Constitution provides for restoration of rights by the Governor. The amendment retains the right of the Governor to restore civil rights and adds the alternative for restoration of rights pursuant to general law. This proposed constitutional amendment is identical to the amendment proposed in SJR 15.

Patron - Jones, D.C.

[C]HJ34 Constitutional amendment (first resolution); property exempt from taxation. Amends the Constitution of Virginia to exempt from property taxes privately owned motor vehicles used for nonbusiness purposes.

Patron - Rust

[C]HJ46 Constitutional amendment (first resolution); assessments of real property. Provides that the General Assembly may define and classify real estate devoted to water-dependent use and may by general law authorize any locality to allow deferral of, or relief from, portions of taxes otherwise payable on such real estate if it were not so classified. Currently, the General Assembly is afforded such power with respect to real estate devoted to agricultural, horticultural, forest, or open-space uses.

Patron - Wittman

[C]HJ56 Constitutional amendment (first resolution); real property assessments and tax rates. Provides that assessments of real property shall not increase annually by more than one percent plus the percentage increase, if any, in the rate of inflation. Increases in the rate of taxation on real property are limited to one percent per year.

Patron - Frederick

[C]HJ57 Constitutional amendment (first resolution); property tax exemptions. Provides an exemption from real and personal property taxes for totally disabled veterans.

Patron - Frederick

[C]HJ58 Constitutional amendment (first resolution); Highway Maintenance and Operating Fund and Transportation Trust Fund. Provides that the Highway Maintenance and Operating Fund and the Transportation Trust Fund shall be permanent funds. Starting with the Commonwealth's fiscal year beginning July 1, 2009, the General Assembly shall appropriate to each Fund an amount no less than the amount appropriated to the respective Fund in the immediately preceding fiscal year. The amendment limits the use of Trust Fund moneys to highway construction, maintenance, and improvements and to furthering the public interest in public transportation, railways, seaports, and airports. The General Assembly may use Fund proceeds for other purposes only by a four-fifths vote of the members in each house. However, Fund proceeds used for other purposes must be repaid to the Fund within four years.

Patron - Frederick

[C]HJ59 Constitutional amendment (first resolution); limit on appropriations. Limits total appropriations in any fiscal year to the preceding year's total appropriations plus the greater of (i) five percent or (ii) a percentage increase equal to the rate of inflation plus the rate of population increase. How-

ever, additional appropriations may be made (a) for tax relief, (b) for deposits to the Revenue Stabilization Fund, or (c) non-recurring capital projects. "Total appropriations" is defined so as not to include appropriated moneys that are received from the federal government or an agency or unit thereof.

Patron - Frederick

[C]HJ61 Constitutional amendment (first resolution); congressional and General Assembly districts; the redistricting process. Provides for a bipartisan panel of three special masters drawn from a pool of retired judges to redraw congressional and General Assembly district boundaries after each decennial census and for voter approval of the plan adopted by the panel. The amendment is patterned after California Proposition 77 (2005).

Patron - Armstrong

[C]HJ62 Constitutional amendment (first resolution); exercise of eminent domain powers. Provides that the taking of private property by eminent domain for the primary purpose of economic development does not constitute a permissible public use. The proposed amendment makes it a judicial question whether private property is being condemned for a permissible public use. This proposed constitutional amendment is identical to the amendment proposed in SJR 121.

Patron - Armstrong

[C]HJ68 Constitutional amendment (first resolution); property exempt from taxation. Authorizes the General Assembly to enact legislation that will permit localities to exempt from property taxes up to the first \$100,000 of assessed value of real estate designed for continuous habitation and owned and occupied by the same individuals as their home.

Patron - Watts

[C]HJ80 Constitutional amendment (first resolution); Transportation Funds. Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, and Highway Maintenance and Operating Fund. All revenues dedicated to Transportation Funds on January 1, 2006, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan or reduction must be repaid with reasonable interest within four years. This proposed constitutional amendment is identical to the amendment proposed in SJR 58.

Patron - Iaquinto

[C]HJ126 Constitutional amendment (first resolution); exercise of eminent domain powers. Provides that the taking of private property by eminent domain for the primary purpose of tax revenue enhancement does not constitute a permissible public use.

Patron - Rapp

[C]HJ135 Constitutional amendment (first resolution); property exempt from taxation. Directs the General Assembly to enact legislation that will permit localities to exempt from property taxes up to 20 percent of the value of residential or farm property that is designed for continuous habitation as a home and is owner-occupied. This proposed constitutional amendment is identical to the amendment proposed in SJR 79.

Patron - Brink

☐HJ138 Constitutional amendment (first resolution); highway and transportation trust funds. Provides that the Highway Maintenance and Operating Fund and the Transportation Trust Fund established in 1986 will be permanent and separate funds and will be funded annually by the General Assembly by appropriations equivalent to the revenues generated by the 1986 package of tax and fee increases and other revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan or reduction must be repaid with reasonable interest within four years.

Patron - Moran

☐HJ140 Constitutional amendment (first resolution); Virginia Redistricting Commission. Establishes the Virginia Redistricting Commission to redraw congressional and General Assembly district boundaries after each decennial census. Appointments to the five-member Commission are to be made in the year 2010 and each tenth year thereafter as follows: one each by the majority and minority party leaders of the Senate and House of Delegates from a pool of nominees provided by the Supreme Court and a fifth independent member appointed by the four partisan members from a pool of nominees provided by the Supreme Court. The Commission is directed to file district plans for the Senate and House of Delegates within 30 days of receipt of the federal census data and for congressional districts within 90 days of receipt of the federal census data. There is a 30-day public comment period. The standards to govern redistricting plans include population equality, compactness, contiguity, respect for communities of interest, use of geographic features and locality boundaries in drawing lines, and creation of competitive districts. Use of political data is limited to testing the effects of a plan. Information on incumbent and candidate residence is not to be used. The Commission is patterned after the Arizona Independent Redistricting Commission.

Patron - Moran

☐HJ142 Constitutional amendment (first resolution); Virginia Redistricting Commission. Establishes the Virginia Redistricting Commission to redraw congressional and General Assembly district boundaries after each decennial census. Appointments to the 11-member Commission are to be made in the census year by the most recently retired living Chief Justice of the Virginia Supreme Court. Appointments are to be made to represent each congressional district. Persons to be appointed to the Commission shall be retired justices or judges of the Supreme Court, Court of Appeals, or circuit courts. The Commission is directed to certify district plans for the General Assembly within one month of receipt of the new census data or by March 1 of the year following the census, whichever is later, and for the House of Representatives within three months of receipt or by June 1 of the year following the census, whichever is later.

Patron - Barlow

☐HJ145 Constitutional amendments (first resolution); balance of executive and legislative branch powers. Proposes several amendments to the Constitution to (i) extend the Governor's term to six years beginning with the Governor elected in 2009, (ii) continue the prohibition on successive terms, (iii) provide six-year terms for the lieutenant governor and attorney general, (iv) authorize the General Assembly to nullify or suspend administrative regulations, (v) transfer five of the nine appointments on the Board of Education made by the Governor to the legislature, and (vi) permit the General Assembly to extend a session for any period by a two-thirds

vote. This bill is a recommendation of the Joint Subcommittee to Study the Balance of Powers Between the Legislative and Executive Branches pursuant to HJR 707 (2005). These proposed constitutional amendments are identical to the amendments proposed in SJR 100.

Patron - Purkey

☐HJ146 Constitutional amendment (first resolution); legislative sessions. Provides for an organizational session of the General Assembly beginning on the second Wednesday in December or on another day that may be designated in accordance with a joint rule of the General Assembly and lasting no longer than three days. The business of the organizational session would be limited to administrative and procedural matters, the confirmation of gubernatorial and other appointees, and the election of judicial officers. This resolution is a recommendation of the Joint Subcommittee to Study the Balance of Powers Between the Legislative and Executive Branches pursuant to HJR 707 (2005). This proposed constitutional amendment is identical to the amendment proposed in SJR 101.

Patron - Landes

☐HJ182 Constitutional amendment (first resolution); Transportation Trust Fund. Provides that the Transportation Trust Fund established in 1986 will be a permanent fund and receive all revenues generated by the 1986 package of tax and fee increases and any later enactments dedicating additional revenues to the Fund. The amendment limits the use of Trust Fund moneys to purposes of highway construction, maintenance, and improvements, public transportation, railways, seaports, and airports. The General Assembly may use fund proceeds for other purposes only by a two-thirds vote of the members in each house. However, fund proceeds used for other purposes must be repaid to the Fund within three years.

Patron - Marshall, D.W.

☐HJ238 Constitutional amendment (first resolution); Transportation Funds. Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, Priority Transportation Fund, and other funds dedicated to transportation by general law. All revenues dedicated to Transportation Funds on January 1, 2006, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan or reduction must be repaid with reasonable interest within three years.

Patron - Moran

☐SJ15 Constitutional amendment (first resolution); restoration of civil rights. Authorizes the General Assembly to provide by general law for the restoration of civil rights for persons convicted of felonies who have completed service of their sentence including any period or condition of probation, parole, or suspension of sentence. The present Constitution provides for restoration of rights by the Governor. The amendment retains the right of the Governor to restore civil rights and adds the alternative for restoration of rights pursuant to general law. This proposed constitutional amendment is identical to the amendment proposed in HJR 29.

Patron - Miller

CSJ45 Constitutional amendment (first resolution); Virginia Redistricting Commission. Establishes the Virginia Redistricting Commission to redraw Congressional and General Assembly district boundaries after each decennial census. Appointments to the 13-member Commission are to be made in the census year as follows: two each by the President pro tempore of the Senate, Speaker of the House of Delegates, minority leader in each house, and the state chairman of each of the two political parties receiving the most votes in the prior gubernatorial election. The 12 partisan members then select the thirteenth member by a majority vote; or, if they cannot agree on a selection, they certify the two names receiving the most votes to the Supreme Court, which will name the thirteenth member. The Commission is directed to certify district plans for the General Assembly within one month of receipt of the new census data or by March 1 of the year following the census, whichever is later, and for the House of Representatives within three months of receipt or by June 1 of the year following the census, whichever is later. The standards to govern redistricting plans include the current Constitution's standards on population equality, compactness, and contiguity and additional standards to minimize splits of localities and to prohibit consideration of incumbency and political data.

Patron - Deeds

CSJ49 Constitutional amendment (first resolution); Transportation Funds. Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, Priority Transportation Fund, and other funds dedicated to transportation by general law. All revenues dedicated to Transportation Funds on July 1, 2006, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan or reduction must be repaid with reasonable interest within three years. The amendment limits the use of general and other non-transportation funds for transportation purposes except for certain debt service payments and, additionally, an amount not to exceed \$80 million in any fiscal year. This proposed constitutional amendment is identical to the amendment proposed in SJR 180.

Patron - O'Brien

CSJ58 Constitutional amendment (first resolution); Transportation Funds. Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, and Highway Maintenance and Operating Fund. All revenues dedicated to Transportation Funds on January 1, 2006, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan or reduction must be repaid with reasonable interest within four years. This proposed constitutional amendment is identical to the amendment proposed in HJR 80.

Patron - Norment

CSJ78 Constitutional amendment (first resolution); highway and transportation trust funds. Provides that the Highway Maintenance and Operating Fund and the Transportation Trust Fund established in 1986 will be permanent and separate funds and will be funded annually by the General Assembly by appropriations of the revenues generated by the 1986 package of tax and fee increases and the revenues from all other sources that were appropriated to the Funds in the fiscal year ending June 30, 2005. The amendment limits the use of Fund moneys to transportation and related purposes.

Patron - Rerras

CSJ79 Constitutional amendment (first resolution); property exempt from taxation. Directs the General Assembly to enact legislation that will permit localities to exempt from property taxes up to 20 percent of the value of residential or farm property that is designed for continuous habitation as a home and is owner-occupied. This proposed constitutional amendment is identical to the amendment proposed in HJR 135.

Patron - Whipple

CSJ81 Constitutional amendment (first resolution); property partially exempt from taxation. Directs the General Assembly to enact legislation that will exempt from property taxes a part of the value of owner-occupied residences.

Patron - Rerras

CSJ83 Constitutional amendment (first resolution); Transportation Trust Fund. Provides that the Transportation Trust Fund established in 1986 will be a permanent fund and be funded annually by the General Assembly by appropriations equivalent to the revenues generated by the 1986 package of tax and fee increases or the appropriation for the fiscal year ending June 30, 2005, whichever is greater. The amendment limits the use of Trust Fund moneys to highway construction, improvements, administration, and maintenance, and to improve public transportation, railways, seaports, and airports. The General Assembly may borrow from the Fund for other purposes or reduce the level of required appropriations to the Fund only by a three-fifths vote of members in each house, and the loan or reduction must be repaid within four years.

Patron - Cuccinelli

CSJ89 Constitutional amendment (first resolution); property tax assessments. Provides that real property will be assessed at fair market value at the time of purchase plus the fair market value of improvements to the property at the time of the assessment.

Patron - Ruff

CSJ100 Constitutional amendments (first resolution); balance of executive and legislative branch powers. Proposes several amendments to the Constitution to (i) extend the Governor's term to six years beginning with the Governor elected in 2009, (ii) continue the prohibition on successive terms, (iii) provide six-year terms for the lieutenant governor and attorney general, (iv) authorize the General Assembly to nullify or suspend administrative regulations, (v) transfer five of the nine appointments on the Board of Education made by the Governor to the legislature, and (vi) permit the General Assembly to extend a session for any period by a two-thirds vote. This bill is a recommendation of the Joint Subcommittee to Study the Balance of Powers Between the Legislative and Executive Branches pursuant to HJR 707 (2005). These proposed constitutional amendments are identical to the amendments proposed in HJR 145.

Patron - Devolites Davis

[C]SJ101 Constitutional amendment (first resolution); legislative sessions. Provides for an organizational session of the General Assembly beginning on the second Wednesday in December or on another day that may be designated in accordance with a joint rule of the General Assembly and lasting no longer than three days. The business of the organizational session would be limited to administrative and procedural matters, the confirmation of gubernatorial and other appointees, and the election of judicial officers. This resolution is a recommendation of the Joint Subcommittee to Study the Balance of Powers Between the Legislative and Executive Branches pursuant to HJR 707 (2005). This proposed constitutional amendment is identical to the amendment proposed in HJR 146.

Patron - Devolites Davis

[C]SJ104 Constitutional amendment (first resolution); property exempt from taxation. Directs the General Assembly to enact legislation that will permit localities to exempt or partially exempt from property taxes motor vehicles owned or leased by any member of the armed forces serving in an area of active military conflict.

Patron - Devolites Davis

[C]SJ121 Constitutional amendment (first resolution); exercise of eminent domain powers. Provides that the taking of private property by eminent domain for the primary purpose of economic development does not constitute a permissible public use. The proposed amendment makes it a judicial question whether private property is being condemned for a permissible public use. This proposed constitutional amendment is identical to the amendment proposed in HJR 62.

Patron - Martin

[C]SJ139 Constitutional amendment (first resolution); exercise of eminent domain powers. Removes the General Assembly's power to define the "public uses" for which property may be condemned. The amendment provides that the term "public uses" shall mean only the possession, occupation, and enjoyment of land by the general public or by public agencies, or the use of land for the creation or functioning of public utilities. Moreover, public benefits or potential public benefits, including economic or private development, or an increase in the tax base, tax revenues, employment, or general economic health, do not constitute a public use. Furthermore, the proposed amendment makes it a judicial question whether private property is being condemned for a permissible public use.

Patron - Cuccinelli

[C]SJ180 Constitutional amendment (first resolution); Transportation Funds. Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, Priority Transportation Fund, and other funds dedicated to transportation by general law. All revenues dedicated to Transportation Funds on July 1, 2006, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan or reduction must be repaid with reasonable interest within three years. The amendment limits the use of general and other non-transportation funds for transportation purposes except for certain debt service payments and, additionally, in an amount not to exceed \$80 million in any fiscal year. This

proposed constitutional amendment is identical to the amendment proposed in SJR 49.

Patron - Howell

Other Resolutions

Passed

[P]HJ7 Designating the Commonwealth Coach and Trolley Museum, Inc., as the Official Transit Museum of the Commonwealth.

Patron - Fralin

[P]HJ13 Lung Cancer Awareness Month. Designates November, in 2006 and in each succeeding year, as Lung Cancer Awareness Month in Virginia to correspond with National Lung Cancer Awareness Month.

Patron - Tata

[P]HJ36 Angelman Syndrome Awareness Week. Designates the third week of May, in 2006 and in each succeeding year, as Angelman Syndrome Awareness Week in Virginia.

Patron - Morgan

[P]HJ67 Designating the week preceding the first Sunday in April, in 2006 and in each succeeding year, as Sleep Awareness Week in Virginia.

Patron - Amundson

[P]HJ124 Resolution; animal nuisance. Encourages the Virginia Association of Counties (VACO) and the Virginia Municipal League (VML) to advise and advocate to their respective members to adopt a nuisance animal ordinance.

Patron - Orrock

[P]HJ184 Cold War Victory Day. Designates May 1, in 2006 and in each succeeding year, as Cold War Victory Day in Virginia.

Patron - Scott, J.M.

[P]HJ212 Resolution; Opening day of the 2007 Session of the General Assembly at Historic Triangle in Hampton Roads. Directs the Joint Rules Committee to develop the plans for an event to be held in the Historic Triangle in Hampton Roads involving members of the General Assembly on the opening day of the 2007 Session of the General Assembly.

Patron - Rapp

[P]HJ229 Mentoring Month and Thank Your Mentor Day in Virginia. Designates January as Mentoring Month in Virginia and January 25th as Thank Your Mentor Day in Virginia.

Patron - Miller

[P]HJ250 Commemorating 400 years of the right to trial by jury in Virginia and the New World.

Patron - Griffith

[P]HJ383 Proclaim Winston Spencer Churchill an honorary citizen of the Commonwealth of Virginia, posthumously. Honoring The Right Honorable Winston Spencer Churchill on the occasion of the 60th anniversary of his address to the General Assembly on March 8, 1946, by proclaiming him an honorary citizen of the Commonwealth of Virginia, posthumously.

Patron - Callahan

☐HR6 Uninsured attorneys. Encourages the Supreme Court of Virginia and the Virginia State Bar to consider the problem of uninsured attorneys. The Supreme Court of Virginia and the Virginia State Bar shall further consider some form of mandatory insurance for attorneys or an uninsured attorneys fund for client/victim compensation for malpractice committed by uninsured attorneys in the Commonwealth.

Patron - Joannou

☐HR12 Resolution; Constitution Day in Virginia. Reaffirms the General Assembly's commitment to Constitution Day on September 17 each year.

Patron - Scott, E.T.

☐HR13 Recognizing Czechoslovakian-Americans and their descendants. Recognizes the contributions and heritage of Czechoslovakian-Americans and their descendants in Virginia as an integral part of the early history and culture of the Commonwealth.

Patron - Ingram

☐SJ12 Responsible Dog Ownership Week. Designates the last full week of September, in 2006 and each succeeding year, as "Responsible Dog Ownership Week in Virginia" to promote public awareness of the responsibilities of dog ownership.

Patron - Houck

☐SJ70 Official Transit Museum of the Commonwealth. Designates the Commonwealth Coach and Trolley Museum, Inc., as the Official Transit Museum of the Commonwealth.

Patron - Edwards

☐SJ85 Civilian Conservation Corps Day. Designates March 31, in 2006 and in each succeeding year, as Civilian Conservation Corps Member Appreciation Day in Virginia.

Patron - Obenshain

☐SJ170 Resolution; Freedom of Information Day. Designates March 16, of 2006 and each succeeding year, as Freedom of Information Day in Virginia.

Patron - Houck

Failed

☐HJ28 Memorializing Congress to propose an amendment to the United States Constitution to set terms of service for federal circuit and district court judges. Memorializes Congress to propose an amendment to set eight-year terms for federal circuit and district court judges who now have lifetime tenure and to submit the amendment to the states for ratification.

Patron - Lingamfelter

☐HJ30 Memorializing Congress to reauthorize Section 5 and other special provisions of the Voting Rights Act. Calls on Congress to reauthorize remedial provisions in the Act due to expire in 2007, including the Section 5 review process, federal monitor and observer provisions, and bilingual voting materials requirements.

Patron - Jones, D.C.

☐HJ51 Czech Capital of Virginia. Recognize New Bohemia as the Czech Capital of Virginia.

Patron - Ingram

☐HJ72 Innocents Day. Designates December 28, in 2006 and in each succeeding year, as "Innocents Day" in Virginia.

Patron - Scott, E.T.

☐HJ73 Constitution Day. Designates September 17, in 2006 and in each succeeding year, as Constitution Day in Virginia.

Patron - Scott, E.T.

☐HJ105 Pocahontas Day. Designates March 17th, in 2006 and in each succeeding year, as Pocahontas Day in Virginia.

Patron - Morgan

☐HJ106 Four American Revolutionary War flags. Encourages the return of the four American Revolutionary War flags captured by Lieutenant Colonel Banastre Tarleton in 1779 and 1780 to their rightful homes in the Commonwealth of Virginia and the State of Connecticut.

Patron - Morgan

☐HJ121 United States Constitution; balanced budget amendment. Urges the Congress to call a constitutional convention to propose an amendment that would require a balanced federal budget.

Patron - Cline

☐HJ123 Encouraging the review and development of guidelines to ensure religious freedom in public and higher education. Encourages the State Council of Higher Education to consider establishing guidelines to ensure religious freedom at institutions of higher education in the Commonwealth.

Patron - Cline

☐HJ160 ZIP Codes in Henrico County. Urges the Postmaster General of the United States to designate certain addresses in Henrico County as "Henrico, Virginia" and establish ZIP codes in Henrico County that are distinct from ZIP codes in other localities.

Patron - McEachin

☐HJ211 Resolution; Office of Commonwealth Preparedness and the Virginia Department of Emergency Management. Encourages the Office of Commonwealth Preparedness and the Virginia Department of Emergency Management to further educate the citizens of the Commonwealth on effective disaster preparedness for natural and man-made disasters.

Patron - Waddell

☐HJ228 Virginia Historic Preservation Day. Designate January 31, 2006, as Virginia Historic Preservation Day.

Patron - Barlow

☐HR19 Memorializing the President of the United States to disapprove the sale of terminal operations at United States ports to Dubai Ports World.

Patron - Marshall, R.G.

☐HR20 Fair Tax. Memorializes the Congress of the United States to enact the national retail sales tax plan known as FairTax.

Patron - Welch

☐SJ34 Resolution; Kinship care. Recognizes the need to address issues relating to the care of children by extended

family, and to collaborate with national and local organizations in addressing these issues.

Patron - Miller

[F]SJ57 Memorializing Congress; Camden County, NC, landfill. Memorializes the Congress of the United States to take all action necessary and expedient to protect the citizens of the Commonwealth of Virginia and the State of North Carolina by preventing contamination of the waters of the United States and degradation of the National Wildlife Refuge by the proposed landfill to be located in Camden County, North Carolina.

Patron - Quayle

[F]SJ97 Encourage FDA to approve Plan B contraception. Encourages the United States Food and Drug Administration to approve the use of Plan B emergency contraception as over-the-counter medication.

Patron - Lucas

[F]SJ152 Officially recognizing the Cheroenhaka (Nottoway) Indian Tribe. Extends official state recognition to the Cheroenhaka (Nottoway) Indian Tribe.

Patron - Lucas

Miscellaneous (Including Budget and Bonds)

Passed

[P]HB77 Commonwealth of Virginia Higher Educational Institutions Bond Act of 2006. Authorizes the Treasury Board to issue bonds in an amount not to exceed \$395,428,570 pursuant to Article X, Section 9(c) of the Constitution of Virginia, for paying costs of acquiring, constructing, and equipping revenue-producing capital projects at institutions of higher education of the Commonwealth and repeals certain prior authorizations for the issuance of bonds to the extent that the maximum amount of such bonds has not been issued. The bill has an emergency clause and is in effect upon passage.

Patron - Callahan

[P]HB83 Virginia Public Building Authority; financing for the State Agency Radio System. Authorizes the Virginia Public Building Authority to issue bonds in an amount not to exceed \$201,900,000 to pay the costs of the State Agency Radio System (Phase II) for the Department of State Police.

Patron - Sherwood

[P]HB214 Claims; relief for purchasers of property sold at treasurers' sales. Provides a legal right to certain persons who purchased real property prior to June 1, 1973, at delinquent tax sales conducted by local treasurers. Prior to 1973, the law in effect provided that real property for which real estate taxes were delinquent was to be sold by the treasurer in December of each year at a tax sale. The purchaser at the tax sale then would have been eligible after a number of years to make application to obtain clear title. However, a statute that would have kept the process in place for the purchaser to obtain clear title was repealed in 1984 pursuant to the recodification of Title 58 of the Code of Virginia because it was deemed "obsolete." The bill would allow certain enumerated individuals who purchased property prior to June 1, 1973, at a treasurer's tax sale, who has not received a deed for the property purchased, to institute a court proceeding under the provisions of former law to obtain a deed to the property. This bill

has a sunset date of July 1, 2010, and also contains an emergency clause.

Patron - Tata

[P]HB336 Special use permit; certain temporary structures. Authorizes, without requiring a special use permit, the erection of certain tents intended to serve as temporary structures for a period of three days or less and that will be used primarily for private or family-related events.

Patron - Orrock

[P]HB1379 Claims; Willie Neville Davidson. Provides relief for Willie Neville Davidson in the amount of \$168,775 to be paid by August 1, 2006. Mr. Davidson was convicted of rape, burglary and two counts of forcible sodomy in 1981 and sentenced to 20 years' imprisonment. He was released on parole in 1992 after serving approximately 11 and one-half years of his sentence. Subsequent to his release, DNA tests conducted on the biological evidence contained in his case file excluded him as a suspect in the crimes for which he was convicted. On December 22, 2005, the Governor granted Mr. Davidson an absolute pardon.

Patron - Melvin

[P]HB1380 Claims; Phillip Thurman. Provides relief for Phillip Thurman who was convicted of rape, assault and battery, and abduction in 1985 and sentenced to 31 years' imprisonment. He was released on parole on November 17, 2004, after serving approximately 20 years of his sentence. Subsequent to his release, DNA tests conducted on the biological evidence contained in his case file excluded him as a suspect in the crimes for which he was convicted. On December 22, 2005, the Governor granted Mr. Thurman an absolute pardon. Under the bill, the Commonwealth will provide a lump-sum payment to Mr. Thurman of \$100,000 to be paid by August 1, 2006, and pay \$338,598 to purchase a non-assignable annuity for the benefit of Mr. Thurman providing for equal monthly payments to him for 15 years.

Patron - Moran

[P]SB28 Commonwealth of Virginia Higher Educational Institutions Bond Act of 2006. Authorizes the Treasury Board to issue bonds in an amount not to exceed \$395,428,570 pursuant to Article X, Section 9(c) of the Constitution of Virginia, for paying costs of acquiring, constructing, and equipping revenue-producing capital projects at institutions of higher education of the Commonwealth and repeals certain prior authorizations for the issuance of bonds to the extent that the maximum amount of such bonds has not been issued. The bill has an emergency clause and is in effect upon passage.

Patron - Chichester

[P]SB609 Claims; Troy D. Hopkins. Provides relief for Troy D. Hopkins in the amount of \$229,419 to be paid by August 1, 2006. Mr. Hopkins was convicted of murder in 1990 and sentenced to 28 years' imprisonment. Subsequently, another individual admitted to committing the murder. In 1992, Adrian Epps signed and affidavit confessing to the crime for which Mr. Hopkins had been convicted. Mr. Hopkins was paroled in 2001 and granted an absolute pardon on August 5, 2005.

Patron - Lambert

Failed

[F]HB29 Budget Bill. Relating to the appropriation of funds for the 2004-06 biennium.

Patron - Callahan

[F]HB30 Budget Bill. Appropriations of the Budget submitted by the Governor of Virginia providing a portion of revenues for the two years ending respectively on the thirtieth day of June, 2007, and the thirtieth day of June, 2008.

Patron - Callahan

[F]HB55 Biennial budget; failure to enact. Provides for the continuation of the budget in effect through June 30 of an even-numbered year for the next fiscal year in the event that the General Assembly fails to enact a biennial budget by May 1 of that even-numbered year.

Patron - Marshall, R.G.

[F]HB76 Virginia Public Building Authority; bonds to finance capital projects. Authorizes the Virginia Public Building Authority to issue bonds in an amount not to exceed \$209,462,000 to finance certain capital projects for the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services.

Patron - Hamilton

[F]HB404 Jamestown-Yorktown Foundation. Requires the Virginia Department of Transportation to convey approximately 10.4 acres of land to the Jamestown-Yorktown Foundation and also grants to the Foundation in perpetuity the three current entrances on Jamestown Road held by the Foundation.

Patron - Callahan

[F]HB630 Claims; Rodney Robinette and Susan Cowden. Provides relief for Rodney Robinette and Susan Cowden in the amount of \$175.00 to be paid by August 1, 2006. Mr. Robinette and Ms. Cowden paid \$175.00 to purchase property at an escheat sale. It was subsequently discovered that the property had improperly escheated to the Commonwealth.

Patron - Phillips

[F]HB1475 Commonwealth Transportation Board; bonds for Route 58 Corridor. Authorizes the Commonwealth Transportation Board to issue bonds in an additional amount not to exceed \$299 million to fund certain specified transportation projects in the Route 58 Corridor.

Patron - Carrico

[F]SB29 Budget Bill. Relating to the appropriation of funds for the 2004-06 biennium.

Patron - Chichester

[F]SB30 Budget Bill. Appropriations of the Budget submitted by the Governor of Virginia providing a portion of revenues for the two years ending respectively on the thirtieth day of June, 2007, and the thirtieth day of June, 2008.

Patron - Chichester

[F]SB59 Commonwealth Transportation Board; bonds for Route 58 Corridor. Authorizes the Commonwealth Transportation Board to issue bonds in an additional amount not to exceed \$299 million to fund certain specified transportation projects in the Route 58 Corridor.

Patron - Reynolds

[F]SB159 Virginia Public Building Authority; bonds to finance capital projects. Authorizes the Virginia Public Building Authority to issue bonds in an amount not to exceed \$209,462,000 to finance certain capital projects for the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services.

Patron - Norment

[F]SB596 Relief of the Rainbow Forest Recreation Association. Requests \$186,000 for the Rainbow Forest Recreation Association to make Department of Dam Safety-required corrections to a dam owned by the Association.

Patron - Bell

[F]SB608 Claims; Rufus Thomas, Jr. Provides relief to Rufus Thomas, Jr., in the amount of \$10,000. Mr. Thomas alleges that an employee of the Sheriff's Department of the City of Richmond utilized either the Virginia Criminal Information Network or the National Crime Information Center systems to run a background check on him for no legitimate purpose, and then for personal reasons disseminated and discussed the information with others.

Patron - Lambert

[F]SB625 Conveyance of certain real property to a nonmunicipal entity; City of Hampton. Provides that the conveyance of a portion of the Carousel Site to a nonmunicipal entity does not constitute a violation of the restrictions established by the Virginia Outdoors Fund Grant Program so long as the purpose of such conveyance is to enhance the public recreational facilities currently on the Carousel Site.

Patron - Locke

Carried Over

[C]HB663 Chesapeake Bay Bridge and Tunnel Commission; bonds. Provides that the Commission shall not issue any bonds after June 30, 2006, that are not redeemable before maturity by escrow or otherwise.

Patron - Wardrup

Study Resolutions

Passed

[P]HJ25 Science, math, and technology education in the Commonwealth; report. Establishes a joint subcommittee to study science, math, and technology education in the Commonwealth at the elementary, secondary, and undergraduate levels.

Patron - Cosgrove

[P]HJ32 Campaign Finance Disclosure Act. Encourages the State Board of Elections to continue its review of the Campaign Finance Disclosure Act to address issues raised during its review conducted during the 2005 interim pursuant to House Joint Resolution 667 (2005). This is a recommendation of the task force that assisted the State Board of Elections in conducting a review of the Campaign Finance Disclosure Act pursuant to House Joint Resolution 667 (2005). This resolution is identical to SJR 75.

Patron - Jones, S.C.

[P]HJ35 Punishment for DUI; report. Directs the Virginia State Crime Commission to study the effectiveness of existing punishments for driving while intoxicated.

Patron - Albo

[P]HJ48 Joint Subcommittee to Study Medical, Ethical, and Scientific Issues Relating to Stem Cell Research Conducted in the Commonwealth; report. Continues the joint subcommittee for one year to allow it to complete its work and monitor scientific developments in this area.

Patron - Marshall, R.G.

[P]HJ60 Evaluation of the administration of the Comprehensive Services Act; report. Directs the Joint Legislative Audit and Review Commission to evaluate the administration of the Comprehensive Services Act. In conducting this two-year study, the Commission shall, among other things, (i) evaluate the costs, quality, and reimbursement of children's residential services; (ii) examine the interdepartmental regulation of these facilities; (iii) assess the administration of the CSA by state and local governments; (iv) evaluate the quality and capacity of services available to and provided for CSA children; and (v) determine whether CSA children receive appropriate care, case management, education, and supervision. In each year of the study, JLARC will brief the Joint Subcommittee to Study the Cost Effectiveness of the Comprehensive Services for At-Risk Youth and Families Program established pursuant to SJR 96 (2006), and the chairmen of the House and Senate money and health committees. This study is a recommendation of the Joint Subcommittee Studying Private Youth and Single Family Group Homes in the Commonwealth pursuant to HJR 685 (2005).

Patron - Nixon

[P]HJ75 U.S. Route 460 Communications Committee; report. Extends the mandate of the US Route 460 Communications Committee until commencement of construction of the US Route 460 project as approved by the Commonwealth Transportation Board in November 2005. This resolution incorporates HJR 33 and is identical to SJR 33.

Patron - Wardrup

[P]HJ96 Education and treatment of individuals with autism spectrum disorders. Encourages the Board and Department of Education and the Board and the Department of Mental Health, Mental Retardation and Substance Abuse Services and other relevant entities to take certain actions to improve the education and treatment of individuals with autism spectrum disorders. The Board and Department of Education are urged to continue to implement regulatory initiatives designed to strengthen teacher qualifications, to include preservice and inservice professional development opportunities relating to the effective treatment of autism spectrum disorders. The Board and Department of Education are also urged to examine appropriate educational placements considering the individualized educational plans of autistic students, the effects of mainstreaming, and the feasibility of alternative placements in public and private schools having qualified staff and adequate facilities. Finally, the Board and Department of Mental Health, Mental Retardation and Substance Abuse Services are urged to continue to expand training opportunities that include approaches specifically addressing the needs of children with autism spectrum disorders.

Patron - Hamilton

[P]HJ97 Asset transfers; report. Requests the Department of Medical Assistance Services and the Joint Legislative Audit and Review Commission to monitor changes in the federal restrictions on sheltering assets to qualify for Medicaid long-term care services. This resolution is identical to SJR 122.

Patron - Landes

[P]HJ100 Undergrounding electrical transmission lines; report. Directs the Joint Legislative Audit and Review Commission to study the State Corporation Commission's analysis for determining the feasibility of undergrounding electrical transmission lines. In conducting its study, the Joint Legislative Audit and Review Commission shall examine (i) the factors considered by the State Corporation Commission in its analysis of the feasibility of installing underground electrical transmission lines; (ii) the effect on property values resulting

from installing underground, as opposed to overhead, transmission lines; (iii) the costs considered by the State Corporation Commission in reviewing transmission line applications; and (iv) such other issues as it deems appropriate. This two-year study shall not be conducted unless it is funded in the Appropriation Act.

Patron - May

[P]HJ115 Institutional programming for sex offenders; report. Directs the Virginia State Crime Commission to study the need for additional institutional programming at the Department of Corrections to treat sex offenders.

Patron - Kilgore

[P]HJ116 Animal control officers; report. Directs the Virginia State Crime Commission to study the need for regulation, training and funding of animal control officers.

Patron - Kilgore

[P]HJ130 Monitoring and collection of data and information on the high school dropout and graduation rates in the Commonwealth; report. Encourages the Department of Education to monitor and collect data and information on the high school dropout and graduation rates in the Commonwealth, pursuant to criteria prescribed by the Board of Education. In collecting the data and information, and in its monitoring efforts, the Department of Education shall (i) determine the relevancy of the current process and procedures for defining, counting, and reporting school dropout statistics and consider the need for revisions in such process and procedures and compliance by school divisions; (ii) compile data concerning the number of students who dropped out of school before the seventh grade and the reasons therefore, and the number of students who graduate annually, for school years 2002, 2003, 2004, and 2005; (iii) ascertain whether, by whom, and the manner in which students at risk of dropping out are counseled to remain in school; (iv) identify local school division initiatives and efforts to retain and retrieve students at risk of dropping out, particularly student populations with low high school graduation rates; and (v) apprise policymakers fully regarding the Commonwealth's dropout and high school graduation rates, and of any statutory, fiscal, or regulatory changes that may be necessary to avoid an increase in the school dropout rate.

Patron - Hall

[P]HJ133 Long-term funding for the purchase of development rights to preserve open-space and farmlands; report. Establishes a joint subcommittee to study long-term funding sources for the purchase of development rights to preserve open-space land and farmlands. This resolution is identical to SJR 94.

Patron - Lewis

[P]HJ136 Juvenile justice; report. Directs the Virginia State Crime Commission to conduct a two-year study of Virginia's juvenile justice system. The study will focus on recidivism, disproportionate minority contact with the justice system, improving the quality of and access to legal counsel, accountability in the courts, and diversion. In addition, Title 16.1 of the Code of Virginia will be analyzed to determine the adequacy and effectiveness of Virginia's statutes and procedures relating to juvenile delinquency.

Patron - Moran

[P]HJ144 Telework; report. Establishes a joint subcommittee to conduct a two-year study of the ways in which telework opportunities for state and private sector employees can be enhanced and increased. In its deliberations, the joint subcommittee will: (i) identify state agencies whose operations are most conducive to telework or alternative work schedules,

(ii) recommend fiscal and other incentives necessary to increase telework, and (iii) examine the impact of increased telework opportunities on the continuity of government operations in the event of natural or man-made disasters.

Patron - Hugo

[P]HJ148 Resolution requesting state agencies to implement use of biodiesel; report. Requests state agencies within the Commonwealth to implement the use of biodiesel fuels, where feasible, in fleet vehicles owned or operated by the agency. The Secretary of Administration must report to the General Assembly by the first day of the 2007 Regular Session of the General Assembly on the progress made by each agency toward using biodiesel fuels in fleet vehicles.

Patron - Landes

[P]HJ158 Health care coverage for Virginians; report. Directs the Joint Legislative Audit and Review Commission to study options for extending health insurance coverage to Virginians who are currently uninsured. In conducting the study, the Commission shall (i) analyze the number of uninsured Virginians, the reasons they do not have health insurance, the duration of periods without insurance, and their eligibility for employer-based and private health insurance coverage or government health care programs; (ii) assess the costs incurred by the Commonwealth, its insured citizens, and health care providers for the provision of emergency room or other health care to treat the uninsured population in Virginia; (iii) evaluate programs or plans implemented in other states as well as proposals that have been made by national organizations to expand health insurance coverage to the uninsured; and (iv) develop policy options to extend health insurance coverage to Virginia's uninsured that balance facilitating access to health insurance with requiring Virginians to assume greater personal responsibility for obtaining a minimum level of health insurance coverage. This resolution incorporates HJR 37.

Patron - O'Bannon

[P]HJ183 Medical malpractice; report. Continues the Joint Subcommittee Studying Risk Management Plans for Physicians and Hospitals to study various aspects of medical malpractice in Virginia, which may include: (i) the effectiveness of the current statutory framework of medical malpractice panels and whether the current framework should be amended to enhance efficiency or be eliminated and replaced with other procedural vehicles such as pre-trial certification of expert witnesses to reduce nonmeritorious claims or effectively evaluate claims; (ii) the feasibility of establishing a multijurisdictional pilot health court and subsequently a system of health courts in the Commonwealth; (iii) the breadth and impact of the risk management program established by SB 601 (2004); and (iv) effective peer review processes. This resolution incorporates HJR 50 and is identical to SJR 90.

Patron - Athey

[P]HJ208 On-road testing of vehicle emissions in Northern Virginia; remote sensing devices; report. Requests the Department of Environmental Quality, in consultation with the Environmental Protection Agency, to increase the use of on-road remote sensing of vehicle emissions to identify gross polluters and increase the percentage of vehicles that may be prescreened using on-road remote sensing of vehicle emissions in the Northern Virginia nonattainment area. The Department will report its progress to the 2007 and 2008 Regular Sessions of the General Assembly, and include information on associated costs and air quality benefits and impacts.

Patron - Cosgrove

[P]SJ4 Derivative effects of increases in health care costs on health insurance premiums; report. Directs the

Joint Commission on Health Care to study the derivative effects of increases in health care costs on health insurance premiums. In conducting its study, the Joint Commission on Health Care must examine (i) the factors leading to rising health care costs in the Commonwealth, (ii) the derivative effects of rising health care costs including increases in health insurance premiums and denial of coverage, and (iii) ways to reduce health care costs in the Commonwealth and alleviate burdens associated with the rising cost of health care.

Patron - Reynolds

[P]SJ38 Beekeeping; report. Requests that the Department of Agriculture and Consumer Services study the problems encountered by beekeepers in Virginia, assess possible solutions to assist beekeepers, and examine the regulation of honey production by small beekeeping operations.

Patron - Blevins

[P]SJ51 Security of state government databases; report. Directs the Auditor of Public Accounts to study the adequacy of the security of state government databases and data communications from unauthorized uses.

Patron - O'Brien

[P]SJ59 Public transportation in U.S. 1 corridor; report. Requests the Department of Rail and Public Transportation to conduct a study for improved public transportation services to Fort Belvoir in Fairfax County and the Marine Corps Base at Quantico in Prince William and Stafford Counties. The Department of Rail and Public Transportation shall conduct the study in consultation with Fort Belvoir, Quantico Marine Corps Base, the Potomac Rappahannock Transportation Commission, the Virginia Railway Express, and the counties of Fairfax, Prince William, and Stafford. However, this study may not be conducted unless funding is provided in the Appropriations Act to assist impacted localities in funding needs associated with the implementation of and response to the recommendations of the 2005 Base Realignment and Closure Commission (BRAC).

Patron - Puller

[P]SJ60 Virginia's future transportation needs; report. Establishes a joint subcommittee to study the role of the Commonwealth and its agencies in meeting Virginia's future transportation needs.

Patron - Williams

[P]SJ75 Campaign Finance Disclosure Act. Encourages the State Board of Elections to continue its review of the Campaign Finance Disclosure Act to address issues raised during its review conducted during the 2005 interim pursuant to House Joint Resolution 667 (2005). This is a recommendation of the task force that assisted the State Board of Elections in conducting a review of the Campaign Finance Disclosure Act pursuant to HJR 667 (2005). This resolution is identical to HJR 32.

Patron - O'Brien

[P]SJ82 Public water systems; report. Directs the Joint Legislative Audit and Review Commission to study very small and small community water systems in Virginia. The Commission shall determine whether the needs of Virginia's citizens are being met through the existing regulatory scheme with regard to both water quality and rates charged and shall make recommendations on any needed improvements.

Patron - Houck

[P]SJ90 Medical malpractice; report. Continues the Joint Subcommittee Studying Risk Management Plans for Physicians and Hospitals to study various aspects of medical mal-

practice in Virginia and the feasibility of establishing a system of health courts in the Commonwealth. This resolution is identical to HJR 183, which incorporated HJR 50.

Patron - Newman

[P]SJ94 Open-space land and farmland preservation; report. Establishes a joint subcommittee to study long-term funding sources for the purchase of development rights to preserve open-space land and farmlands. This resolution is identical to HJR 133.

Patron - Hanger

[P]SJ96 Comprehensive Services for At-Risk Youth and Families; report. Establishes a joint subcommittee to study the cost effectiveness of the Comprehensive Services for At-Risk Youth and Families program and to collaborate with the Joint Legislative and Audit Review Commission (JLARC) regarding its evaluation of the administration of the Act. The study shall be conducted in two phases. In the first phase of the study, the joint subcommittee shall review the administration of the CSA by state and local governments, including projections of caseloads, service needs and costs, quality of services provided, and make recommendations for improvement of program services and strategies for cost containment. The Commission shall, among other things, (i) evaluate the costs, quality, and reimbursement of children's residential services, (ii) examine interdepartmental regulations of these facilities, (iii) determine whether CSA children receive appropriate care, and (iv) apprise the joint subcommittee of the status of its study and findings. In the second phase of the study, the joint subcommittee and Commission shall continue their respective studies and collaboration and report their final findings and recommendations to the Governor and the 2008 Session of the General Assembly.

Patron - Hanger

[P]SJ103 Lead poisoning prevention; report. Continues the Joint Subcommittee to Study Lead Poisoning Prevention for two years to (i) monitor the development of the reference database of statewide health-related data to determine its usefulness in containing health care costs and improving health care outcomes, including among children who may be exposed to lead risks or have elevated blood lead levels; (ii) seek to enact the two essential lead program elements needed by the Department of Health to be competitive in the 2006 federal grant process; and (iii) continue to assist the agencies of the Commonwealth to obtain funding for activities that protect Virginia's children from lead risks.

Patron - Lambert

[P]SJ106 Barrier crimes; report. Directs the Joint Commission on Health Care to study the impact of barrier crimes laws on social service and health care employers, prospective employees, consumers, residents, patients, and clients. Specifically, the Joint Commission will (i) determine the effectiveness of barrier crimes laws in protecting consumers, residents, patients, and clients; (ii) examine the difficulty experienced by employers in service delivery agencies in finding qualified applicants and employees, as well as the difficulty experienced by prospective employees in finding jobs; (iii) compare Virginia's barrier crimes laws with laws related to criminal convictions and employment in other states; and (iv) gather data on employment discrimination based on an individual's criminal conviction record from state agencies, institutions, boards, bureaus, commissions, councils, or any instrumentality of the Commonwealth.

Patron - Devolites Davis

[P]SJ120 Sex offenders in nursing homes and assisted living facilities; report. Directs the Virginia State Crime Com-

mission to study the monitoring of sex offenders in nursing homes and assisted living facilities. The study will examine: (i) avenues to better protect residents from sex offenders; (ii) current procedures to protect residents from other residents who may commit sex offenses due to debilitating physical and mental self-control as a result of stroke and other illnesses; (iii) the number of prisoners being released on geriatric parole; (iv) the number of registered sex offenders housed in nursing homes and assisted living facilities in Virginia; (v) notification and monitoring of sex offenders in Virginia's nursing homes and assisted living facilities; and (vi) treatment options available to sex offenders housed in nursing homes and assisted living facilities in Virginia.

Patron - Stolle

[P]SJ122 Asset transfers; report. Requests the Department of Medical Assistance Services and the Joint Legislative Audit and Review Commission to monitor changes in federal restrictions on sheltering assets to qualify for Medicaid long-term care services. For the purpose of advising the Governor and General Assembly, the Department and Commission shall (i) evaluate the potential impact of proposed changes in federal law and their correlation to Virginia law, (ii) ascertain reports and analyses prepared in connection with the proposed federal legislation, (iii) review the practice by which persons transfer, convert, give away, or otherwise shelter assets to become Medicaid eligible, (iv) recommend options available to limit the financial impact of sheltering assets for Medicaid qualification on the Commonwealth upon the passage of any such federal legislation, and (v) apprise the General Assembly concerning any changes needed in state law regarding asset sheltering. This resolution is identical to HJR 97.

Patron - Martin

[P]SJ125 Resolution; education and treatment of individuals with autism spectrum disorders. Encourages the Board and Department of Education and Board and Department of Mental Health, Mental Retardation and Substance Abuse Services to take certain actions to improve the education and treatment of individuals with autism spectrum disorders. During the regulatory review and public comment periods for the proposed revisions to the Regulations Governing the Review and Approval of Education Programs in Virginia and the Virginia Licensure Regulations for School Personnel, the Board and Department of Education are urged to continue to implement initiatives designed to strengthen teacher qualifications, to include preservice and inservice professional development opportunities relating to the effective treatment of autism spectrum disorders, and to consider the treatment of autism spectrum disorders. Further, the Board and Department of Education are urged to examine appropriate educational placements considering the individualized educational plans of autistic students, the effects of mainstreaming, and the feasibility of alternative placements in public and private schools having qualified staff and adequate facilities. Finally, the Board and Department of Mental Health, Mental Retardation and Substance Abuse Services and other relevant entities are urged to continue to expand training opportunities that include approaches specifically addressing the needs of children with autism spectrum disorders.

Patron - Martin

[P]SJ126 Prisoner reentry; report. Continues the joint subcommittee to study the Commonwealth's program for prisoner reentry to society. In conducting its study, the joint subcommittee shall continue to identify and develop strategies to address key needs and overcome barriers for offenders, prior to and upon leaving prison, to reduce the incidence of reincarceration and increase their successful social adaptation and integration into their communities. The joint subcommittee shall

also monitor any budget provisions and changes in the law recommended over the past year to ensure maximum effectiveness. This bill also increases the membership of the joint subcommittee by adding the Attorney General, or his designee, to serve ex officio with nonvoting privileges. This resolution incorporates SJR 95.

Patron - Puller

[P]SJ171 Family Life Education. Requests the Board of Education to survey family life education programs in public schools.

Patron - Whipple

[P]SJ184 Construction and operation of a controlled access highway alternative to Interstate Route 95; report. Requests the Secretary of Transportation and the Commonwealth Transportation Commissioner to explore the feasibility and desirability of entering into an interstate compact for the construction and operation of a controlled access highway between Dover, Delaware, and Interstate Route 95 southwest of Charleston, South Carolina, with their counterparts in the states of Delaware, Maryland, North Carolina, and South Carolina.

Patron - Wagner

[P]SJ185 Private inpatient psychiatric facilities; report. Directs the Joint Legislative Audit and Review Commission to study the use and financing of licensed inpatient psychiatric facilities in the Commonwealth. The study shall (i) examine utilization trends, including sources of payment; (ii) evaluate the Medicaid rate-setting process for psychiatric services, services provided under temporary detention orders, and services provided by psychiatrists; (iii) evaluate the manner in which Community Services Boards contract with licensed psychiatric facilities; (iv) examine the adequacy of and funding for licensed psychiatric beds, including child and adolescent mental health services; and (v) determine any steps that can be taken to maintain appropriate and necessary licensed psychiatric services in Virginia.

Patron - Norment

[P]SR19 Interstate Route 81 corridor; report. Requests the Virginia Department of Transportation to address urgently needed improvements to the Interstate Route 81 corridor in Virginia, including: (i) plan for and construct additional capacity as needed to accommodate increasing traffic and address safety concerns; (ii) direct federal highway construction aid to critical safety and capacity improvements including additional lanes to assist trucks in climbing steep grades; and (iii) plan and develop, with the cooperation of the Virginia Department of Rail and Public Transportation and private rail companies, an east-west rail project and a north-south rail project that will have the effect of reducing the number of trucks traveling the I-81 corridor.

Patron - Hanger

Failed

[F]HJ31 Southeastern Virginia Training Center; Report. Requests the Secretary of Commerce and Trade and the Secretary of Health and Human Resources to study the relocation of the Southeastern Virginia Training Center in the City of Chesapeake and the development of its existing location in a way that would be economically beneficial to the Commonwealth and the City of Chesapeake. It is a one-year study.

Patron - Cosgrove

[F]HJ33 U.S. Route 460 Communications Committee; report. Extends the mandate of the US Route 460 Communications Committee until commencement of construction of the US Route 460 project as approved by the Commonwealth Transportation Board in November 2005. This resolution was incorporated into HJR 75.

Patron - Jones, S.C.

[F]HJ37 Commonwealth's uninsured population; report. Directs the Joint Legislative Audit and Review Commission to study the Commonwealth's uninsured population. The study is to address the number of uninsured Virginians, the reasons they do not have health insurance, the duration of periods of being without insurance, their eligibility for health insurance coverage or government health care programs, the health services they utilize, and the effect that the provision of these health services has on private health insurance premiums and government spending. This resolution was incorporated into HJR 158.

Patron - Purkey

[F]HJ42 Language interpreters in medical settings; report. Directs the Joint Commission on Health Care to study the use of foreign language interpreters in medical settings, and its effects. The study shall focus on the availability of interpreters in hospitals, free clinics, community health centers, and private offices, and the use of children as interpreters for non-English speaking family members.

Patron - Brink

[F]HJ47 Compensation of law-enforcement officers; report. Requests the Department of Human Resource Management to study whether the compensation paid with state funds to law-enforcement officers is adequate to recruit and retain qualified officers.

Patron - Wittman

[F]HJ50 Health courts; report. Directs the Joint Legislative Audit and Review Commission to study the feasibility of establishing a multijurisdictional pilot health court and subsequently a system of health courts in the Commonwealth. This resolution was incorporated into HJR 183.

Patron - Hamilton

[F]HJ53 Substituting a local option income tax in lieu of all other local taxes currently utilized; report. Establishes a joint subcommittee to study whether localities should be given an option to impose a local income tax in lieu of all other currently utilized local tax sources.

Patron - Ingram

[F]HJ63 Immigration issues; report. Establishes a joint subcommittee to study immigration issues in the Commonwealth.

Patron - Parrish

[F]HJ65 Faith-based volunteers in correctional facilities; report. Requests the Secretary of Public Safety to study the use of faith-based volunteers in state correctional facilities. In conducting its study, the Secretary shall examine faith-based prison programs instituted in other states and determine how effective these programs are in preparing prisoners for reintegration and reducing recidivism rates. The study shall examine services offered by faith-based organizations in these states, including parenting and family life classes, anger-management programs, life skills classes, religious instruction, and substance abuse services. The Secretary shall develop recommen-

dations for how faith-based services might be better utilized in state correctional facilities.

Patron - Saxman

FHJ66 Redistricting process. Creates a joint subcommittee to (i) evaluate the present Virginia redistricting process, (ii) review alternative redistricting processes used in other states including, in particular, Arizona and Iowa, (iii) consider both constitutional and statutory changes in the process, and (iv) study the criteria that should be followed in developing redistricting plans. The subcommittee shall complete its work by November 30, 2007.

Patron - Amundson

FHJ74 Commissioners of revenue, treasurers, and directors of finance; report. Directs the Joint Legislative Audit and Review Commission to study the functions and operations of the commissioners of revenue, treasurers, and directors of finance. The study shall address (i) the benefits provided by the three types of local financial officers to the Commonwealth and its localities, (ii) the costs associated with these benefits and whether the benefits outweigh the costs, (iii) whether these officers are organized efficiently and effectively and provide services that are not duplicative of other services or functions provided by state or local government, (iv) whether alternative methods of state financing for these officers would be feasible and advisable, (v) whether the state tax assistance function carried out by these local officers is valuable and cost-effective, and (vi) such other related issues as the Commission deems appropriate.

Patron - Wardrup

FHJ76 Tax incentives for volunteer fire department and rescue squad members; report. Creates a joint subcommittee to study for one year what other states have done regarding income tax incentives used to recruit and retain volunteers in the local fire departments and rescue squads.

Patron - Rust

FHJ77 Property tax relief; energy efficient and sustainable buildings; report. Directs the Virginia Coal and Energy Commission to (i) review the certification procedures for meeting LEED requirements for sustainable building design and construction, (ii) identify the appropriate amount and type of tax relief that would best provide an incentive for and reward individuals and other entities that chose to meet LEED certification requirements, and (iii) identify the taxable entities that would qualify for preferential tax treatment for obtaining LEED certification in new and existing buildings.

Patron - Ware, O.

FHJ78 Domestic violence; report. Directs the Virginia State Crime Commission to study domestic violence.

Patron - Ware, O.

FHJ79 Highway classification system; report. Establishes a joint subcommittee to study the desirability, feasibility, and consequences of replacing administrative classification of highways with a functional classification system.

Patron - McQuigg

FHJ99 Low voter turnout; report. Establishes a joint subcommittee to study factors contributing to Virginia's low voter turnout and recommend steps to increase participation. The joint subcommittee is directed in particular to examine the redistricting process, frequency of elections, and the possibility of appointing rather than electing some officials.

Patron - Purkey

FHJ101 Environmental impact of biosolids; report. Requests the Departments of Conservation and Recreation and Environmental Quality to study the impact of the land application of biosolids on the quality of Virginia's waters.

Patron - Byron

FHJ103 Research potential at colleges and universities; report. Establishes a joint subcommittee to study the research potential at colleges and universities in the Commonwealth. In conducting its study, the joint subcommittee committee shall identify: (i) actions to increase the research potential at the Commonwealth's colleges and universities; (ii) comparisons between the Commonwealth and other states regarding research productivity of its higher education system and state funding of university-based research and development; (iii) policies to encourage enhanced university-industry collaborations; (iv) mechanisms for stimulating college and university research that have proved effective or ineffective in other states; (v) strategies through which the Commonwealth can make use of the research discoveries already developed by its public institutions of higher education; (vi) policies establishing priority areas for research funding and identifying qualified individuals in those prioritized funding areas; and (vii) an administrative model that can effectively oversee a program that supports academic research in the Commonwealth and that can ensure that funds allocated to research initiatives are used in accordance with the purposes for which they were appropriated. The joint subcommittee must submit an executive summary and report of its findings and recommendations to the 2007 Session of the General Assembly.

Patron - Nutter

FHJ104 Medicaid reform; report. Directs the Joint Commission on Health Care to form a subcommittee to study Medicaid reform, in anticipation of changes in federal law. The Joint Commission on Health Care must submit an executive summary and report of its progress no later than the first day of the 2007 Session.

Patron - Morgan

FHJ107 Urban Best Management Practices Cost-Share and Tax Credit Program; report. Requests the Department of Conservation and Recreation to study over the next two years whether an Urban Best Management Practices Cost-Share and Tax Credit Program, modeled after the Agricultural Best Management Practices Cost-Share and Tax Credit Program, would be beneficial and an economically efficient method for meeting the nutrient and sediment reduction goals of the Chesapeake Bay Agreement.

Patron - Bulova

FHJ114 Establishment of protocols for law-enforcement officers killed in the line of duty; report. Establishes a joint subcommittee to study and make recommendations concerning uniform protocols and practices to be followed in honoring a law-enforcement officer killed in the line of duty.

Patron - Hurt

FHJ117 Promote use of alternative fuels; report. Directs the Coal and Energy Commission to study ways to promote the use of alternative fuels in the Commonwealth. The Commission is to recommend actions to encourage citizens to increase their consumption of biodiesel and ethanol as alternatives to petroleum-based motor fuels.

Patron - Amundson

FHJ118 Financing the long-term facility needs of the Virginia Community College System; report. Establishes a joint subcommittee to study financing the long-term facility

needs of the Virginia Community College System. In conducting its study, the joint subcommittee shall consider an assessment of the current and future facility needs at Virginia's community colleges relative to the expected growth in student population geographically and at each community college, alternatives for financing the planning, bidding process, and construction of new facilities at Virginia's community colleges, and financing options, including, but not limited to: (i) general obligation bond issues 9(b) and 9(c) of the Commonwealth; (ii) lease-purchase financing; (iii) revenue bonds; (iv) establishment of a debt issuance vehicle structured for the Virginia Community College System that is similar to that for the Virginia College Building Authority; (v) expansion of funding and financing options through the Virginia College Building Authority, or a new dispensation for taxing and borrowing authority; (vi) establishment of a state start-up capital fund that would be used to leverage matching private funds; (vii) changes to the local real property tax to provide a designated increment that would be dedicated to community college facilities; (viii) public-private partnerships; and (ix) local or regional authorizing bond referenda. The joint subcommittee must submit its findings and recommendations to the 2007 Session of the General Assembly. This resolution incorporates HJR 166.

Patron - Athey

FHJ122 Proximity of state-maintained rest areas to 24-hour private facilities; report. Requests the Department of Transportation to report on the proximity of public rest areas to 24-hour private facilities.

Patron - Cline

FHJ125 Homestead exemptions and alternatives for real property tax relief; report. Establishes a joint subcommittee to review homestead exemptions and other alternatives for real property tax relief.

Patron - Rapp

FHJ127 Mass transit in the Commonwealth; report. Establishes a joint subcommittee to conduct a study of mass transit in the Commonwealth.

Patron - Marshall, R.G.

FHJ128 Feasibility of providing property tax incentives to encourage constructing more efficient buildings; report. Directs the Virginia Coal and Energy Commission to study the feasibility of enabling legislation to authorize localities to provide real property tax incentives to encourage buildings to be constructed using "green building" or "sustainable" designs consistent with Leadership in Energy and Environmental Design (LEED) standards.

Patron - Ware, O.

FHJ131 Mercury in vaccines; report. Directs the Joint Commission on Health Care to study the continued use of mercury in vaccines. The Commission shall investigate the reasons for the continued use of mercury in some vaccines, and determine the safety risks associated with such use. The Commission shall also determine whether vaccines that do not contain mercury are equally effective, in terms of both preventing disease and costs. The study shall include vaccinations given to both children and adults.

Patron - Bell

FHJ132 Food insecurity in the Commonwealth; report. Establishes a joint subcommittee to study food insecurity in the Commonwealth. In conducting its study, the joint subcommittee shall (i) determine the rate of food insecurity in the Commonwealth, demographically and geographically; (ii) evaluate the ability of public and private sector food assistance programs to assist food-insecure households; (iii) iden-

tify the social, economic, and health effects of hunger within the Commonwealth, including, but not limited to, poverty, undernutrition and malnutrition rates, related physical, psychological, and mental health conditions, morbidity and mortality rates, workplace productivity, academic performance and school attendance of students in grades pre-kindergarten through 12 and college, family stability, and crime; (iv) recommend feasible and appropriate alternatives to reduce food insecurity in the Commonwealth; and (v) consider such other related matters as the joint subcommittee may deem appropriate. The joint subcommittee must submit an executive summary of its interim findings and recommendations to the 2007 Session of the General Assembly, and its final findings and recommendations to the 2008 Session of the General Assembly.

Patron - Englin

FHJ134 Chesapeake Bay Preservation Act; report. Requests the Department of Conservation and Recreation to study the development and implementation of perennial flow determination required by the Chesapeake Bay Preservation Act regulations.

Patron - Shannon

FHJ137 Notaries; report. Requests the Secretary of the Commonwealth to study Virginia's notary statutes to determine whether amendments are appropriate to facilitate notarization of electronic documents and to report to the Governor and the General Assembly no later than the first day of the 2007 Regular Session. This resolution is identical to HJR 141.

Patron - Moran

FHJ139 Redistricting commission; report. Establishes a joint subcommittee to study the desirability of creating a Virginia Redistricting Commission. This resolution was incorporated into HJR 66.

Patron - Moran

FHJ141 Notaries; report. Requests the Secretary of the Commonwealth to study Virginia's notary statutes to determine whether amendments are appropriate to facilitate notarization of electronic documents and to report to the Governor and the General Assembly no later than the first day of the 2007 Regular Session. This resolution is identical to HJR 137.

Patron - Moran

FHJ161 Institutions of Higher Education; Virginia competitiveness in attracting and retaining faculty; report. Directs the State Council of Higher Education to (i) review, analyze, and compare current data from each public institution of higher education regarding current salary levels by academic discipline and academic rank with current national salary levels; (ii) review, analyze and compare data reflecting current levels of retirement options and benefits, health coverage plans, and other benefits for faculty in the Commonwealth with comparable national data; (iii) identify best practices for recruiting and retaining high quality faculty to inform policy makers, Board of Visitors, and university and college decision makers at public institutions of higher education in Virginia; and (iv) recommend feasible and appropriate enhancements for improving the ability of public institutions of higher education to attract and retain high quality faculty.

Patron - Nutter

FHJ166 Capital and infrastructure needs at Virginia's institutions of higher education; report. Creates a 15-member joint subcommittee to study capital and infrastructure needs at Virginia's institutions of higher education. In conducting the study, the joint subcommittee is charged to consider (i) current funding mechanisms for capital projects and improvements at the Commonwealth's institutions of

higher education, including general obligation bonds and other viable funding methods; (ii) mechanisms to assist private institutions of higher education in the Commonwealth with their capital needs; and (iii) the role of for-profit institutions of higher education in the Commonwealth in providing collegiate and graduate education to Virginia's students. This resolution was incorporated into HJR 118.

Patron - Scott, J.M.

[F]HJ167 Social services reform; report. Establishes a joint subcommittee to study Virginia's social services system and develop a plan for reform. The subcommittee shall (i) develop a comprehensive improvement plan for the operation and performance of Virginia's social services system and (ii) examine JLARC recommendations to improve the effectiveness of the system in helping benefit program recipients attain self-sufficiency, which will identify changes needed to improve the system, approaches and timeframes for implementing the changes, and the resources required to implement them. The joint subcommittee shall provide opportunities for the participation of the Department of Social Services, local departments of social services representing departments of different sizes and geographic locations, the Board of Social Services, local boards of social services, the Secretary of Commerce and Trade, the Virginia Workforce Council, the Commissioner of the Virginia Employment Commission, local Workforce Investment Boards, local workforce centers, and other interested parties or entities affected by the study.

Patron - Landes

[F]HJ199 Wythe County and I-77/I-81; report. Requests the Virginia Department of Transportation, in cooperation with Wythe County and major employers within the county, to seek to identify strategies, technologies, and actions that will most effectively, expeditiously, and cost-effectively reduce highway congestion, improve traffic flow, and improve safety on that portion of Interstate Route 77 and Interstate Route 81 where the two highways share the same alignment. This resolution is identical to SJR 2.

Patron - Crockett-Stark

[F]HJ200 Highway connections between Progress Park and I-77/81; report. Requests the Virginia Department of Transportation, in cooperation with Wythe County and major employers within the county, to seek to identify strategies, technologies, and actions that will most effectively, expeditiously, and cost-effectively improve highway connection between Progress Park in Wythe County and Interstate Routes 77 and Route 81. This resolution is identical to SJR 3.

Patron - Crockett-Stark

[F]HJ209 Resolution; humane treatment of animals; report. Requests the Department of Education to include standards on animal safety and the humane treatment of animals in future revisions of the Standards of Learning. However, in the event that the Department of Education determines that such a revision of the Standards of Learning is not feasible, the Department shall propose alternative methods of achieving the objective of including instruction on the humane treatment of companion animals to children in the public schools through the character education curriculum.

Patron - Alexander

[F]SJ2 Wythe County and I-77/I-81; report. Requests the Virginia Department of Transportation, in cooperation with Wythe County and major employers within the county, to seek to identify strategies, technologies, and actions that will most effectively, expeditiously, and cost-effectively reduce highway congestion, improve traffic flow, and improve safety on that portion of Interstate Route 77 and Interstate Route 81 where

the two highways share the same alignment. This resolution is identical to HJR 199.

Patron - Reynolds

[F]SJ3 Highway connections between Progress Park and I-77/81; report. Requests the Virginia Department of Transportation, in cooperation with Wythe County and major employers within the county, to seek to identify strategies, technologies, and actions that will most effectively, expeditiously, and cost-effectively improve highway connection between Progress Park in Wythe County and Interstate Routes 77 and Route 81. This resolution is identical to HJR 200.

Patron - Reynolds

[F]SJ25 Undergrounding overhead utility lines; report. Establishes a joint subcommittee to study the feasibility and costs relative to requiring the placement of certain overhead utility lines underground. This resolution was incorporated into SJR 73.

Patron - Locke

[F]SJ39 Southeastern Virginia Training Center; report. Requests the Secretary of Commerce and Trade and the Secretary of Health and Human Resources to study the relocation of the Southeastern Virginia Training Center in the City of Chesapeake and the development of its existing location in a way that would be economically beneficial to the Commonwealth and the City of Chesapeake.

Patron - Blevins

[F]SJ40 Uniform Statewide Building Code; report. Requests the Department of Housing and Community Development to study whether the Uniform Statewide Building Code may be strengthened to increase public protection by (i) modifying the sound transmission coefficient ratings for sound attenuation to higher levels, (ii) developing a tiered application of the new ratings according to noise contours, and (iii) the application of advanced methods of sound attenuation through new construction and building materials.

Patron - Blevins

[F]SJ47 Implementation of the federal "Real ID Act of 2005"; report. Establishes a 10-member joint subcommittee to study the impact of implementation of the federal "Real ID Act of 2005" on the Commonwealth of Virginia.

Patron - O'Brien

[F]SJ48 Local electoral boards and registrars; report. Creates a joint subcommittee comprised of five members of the House of Delegates and three members of the Senate to study the administration of the election laws by local electoral boards and registrars. The subcommittee will examine the functions of the local electoral officials, their compensation, protections and potential for conflict of interests, and make recommendations to assure their independence.

Patron - O'Brien

[F]SJ50 Limiting large, heavy, or slow-moving vehicles use of highways; report. Requires the Department of Transportation to study the feasibility of limiting large, heavy, or slow-moving vehicle use of highways during peak hours.

Patron - O'Brien

[F]SJ71 Substituting a local option income tax in lieu of all other local taxes currently utilized; report. Requests the Virginia Association of Counties and Virginia Municipal League to study substituting a local option income tax in lieu of all other taxes localities currently utilize. The study will examine the administrative savings both to taxpayers as well as local governments, the local income tax rate that would be

needed, the impact to local taxpayers, as well as the desirability of such an option by Virginia's counties, cities, and towns.

Patron - Quayle

[F]SJ72 Undergrounding overhead utility lines; report. Establishes a joint subcommittee to study the feasibility and costs relative to requiring the placement of certain overhead utility lines underground.

Patron - Quayle

[F]SJ74 Virginia Code Commission to make recommendations for setting forth enactment clauses in the Code; report. Requires the Virginia Code Commission to review the common uses of enactment clauses in legislation, and to make recommendations as to how annotations to the enactment clauses that affect the implementation and application of adopted legislation may be consistently included or annotated in the Code of Virginia or other comprehensive document.

Patron - Chichester

[F]SJ80 Comprehensive energy plan for the Commonwealth; report. Requests the Secretary of Natural Resources to study the development of a comprehensive energy plan for the Commonwealth. The plan will evaluate the Commonwealth's current and future energy supply and demand. This resolution was incorporated into SB 261.

Patron - Whipple

[F]SJ84 Redistricting process; report. Creates a joint subcommittee to (i) evaluate the present Virginia redistricting process and its impact on competitive elections and district criteria, (ii) review alternative redistricting processes used in other states, (iii) examine the impact of federal legislation such as the Voting Rights Act, (iv) consider both constitutional and statutory changes in the process, and (v) study the criteria that should be followed in developing redistricting plans.

Patron - Williams

[F]SJ86 Sale or lease of Dulles Toll Road (Omer L. Hirst-Adelard L. Brault Expressway); report. Establishes a 10-member joint subcommittee to study the desirability and feasibility of selling or leasing the Dulles Toll Road (Omer L. Hirst-Adelard L. Brault Expressway) to a private operator.

Patron - Saslaw

[F]SJ88 Integration of Transportation Planning and Land Use Planning; report. Establishes a joint subcommittee to study the integration of transportation and land use planning. Specifically, the Commission will consider the following issues: (i) tools the state and local governments will need to assure that the transportation infrastructure is adequate to serve increasing demand caused by a growing population; (ii) institutional arrangements that should be recommended to improve state/local coordination; (iii) incentives to encourage regional and multi-modal approaches that will be necessary to address Virginia's growing transportation problems; and (iv) ways to encourage alternative development patterns that will improve mobility through other means than motor vehicles and reduce the demands on, and the cost of maintaining, Virginia's transportation infrastructure.

Patron - Quayle

[F]SJ91 Increasing accessibility to higher education for incarcerated persons. Establishes a joint subcommittee to study increasing the accessibility to higher education for incarcerated persons. In conducting its study, the joint subcommittee shall (i) evaluate the existing college education program for prisoners in Virginia, including its advantages, the effect on recidivism, the benefits of such programs to prisoners, their families, and the community; (ii) identify program needs and

recommend solutions; (iii) review prisoner college education programs in other states; (iv) consider financial aid alternatives to assist inmates in accessing college, and ways to finance prisoner college education programs in the Commonwealth; (iv) recommend ways in which more inmates may be accommodated in prisoner college education programs; and (v) consider such other related matters as the joint subcommittee may deem necessary and appropriate to satisfy the objectives of this study. The joint subcommittee must submit its interim findings and recommendations to the 2006 Session of the General Assembly and its final findings and recommendations to the 2007 Session of the General Assembly.

Patron - Newman

[F]SJ95 Effects of incarceration on children, families, communities, and the economy; report. Establishes a joint subcommittee to study the effects of incarceration on children, families, communities, and the economy. The study shall identify and develop strategies to overcome adverse effects of incarceration on children, families, communities, and the economy and shall consider the overall benefits versus costs of incarcerating nonviolent offenders, whether the current sentencing system combined with statutory mandatory minimum sentences and prosecutorial practices provide appropriate punishment without overreliance on incarceration, and to what extent racial and ethnic disparity can be reduced in the criminal justice system. The study shall be completed in one year, and its direct costs shall not exceed \$10,300 without approval by the Joint Rules Committee. This resolution was incorporated into SJR 126.

Patron - Hanger

[F]SJ99 Police cadet academy; report. Creates a one-year joint subcommittee to study the creation of a police cadet academy.

Patron - Lambert

[F]SJ102 Establishing a joint committee on revenue estimates. Establishes a joint committee in the legislative branch to oversee preparation of revenue estimates for the General Assembly. This resolution is a recommendation of the Joint Subcommittee to Study the Balance of Powers Between the Legislative and Executive Branches pursuant to HJR 707 (2005).

Patron - Devolites Davis

[F]SJ105 Standards of Learning assessments for history and social studies; report. Requests the Board of Education to consider increasing the number of questions on Standards of Learning assessments from the framework for the Standards of Learning for history and social studies that relate to instruction pertaining to minority persons. The Board of Education is requested to submit an executive summary and report of its progress in meeting the request of the resolution to the 2007 Session of the General Assembly.

Patron - Lambert

[F]SJ107 Lead poisoning prevention; memorandum of agreement. Requests the Departments of Health, Housing and Community Development, and Labor and Industry to execute a memorandum of agreement (MOA) by February 13, 2006, relating to prevention of childhood lead poisoning that covers such matters as the agencies' responsibilities for notices, sharing of information, and various efforts to obtain compliance with requirements that are necessary for the efficient and effective implementation of the Department of Housing and Community Development's new \$3 million grant in 2006 and to enable the Department of Health to prepare a grant application that is competitive in accordance with the require-

ments of the Centers for Disease Control and Prevention and the Environmental Protection Agency.

Patron - Lambert

[F]SJ108 Motor vehicle sales and use tax; low-emission vehicles; report. Creates a study to examine the availability of mass-marketed low-emission vehicles and to make recommendations concerning the feasibility of implementing a revenue-neutral tax incentive that would impose a lower motor vehicle sales and use tax on low-emission vehicles than on high-emission vehicles.

Patron - Deeds

[F]SJ123 Trailing spouse legislation for civilian Department of Defense employees; report. Requests the Virginia Employment Commission (VEC) to study the feasibility of providing trailing spouse coverage with respect to certain civilian employees of the Department of Defense. The VEC is to determine the impact on the Unemployment Trust Fund of legislation that would provide that good cause for leaving employment exists if an employee voluntarily leaves a job to accompany his or her spouse who is a civilian employee of the Department of Defense and has executed a mobility agreement requiring the spouse to relocate at the direction of the employing agency to a new assignment from which the employee's place of employment is not reasonably accessible.

Patron - Ticer

[F]SJ124 Fiscal autonomy for elected school boards; report. Directs the Joint Legislative Audit and Review Commission to study implications of granting fiscal autonomy to elected school boards in the Commonwealth. In conducting its study, the Joint Legislative Audit and Review Commission shall (i) examine state constitutional and statutory issues regarding school board supervisory authority, (ii) study the respective roles of local school boards and the relevant local governing body in delivering and funding public education, (iii) examine fiscal authority models in other states, and (iv) consider such other issues as it deems appropriate. The Joint Legislative Audit and Review Commission must submit an executive summary of its findings and recommendations to the 2007 Session of the General Assembly.

Patron - Blevins

[F]SJ166 Resolution; humane treatment of animals; report. Requests the Department of Education to include standards on animal safety and the humane treatment of animals in future revisions of the Standards of Learning.

Patron - Edwards

[F]SJ206 Recruitment and retention of fire department and rescue squad volunteers; report. Requests the Department of Fire Programs and the Office of Emergency Medical Services to initiate efforts to improve the recruitment and retention of fire and rescue squad volunteers. In conducting the study, the agencies shall perform the following: (i) the Office of Emergency Medical Services shall develop management training curricula from the classes currently provided by the Office of Emergency Medical Services and the Department of Fire Programs, increase allocations from the current "\$4-for-Life" fund directed to volunteer agencies for recruitment and retention incentives, and encourage agencies to apply for Rescue Squad Assistance Fund grants for recruitment and retention incentives; and (ii) the Office of Emergency Medical Services and Department of Fire Programs shall revise their regulations to require rescue squad and fire department captains to complete management and leadership training within six months of becoming captain, as well as develop and publi-

cize descriptive information about the Volunteer Firefighters' and Rescue Squad Workers' Service Award Fund.

Patron - Herring

Carried Over

[C]HJ52 Consolidation of certain state agencies; report. Establishes a joint subcommittee to study the feasibility and appropriateness of consolidating or outsourcing state agencies that issue licenses and permits and collect tax, and to issue a report to the 2007 Session of the General Assembly.

Patron - Purkey

[C]HJ71 Investigative hearing process of the Department of Health Professions and health regulatory boards; report. Requests the Department of Health Professions, in cooperation with the Virginia Bar Association, to study ways to increase the efficiency of the investigative and hearing process of the Department of Health Professions and the health regulatory boards. The Department must review all laws and regulations related to investigations and hearings with respect to the licenses of health care professionals and shall consider the need for amendments to relevant Virginia laws and regulations and recommend appropriate changes. A report must be submitted to the Governor and General Assembly no later than the first day of the 2007 Regular Session.

Patron - O'Bannon

[C]HJ95 Alcoholic beverages; report. Establishes a joint subcommittee to study the definition of and qualifications relating to licensed retailers of alcoholic beverages and the limitations and restrictions imposed on the retail sale of alcoholic beverages in the Commonwealth.

Patron - Albo

[C]HJ102 Sale or lease of Chesapeake Bay Bridge-Tunnel; report. Establishes a joint subcommittee to study the desirability and feasibility of selling or leasing the Chesapeake Bay Bridge-Tunnel to a private operator.

Patron - Gear

[C]HJ120 Deputy commissioners of the Workers' Compensation Commission; report. Directs the Joint Legislative Audit and Review Commission to study the deputy commissioners of the Workers' Compensation Commission. Issues to be addressed include the procedure by which deputy commissioners are appointed and whether appointments of deputy commissioners should be subject to General Assembly approval.

Patron - Athey

[C]HJ129 Emergency preparedness plans for residents of special needs facilities; report. Requests the Department of Health to study the adequacy of emergency preparedness plans for the residents of special needs facilities that serve Virginia's senior citizens. The Department of Health shall report its findings by the first day of the 2007 Session.

Patron - O'Bannon

[C]HJ147 Establishing a joint committee on revenue estimates. Establishes a joint committee in the legislative branch to oversee preparation of revenue estimates for the General Assembly. This resolution is a recommendation of the Joint Subcommittee to Study the Balance of Powers Between the Legislative and Executive Branches pursuant to HJR 707 (2005).

Patron - Landes

[C]SJ46 Impact of undocumented immigrants; report. Directs the Joint Legislative Audit and Review Commission to study the impact of undocumented immigrants who are unlawfully in the United States and residing in Virginia on the state's economy and government services and resources.

Patron - O'Brien

[C]SJ73 Undergrounding utility lines in redevelopment areas; report. Requests the State Corporation Commission to study the feasibility of requiring the underground placement of utility distribution lines in redevelopment areas, including Conservation Plan Areas, Redevelopment Plan Areas, Revitalization Initiatives Plan Areas, Rehabilitation Districts, and Historic Districts. This resolution incorporates SJR 25.

Patron - Quayle

[C]SJ93 Sheriffs; staffing standards for sheriffs' departments. Directs the Joint Legislative Audit and Review Commission to study staffing standards for sheriffs' departments. The study will focus on: (i) trends in personnel costs for jails based on annual reports of the Compensation Board and other pertinent data, (ii) formulas based on different jail construction criteria that will enable the Compensation Board to address staffing needs for jails, and (iii) staffing standards that accurately reflect actual workloads and requirements, including mental health and substance abuse counseling.

Patron - Stolle

[C]SJ98 Establishing a joint subcommittee to study the state employee grievance procedure; report. Establishes a joint subcommittee to study the state employee grievance process to determine whether the policy objectives of the State Grievance Procedure are being achieved.

Patron - Lucas

Charters and Authorities

Passed

[P]HB281 Charter; City of Colonial Heights. Removes terms of appointment for the city clerk and the city attorney, and makes changes to the city's procurement practices. This bill is identical to SB 591.

Patron - Cox

[P]HB445 Charter; Town of Iron Gate. Changes references from "town sergeant" to "chief of police."

Patron - Shuler

[P]HB474 Charter; Clifton Forge. Moves the regular election date for town council from May to November. As a result, the current council members shall have their terms extended by six months. In addition, the mayor and vice-mayor shall be elected by the council in January of each odd-numbered year. Thus, the current mayor and vice-mayor shall continue in office as mayor and vice-mayor, respectively, until the first meeting of the council in January 2007. This bill contains an emergency clause.

Patron - Shuler

[P]HB621 Charter; City of Richmond. Amends the charter by (i) clarifying that the council may adopt the budget at either a regular or special meeting, (ii) deleting an additional requirement for introduction of ordinances at special meetings, (iii) clarifying the duties of the city attorney and explicitly granting authority to represent more than one city official,

department, or other entity that are parties to the same transaction, (iv) granting the mayor authority to employ special counsel in instances where the city attorney has a conflict of interests (v) clarifying that the mayor or his designee may attend closed meetings of the council unless the council determines that such inclusion shall be detrimental to the purpose of the council's deliberations, (vi) requiring the chief administrative officer to attend, or be represented at, all open meetings of the council, (vii) making several clarifications to the budgetary process and (viii) making numerous technical or housekeeping changes. This bill contains an emergency clause and is identical to SB 81.

Patron - O'Bannon

[P]HB871 Charter; Town of Altavista. Shifts the time of council elections to November; allows council salaries to be set in accordance with the provisions of general law; eliminates certain supermajority voting requirements; deletes provisions related to the town sergeant and the school board; and makes numerous technical changes. This bill contains an emergency clause.

Patron - Byron

[P]HB998 Charter; City of Charlottesville. Grants new powers to the city for the purpose of providing housing for low-or moderate-income persons. This bill is identical to SB 207.

Patron - Toscano

[P]HB1121 Charter; Town of Purcellville. Allows the town to appoint one non-resident to the board of architectural review.

Patron - May

[P]HB1157 Town of Stuart; charter. Provides for staggered four-year terms of office for the mayor and town council members. The regular municipal election date for the mayor and town council is moved from May to November. The mayor and council members elected at the regular election in May 2006 will serve a term of office until December 31, 2008.

Patron - Armstrong

[P]HB1188 Charter; Town of Elkton. Repeals the existing town charter and provides a new charter containing powers typically granted to towns. This bill is identical to SB 405

Patron - Landes

[P]HB1439 Charter; City of Norfolk. Allows city council to dispense with 16, rather than 12, of its weekly council meetings each year and changes the required vote from four-fifths to three-fourths for the sale of certain public property. This bill is identical to SB 280.

Patron - Howell, A.T.

[P]SB23 Charter; City of Emporia. Moves the regular municipal election date for the mayor and city council from May to November. The current mayor and city council members will have their terms extended by six months.

Patron - Lucas

[P]SB81 Charter; City of Richmond. Amends the charter by (i) clarifying that the council may adopt the budget at either a regular or special meeting, (ii) deleting an additional requirement for introduction of ordinances at special meetings, (iii) clarifying the duties of the city attorney and explicitly granting authority to represent more than one city official, department, or other entity that are parties to the same transaction, (iv) granting the mayor authority to employ special counsel in instances where the city attorney has a conflict of

interests (v) clarifying that the mayor or his designee may attend closed meetings of the council unless the council determines that such inclusion shall be detrimental to the purpose of the council's deliberations, (vi) requiring the chief administrative officer to attend, or be represented at, all open meetings of the council, (vii) making several clarifications to the budgetary process and (viii) making numerous technical or housekeeping changes. This bill contains an emergency clause and is identical to HB 621.

Patron - Watkins

P SB147 Charter; Clifton Forge. Moves the regular election date for town council from May to November. As a result, the current council members shall have their terms extended by six months. In addition, the mayor and vice-mayor shall be elected by the council in January of each odd-numbered year. Thus, the current mayor and vice-mayor shall continue in office as mayor and vice-mayor, respectively, until the first meeting of the council in January 2007. This bill contains an emergency clause.

Patron - Deeds

P SB202 Charter; City of Charlottesville. Grants new powers to the city for the purpose of providing housing for low or moderate income persons. This bill is identical to HB 998.

Patron - Deeds

P SB280 Charter; City of Norfolk. Allows city council to dispense with 16, rather than 12, of its weekly council meetings each year and changes the required vote from four-fifths to three-fourths for the sale of certain public property. This bill is identical to HB 1439.

Patron - Rerras

P SB405 Charter; Town of Elkton. Repeals the existing town charter and provides a new charter containing powers typically granted to towns. This bill is identical to HB 1188.

Patron - Hanger

P SB503 Town of Honaker; charter. Provides a new charter for the town. The new charter contains provisions typically found in town charters and does not grant unusual powers. The bill contains an emergency clause.

Patron - Puckett

P SB591 Charter; City of Colonial Heights. Removes terms of appointment for the city clerk and the city attorney, and makes changes to the city's procurement practices. This bill is identical to HB 281.

Patron - Martin

Failed

F HB900 Redevelopment and Housing Authority. Provides that at least 75 percent of the commissioners of a Redevelopment and Housing Authority shall be persons who are not members of the local governing body.

Patron - Gear

F SB464 Charter; City of Roanoke. Grants the council authority to order an advisory referendum on any proposed question relating to the affairs of the city. A method is also provided to allow such a referendum to be initiated by a petition of registered voters.

Patron - Edwards