

Administration of the Government Generally

Passed

HB229 Veterans services in the Commonwealth. Changes the references under the powers and duties of the Commissioner of Veterans Services from the Secretary of Administration to the Secretary of Public Safety. The bill request the Department of Veterans Services to establish guidelines for the determination of eligibility for Virginia-domiciled veterans and their spouses, orphans, and dependents for participation in programs and benefits administered by the Department. Such guidelines shall meet the intent of the federal statutes and regulations pertaining to the administration of federal programs supporting U.S. Armed Forces veterans and their spouses, orphans, and dependents. The bill also clarifies that the purpose of the Veterans Services Foundation is to provide funding for veteran services and programs in the Commonwealth. HB 943 and HB 1104 are incorporated into this bill.

Patron - Cosgrove

HB234 Commonwealth Technology Research Fund (CTRF); sensor sciences. Adds sensor sciences to the eligible research programs in the CTRF. This bill is identical to SB 319.

Patron - Cosgrove

HB324 Division of Debt Collection; oversees Commonwealth's accounts receivables. Requires the Division to oversee the Commonwealth's accounts receivable program pursuant to the Virginia Debt Collection Act (§ 2.2-4800 et seq.) and to enforce policies and procedures adopted by the Department of Accounts for reporting, accounting for, and collecting the Commonwealth's accounts receivable.

Patron - Saxman

HB388 Conveyance of easements by state agencies. Clarifies the process for conveying easements by state agencies. Such conveyances must be deemed to be in the public interest and subject to guidelines adopted by the Department of General Services.

Patron - Bulova

HB407 Freedom of Information Act (FOIA); exemptions for certain fundraising strategies and donor records of public institutions of higher education. Exempts records maintained by a public institution of higher education in connection with fundraising activities conducted by or for such institution to the extent that such records reveal (i) personal fundraising strategies relating to identifiable donors or prospective donors or (ii) wealth assessments; estate, financial, or tax planning information; health-related information; employment, familial, or marital status information; electronic mail addresses, facsimile or telephone numbers; birth dates or social security numbers of identifiable donors or prospective donors. This bill is identical to SB 130.

Patron - Oder

HB475 Department of Veterans Services; mental health and rehabilitative services. Requires that the Department of Veterans Services, the Department of Mental Health, Mental Retardation and Substance Abuse Services and the Department of Rehabilitative Services cooperate in establishing a program to monitor and coordinate mental health and rehabilitative services support for Virginia veterans and mem-

bers of the Virginia National Guard and Virginia residents in the Armed Forces Reserves not in active federal service. HB 1064 incorporated into this bill and this bill is identical to SB 297.

Patron - Cox

HB477 Veterans Services Foundation. Establishes the Veterans Services Foundation as a body politic and corporate to provide funding for veterans services and programs in the Commonwealth. The bill also (i) clarifies the purpose of the Veterans Services Foundation to raise funds from the private sector for veterans services and programs in the state and (ii) adds eight citizen members, appointed by the General Assembly, and the Chair of the Joint Leadership Council to the Foundation's board of trustees, and extends the terms for members from three to four years.

Patron - Cox

HB503 Comprehensive Services Act Program; case management and residential care plan. Requires the State Executive Council to develop, and localities to implement, a program of case management for residential care to include a provision for residential care plans. Requires family assessment and planning teams to develop, and community policy and management teams to review, residential care plans that include goals for residential care treatment, a provision for monitoring and review of plans, evaluation of progress toward identified goals, and a plan for returning the youth to his home or community at the earliest appropriate time. This bill is identical to SB 487.

Patron - Hamilton

HB505 Interagency Civil Admissions Advisory Council. Removes the sunset of July 1, 2008, thereby making the Council permanent.

Patron - Hamilton

HB520 Freedom of Information Act (FOIA); exemptions for the Virginia Military Advisory Council, the Virginia National Defense Industrial Authority, and local military organizations. Adds a FOIA exemption for records of the Virginia Military Advisory Council, the Virginia National Defense Industrial Authority, or a local or regional military affairs organization appointed by a local governing body, to the extent such records (i) contain information relating to strategies under consideration or development by the Council, the Authority or such local or regional organization to prevent the closure or realignment of federal military installations located in Virginia, to limit the adverse economic effect of such realignment or closure, or to seek additional tenant activity growth from the Department of Defense or (ii) disclose trade secrets provided to the Council, the Authority, or such local or regional organization in connection with their work. The bill also adds a closed meeting exemption for discussion of such topics by the Virginia Military Advisory Council, the Virginia National Defense Industrial Authority, or such local or regional organization.

Patron - Suit

HB578 Innovative Technology Authority; powers of board of directors. Authorizes the Board of the Authority to designate the President and staff of the Center for Innovative Technology to carry out the day-to-day operations and activities of the Authority and to perform such other duties as may be directed by the Board. The bill is identical to SB 235.

Patron - Cosgrove

HB626 Investment of Public Funds Act; legal investment of certain funds; volunteer fire and rescue squad pension programs. Removes from the Investment of Public Funds

Act those funds contributed by a locality to a retirement program for the benefit of a pension program for the benefit of a volunteer fire department and rescue squad operating in the locality.

Patron - May

HB634 Government Data Collection and Dissemination Practices Act (GDCDPA); personal information; definition; collection of same; penalty for violation; jurisdiction of district courts. Provides that no agency shall require an individual to furnish or disclose his social security number (SSN) or driver's license number unless the furnishing or disclosure of such number is (i) authorized or required by state or federal law and (ii) essential for the performance of that agency's duties. The bill also strengthens the remedies provisions of the GDCDPA by adding civil penalties matching those in FOIA, and grants general district courts the authority to hear GDCDPA cases. Additionally, the bill has enactment clauses giving it a delayed effective date of July 1, 2009, and requires state agencies to study their own collection and use of SSNs and report to the FOIA Council and JCOTS on such collection and use by October 1, 2008. The bill also contains a fourth enactment clause providing for the gathering of similar information about the use and collection of SSNs by cities, counties and towns with a population greater than 15,000. The bill is a recommendation of the Freedom of Information Advisory Council and JCOTS. This bill is identical to SB 132.

Patron - May

HB731 Virginia Economic Development Partnership Authority; board of directors; membership. Adds the Chancellor of the Virginia Community College System to the board of directors of the Authority to help better coordinate workforce development in Virginia. The bill contains a technical amendment. The bill, however, reduces by one the number of at-large citizen appointments made by the Governor effective with the next cycle of at-large citizen appointments.

Patron - Caputo

HB748 Innovative Technology Authority; board of directors. Removes the Secretaries of Education and Commerce and Trade, as well the Director of the State Council of Higher Education, from the board of directors of the Authority. The bill also makes a technical correction. The bill is identical to SB 236.

Patron - Caputo

HB768 Freedom of Information Act (FOIA); active investigations; teacher licensing. Adds a FOIA exemption for investigator notes, and other correspondence and information with respect to an active investigation conducted by or for the Board of Education related to the denial, suspension, or revocation of teacher licenses. The bill further provides that these records may be disclosed to (i) a local school board or division superintendent for the purpose of permitting such board or superintendent to consider or to take personnel action with regard to an employee or (ii) any requester, after the conclusion of such investigation, in a form that does not reveal the identity of charging parties, persons supplying the information, or other individuals involved in the investigation. The bill also allows the Board of Education to discuss these records in a closed meeting.

Patron - Tata

HB776 Virginia Commission on Higher Education Board Appointments; sunset. Removes the sunset on the Virginia Commission on Higher Education Board Appointments. The bill is identical to SB 302.

Patron - Tata

HB781 Southwest Virginia Cultural Heritage Commission. Creates the Southwest Virginia Cultural Heritage Commission to encourage the economic development of Southwest Virginia through the expansion of cultural heritage ventures and initiatives related to tourism and other asset-based enterprises, including the Southwest Virginia Artisan Center, the Crooked Road, Round The Mountain, and related cultural heritage organizations and venues that promote entrepreneurial and employment opportunities. The bill sets out the membership of the Commission and its powers and duties. An emergency clause makes the bill effective upon its passage. This bill is identical to SB 653.

Patron - Kilgore

HB824 Water quality information. Designates the Secretary of Natural Resources as the lead Secretary with the responsibility to coordinate technical assistance, information, and training so that consistent water quality data is provided to the public.

Patron - Morgan

HB839 State Interoperability Executive Committee. Codifies the State Interoperability Executive Committee, which assists the Commonwealth Interoperability Coordinator. This bill is identical to SB 520.

Patron - Sherwood

HB841 Establishment of the Capitol District. Defines the geographic seat of government of the Commonwealth as the "Capitol District." The definition is for administrative purposes only and does not restrict or augment (i) the responsibilities or authority of the legislative, executive, or judicial branch of state government or any agency thereof or (ii) the law enforcement authority of the Police Department of the City of Richmond within the Department's jurisdiction. The Capitol District is comprised of the area in Richmond bounded by Broad Street, Eighth Street, Main Street, and Interstate 95.

Patron - Sherwood

HB854 Freedom of Information Act; electronic meetings; authority of local public bodies. Allows any local governing body, school board, or any authority, board, bureau, commission, district, or agency of local government to meet by electronic communication means without a quorum of the public body physically assembled at one location when the Governor has declared a state of emergency in accordance with § 44-146.17, provided (i) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location and (ii) the purpose of the meeting is to address the emergency. The local public body convening the meeting shall (a) give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided members of the local public body conducting the meeting; (b) make arrangements for public access to such meeting; and (c) otherwise comply with the provisions for electronic communication meetings. The nature of the emergency and the fact that the meeting was held by electronic communication means shall be stated in the minutes. The bill contains a technical amendment. The bill is a recommendation of the Freedom of Information Advisory Council.

Patron - Ebbin

HB867 Virginia Public Procurement Act; regional industrial facility authorities; exemption. Authorizes regional industrial facility authorities to enter into certain contracts without competition.

Patron - Johnson

HB900 Department of General Services; Division of Engineering and Buildings; use of value engineering. Requires the submission of a value engineering report to the Division of Engineering and Buildings. Under the bill each item included in the value engineering report must be designated as accepted, declined, or accepted as modified. The report must be approved by the Division within 45 days before the project may move to the next phase of design.

Patron - Scott, J.M.

HB944 Virginia Public Procurement Act; procurement of professional services for certain transportation projects. Increases the monetary limits for architectural and professional engineering contracts associated with projects that any locality and certain authorities and sanitation districts may enter into under the Virginia Public Procurement Act. The bill raises the amount for a single contract from \$1 million to \$5 million and increases the maximum amount for each task order from \$200,000 to \$1 million.

Patron - Albo

HB951 Uniform Prudent Management of Institutional Funds Act; creation. Replaces current provisions in the Virginia Code with this Uniform Act that was adopted by the National Conference of Commissioners on Uniform State Laws (NCCUSL) in 2006. The original Uniform Management of Institutional Funds Act was adopted by NCCUSL in 1972 and enacted in Virginia in 1973. The Act expands the scope of the prior law, applying to all charitable institutions holding institutional funds, including trusts without noncharitable beneficiaries. The Act also clarifies and expands the duties and obligations concerning the conduct of investment and expenditures of institutional funds. The Act also imposes express standards on any delegation of the management or investment of institutional funds. The Act also updates the standards for when a court may order the release or modification of the purpose of or restrictions contained in a gift instrument through which a donor contributes to an institutional fund.

Patron - Iaquinto

HB1017 Office of Telework Promotion and Broadband Assistance; codified; sunset. Codifies Executive Order 35 (2006) creating the Office of Telework Promotion and Broadband Assistance under the Secretary of Technology. The goals of the Office are to encourage telework as a family-friendly, business-friendly public policy that promotes workplace efficiency and reduces strain on transportation infrastructure. In conjunction with efforts to promote telework, the Office shall work with public and private entities to develop widespread access to broadband services. The provisions of this act expire on July 1, 2018.

Patron - Hugo

HB1018 Definition of telecommuting. Defines telecommuting as a work arrangement in which supervisors direct or permit employees to perform their usual job duties away from their central workplace at least one day per week and in accordance with work agreements.

Patron - Hugo

HB1021 State employee telecommuting goal. Establishes a goal for state agencies, except for the Department of State Police, to have 20 percent of their eligible workforce telecommuting by January 1, 2010.

Patron - Hugo

HB1023 Collection of debts owed the Commonwealth. Expands the reciprocal agreement with the federal

government to include the offset of nontax payments owed to debtors.

Patron - Frederick

HB1066 Virginia Public Procurement Act; methods of procurement. Clarifies that any public body may use competitive negotiation for the construction, alteration, repair, renovation, or demolition of structures (and not just buildings) when the contract is not expected to cost more than \$1 million.

Patron - Amundson

HB1128 Board of Pharmacy; continuing education. Allows the Board of Pharmacy to require two of the currently required 15 hours of continuing education to be in a specific subject area and exempts this requirement from the Administrative Process Act. Also allows the Board to determine, in regulation, the number of continuing education hours required for inactive status.

Patron - Jones, S.C.

HB1131 Office of the Children's Ombudsman. Creates the Office of the Children's Ombudsman to provide ombudsman services, including investigation of complaints, advocacy, and the provision of information for children, parents, and citizens involved with child-serving agencies. The bill is identical to SB 315.

Patron - Fralin

HB1167 Administrative Process Act (APA); public participation guidelines. Requires, on or before July 1, 2008, the Department of Planning and Budget, in consultation with the Office of the Attorney General, to (i) develop model public participation guidelines and (ii) provide these model public participation guidelines to each agency that has the authority to promulgate regulations. By December 1, 2008, each agency shall either (a) adopt the model public participation guidelines or (b) if significant additions or changes are proposed, promulgate the model public participation guidelines with the proposed changes as fast-track regulations pursuant to § 2.2-4012.1. Agency action in adopting the model public participation guidelines in accordance with clause (a) shall be exempt from the APA. Any regulatory action commenced on or after January 1, 2009, shall use the model public participation guidelines in the form adopted by an agency. Thereafter, any amendments to an agency's public participation guidelines must be done in accordance with the APA. This bill is identical to SB 734.

Patron - Saxman

HB1271 Freedom of Information Act (FOIA); exemption for local franchises. Broadens the current FOIA exemption to apply to any type of franchise and protects trade secrets and confidential proprietary information from both bidders for the franchise and the person who is ultimately awarded the franchise. Currently, the exemption is limited to cable TV franchises. The bill provides that no bidder, applicant, or franchisee may invoke the exclusion provided by this subdivision if the bidder, applicant, or franchisee is owned or controlled by a public body or if any representative of the applicable franchising authority serves on the management board or as an officer of the bidder, applicant, or franchisee.

Patron - Ebbin

HB1280 Regulation of charitable gaming; Department of Agriculture and Consumer Services. Abolishes the Department of Charitable Gaming and places the regulation of charitable gaming under the Department of Agriculture and Consumer Services.

Patron - Spruill

HB1298 Public body contracts; illegal alien employment. Requires that all public bodies provide in every written contract that the contractor does not, and shall not during the performance of the contract for goods and services in the Commonwealth, knowingly employ an unauthorized alien as defined in the federal Immigration Reform and Control Act of 1986. This bill is identical to SB 517.

Patron - Frederick

HB1312 Workforce development; Governor's responsibilities. Provides that the strategic plan for workforce development shall be developed in coordination with the development of the comprehensive economic development policy required from the Governor during the first year of his administration. The bill changes the staff support for the Virginia Workforce Council from the Office of the Governor to the Virginia Community College System. The Governor, as Chief Workforce Development Officer, is required to report on the transfer of Workforce Investment Act responsibilities from the Virginia Employment Commission to the Virginia Community College System and to provide evaluations of the accountability and performance of workforce programs. The bill is identical to SB252.

Patron - Byron

HB1329 State-owned communications towers; broadband service. Requires state agencies to lease or convey a license or other interest in a state-owned communication tower for which they are responsible to qualified providers of wireless broadband service in order to deploy broadband Internet service in areas of the Commonwealth that do not have access to terrestrial broadband or radio frequency Internet service. The requirement is subject to the provider presenting a spectrum and certified structural analysis of the tower and proof that the tower satisfies all applicable local government requirements. The conveyance shall require payment of such consideration as the Director of the Department of General Services deems appropriate and which is commensurate with the consideration paid for use of comparable space on similar towers. This bill is identical to SB 206.

Patron - Peace

HB1334 State and Local Government Conflict of Interest Act; acceptance of awards. Allows an employee of local government to receive an award or payment in honor of meritorious or exceptional service. Currently, only such awards or payments to teachers or other employees of local school boards are allowed. This bill is identical to SB 478.

Patron - Landes

HB1367 Freedom of Information Act (FOIA); exemption for local government investment pool. Adds a FOIA exemption for the records maintained by the Department of the Treasury or participants in the Local Government Investment Pool, to the extent such records relate to information required to be provided by such participants to the Department to establish accounts.

Patron - Jones, S.C.

HB1386 Service-disabled veteran-owned small business programs. Aligns Virginia's eligibility requirements for participation in the Service-Disabled Veteran-Owned Small Business Program with federal eligibility requirements set by the U.S. Department of Veterans Affairs. This bill is identical to SB 680.

Patron - Miller, J.H.

HB1447 Department for the Aging; coordination of local long-term care services. Adds representatives of hous-

ing, transportation, and other appropriate local organizations that provide long-term care services to the membership of local long-term care coordination committees. This bill is identical to SB 701.

Patron - Ingram

HB1458 Freedom of Information Act; records and meetings of Innovative Technology Authority. Exempts from public disclosure certain proprietary records submitted to the Innovative Technology Authority as part of a grant application. The bill also allows meetings of the Innovative Technology Authority to be closed when the exempt records are being discussed. This bill is identical to SB 726.

Patron - Cosgrove

HB1459 Virginia Small Business Financing Act; preferred lenders. Authorizes the Virginia Small Business Financing Authority to delegate to certain banks decisioning and processing functions and responsibilities with respect to certain Authority-guaranteed loans. The Authority will allocate to the preferred lenders credit authority for the lesser of an Authority-determined amount or the funds available for loan guarantees.

Patron - Moran

HB1500 Aerospace Advisory Council; created. Reduces the membership of the Council from a total of 15 to 13 members, by reducing the number of nonlegislative members. Provides that the nonlegislative citizen members representing NASA Wallops Flight Facility, NASA's Langley Research Center, and the National Institute of Aerospace shall be appointed by the Governor to serve as ex officio liaisons to the Council with nonvoting privileges.

Patron - Lewis

HB1526 Virginia Career Readiness Certificate Program; creation; report. Creates the Virginia Career Readiness Certification Program to certify the workplace and college readiness skills of Virginians, in order to better prepare them for continued education and workforce training, successful employment, and career advancement. The Virginia Workforce Council, in consultation with the Secretary of Education, shall promulgate regulations necessary to implement and administer the Program. Funding shall come from the Workforce Investment Act, or such other source as shall be made available, in an amount not to exceed \$1 million. This bill is identical to SB 756.

Patron - Byron

SB130 Freedom of Information Act (FOIA); exemptions for certain fundraising strategies and donor records of public institutions of higher education. Exempts records maintained by a public institution of higher education in connection with fundraising activities conducted by or for such institution to the extent that such records reveal (i) personal fundraising strategies relating to identifiable donors or prospective donors or (ii) wealth assessments; estate, financial, or tax planning information; health-related information; employment, familial, or marital status information; electronic mail addresses, facsimile or telephone numbers; birth dates or social security numbers of identifiable donors or prospective donors. This bill is identical to HB 407.

Patron - Houck

SB131 Freedom of Information Act; electronic meetings; authority of local public bodies. Allows any local governing body, school board, or any authority, board, bureau, commission, district, or agency of local government to meet by electronic communication means without a quorum of the public body physically assembled at one location when the Gover-

nor has declared a state of emergency in accordance with § 44-146.17, provided (i) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location and (ii) the purpose of the meeting is to address the emergency. The local public body convening the meeting shall (a) give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided members of the local public body conducting the meeting; (b) make arrangements for public access to such meeting; and (c) otherwise comply with the provisions for electronic communication meetings. The nature of the emergency and the fact that the meeting was held by electronic communication means shall be stated in the minutes. The bill contains a technical amendment. The bill is a recommendation of the Freedom of Information Advisory Council. This bill is identical to HB 854.

Patron - Houck

SB132 Government Data Collection and Dissemination Practices Act (GDCDPA); personal information; definition; collection of same; penalty for violation; jurisdiction of district courts. Provides that no agency shall require an individual to furnish or disclose his social security number (SSN) or driver's license number unless the furnishing or disclosure of such number is (i) authorized or required by state or federal law and (ii) essential for the performance of that agency's duties. The bill also strengthens the remedies provisions of the GDCDPA by adding civil penalties matching those in FOIA, and grants general district courts the authority to hear GDCDPA cases. Additionally, the bill has enactment clauses giving it a delayed effective date of July 1, 2009, and requires state agencies to study their own collection and use of SSNs and report to the FOIA Council and JCOTS on such collection and use by October 1, 2008. The bill also contains a fourth enactment clause providing for the gathering of similar information about the use and collection of SSNs by cities, counties and towns with a population greater than 15,000. The bill is a recommendation of the Freedom of Information Advisory Council and JCOTS. This bill is identical to HB 634.

Patron - Houck

SB199 Regulation of charitable gaming; Department of Agriculture and Consumer Services. Abolishes the Department of Charitable Gaming and places the regulation of charitable gaming under the Department of Agriculture and Consumer Services.

Patron - Puller

SB206 State-owned communications towers; broadband service. Requires state agencies to lease or convey a license or other interest in a state-owned communication tower for which they are responsible to qualified providers of wireless broadband service in order to deploy broadband Internet service in areas of the Commonwealth that do not have access to terrestrial broadband or radio frequency Internet service. The requirement is subject to the provider presenting a spectrum and certified structural analysis of the tower and proof that the tower satisfies all applicable local government requirements. The conveyance shall require payment of such consideration as the Director of the Department of General Services deems appropriate and which is commensurate with the consideration paid for use of comparable space on similar towers. This bill is identical to HB 1329.

Patron - Stuart

SB210 Freedom of Information Act (FOIA); certain audit records of the Virginia Department of Transportation. Creates an exemption from FOIA for trade secrets and financial records, including balance sheets and financial statements, that are not generally available to the public through

regulatory disclosure or otherwise; and revenue and cost projections supplied by a private or nongovernmental entity to the Inspector General of the Virginia Department of Transportation for the purpose of an audit, special investigation, or any study requested by the Inspector General's Office.

Patron - Stosch

SB235 Innovative Technology Authority; powers of board of directors. Authorizes the Board of the Authority to designate the President and staff of the Center for Innovative Technology to carry out the day-to-day operations and activities of the Authority and to perform such other duties as may be directed by the Board. The bill is identical to HB 578.

Patron - Whipple

SB236 Innovative Technology Authority; board of directors. Removes the Secretaries of Education and Commerce and Trade, as well the Director of the State Council of Higher Education, from the board of directors of the Authority. The bill also makes a technical correction. This bill is identical to HB 748.

Patron - Whipple

SB252 Workforce development; Governor's responsibilities. Provides that the strategic plan for workforce development shall be developed in coordination with the development of the comprehensive economic development policy required from the Governor during the first year of his administration. The bill changes the staff support for the Virginia Workforce Council from the Office of the Governor to the Virginia Community College System. The Governor, as Chief Workforce Development Officer, is required to report on the transfer of Workforce Investment Act responsibilities from the Virginia Employment Commission to the Virginia Community College System and to provide evaluations of the accountability and performance of workforce programs. This bill is identical to HB 1312.

Patron - Ruff

SB288 Local choice health insurance program; centers for independent living. Makes officers and employees of state-funded centers for independent living eligible to participate in the "local choice" health insurance program established by the Department of Human Resource Management.

Patron - Wampler

SB314 Veterans Services Foundation. Establishes the Veterans Services Foundation as a body politic and corporate for the purposes of carrying out its statutory powers and duties. The bill also (i) adds the Chair of the Joint Leadership Council and eight citizen members appointed by the Speaker of the House and the Senate Committee on Rules to the board of trustees and (ii) clarifies the purpose of the foundation to raise funds from the private sector for veterans services and programs in the state. This bill is identical to HB 477.

Patron - Edwards

SB315 Office of the Children's Ombudsman. Creates the Office of the Children's Ombudsman to provide ombudsman services, including investigation of complaints, advocacy, and the provision of information for children, parents, and citizens involved with child-serving agencies. The bill is identical to HB 1131.

Patron - Edwards

SB319 Commonwealth Technology Research Fund; sensor sciences. Adds sensor sciences to the list of fields eligible to receive awards from the Commonwealth Technology Research Fund. This bill is identical to HB 234.

Patron - Wagner

SB398 Virginia Security of Public Deposits Act; qualified public depository; eligible collateral. Includes as eligible collateral Federal Home Loan Bank letters-of-credit that adhere to the guidelines as promulgated by the Treasury Board. The bill also amends the definition of "qualified public depository" to include banks, trust companies, or savings institutions that are organized under the laws of another state and having a main office or branch office in Virginia where deposits are accepted, checks are paid, and money is lent.

Patron - Puckett

SB399 Investment of public funds in certificates of deposit. Authorizes public entities to invest public funds in certificates of deposit in one or more federally insured bank or savings institution. The moneys must be initially invested through a federally insured bank or savings institution that is qualified by the Virginia Treasury Board to accept public deposits.

Patron - Puckett

SB478 State and Local Government Conflict of Interest Act; acceptance of awards. Allows an employee of local government to receive an award or payment in honor of meritorious or exceptional service. Currently, only such awards or payments to teachers or other employees of local school boards are allowed. This bill is identical to HB 1334.

Patron - Hanger

SB479 Office of Comprehensive Services and the Comprehensive Services Act; best practices. Requires the Director of the Office of Comprehensive Services for At-Risk Youth and Families to identify, disseminate, and provide annual training for CSA staff and other interested parties on best practices and evidence-based practices related to the Comprehensive Services Program.

Patron - Hanger

SB483 Comprehensive Services Act; data collection performance standards. Requires the State Executive Council to (i) oversee the development and implementation of uniform data collection standards, utilizing a secure electronic client-specific database for CSA-funded services; (ii) oversee the development and implementation of a uniform set of performance measures for evaluating the CSA program; and (iii) oversee the development and distribution of management reports that provide information to the public and community policy and management teams (CPMT) to help evaluate child and family outcomes and public and private provider performance. The bill requires the Director of the Office of Comprehensive Services for At-Risk Youth and Families to implement the provisions of this bill. This bill incorporates SB 481, SB 482, SB 484, SB 485, and SB 486.

Patron - Hanger

SB487 Comprehensive Services Act; intensive care coordination and service planning. Requires the State Executive Council to oversee the development and implementation of mandatory uniform guidelines for intensive care coordination services for children who are at risk of entering, or are placed in, residential care through the Comprehensive Services Act program. The community policy and management team is responsible for establishing policies for providing intensive care coordination services. The bill also requires family assessment and planning teams to identify children who are at risk of entering, or are placed in, residential care through the Comprehensive Services Act program who can be appropriately and effectively served in their homes, relatives' homes, family-like settings, and communities and coordinate services and develop a plan for returning the child to his home, relative's home, fam-

ily-like setting, or community. This bill incorporates SB 480, SB 488, and SB 489, and SB 658. This bill is identical to HB 503.

Patron - Hanger

SB517 Public body contracts; illegal alien employment. Requires that all public bodies provide in every written contract that the contractor does not, and shall not during the performance of the contract for goods and services in the Commonwealth, knowingly employ an unauthorized alien as defined in the federal Immigration Reform and Control Act of 1986. This bill is identical to HB 1298.

Patron - Cuccinelli

SB520 State Interoperability Executive Committee. Codifies the State Interoperability Executive Committee, which assists the Commonwealth Interoperability Coordinator. This bill is identical to HB 839.

Patron - Watkins

SB533 State and Local Government Conflict of Interest Act; disclosure of real estate interests. Requires local government officers and certain local government employees to list all real property in which they have an ownership interest including a partnership interest and any option, easement, or land contract. Currently, local government officers and employees are required to list real estate located in the county, city, or town in which they serve as an officer or employee and in any contiguous county, city, or town.

Patron - Herring

SB574 Council on Virginia's Future. Extends the sunset date from July 1, 2008, to July 1, 2013, for the Council on Virginia's Future.

Patron - Saslaw

SB580 Virginia War Memorial Foundation. Replaces the Secretary of Administration with the Secretary of Public Safety and the Commissioner of Veterans Services as ex officio members of the board of trustees of the Virginia War Memorial Foundation. Under the bill, the Department of Veterans Services replaces the Department of General Services in providing administrative support to the Foundation.

Patron - Edwards

SB593 Freedom of Information Act (FOIA); meeting exemption; tourism and economic development. Allows the discussion or consideration of confidential proprietary records provided by a private business to certain state, local, or regional industrial or economic development authorities or organizations for business, trade and tourism development to be conducted in meetings not open to the public.

Patron - Norment

SB653 Southwest Virginia Cultural Heritage Commission. Creates the Southwest Virginia Cultural Heritage Commission in the executive branch of state government to encourage the economic development of Southwest Virginia through the expansion of cultural heritage ventures and initiatives related to tourism and other asset-based enterprises, including the Southwest Virginia Artisan Center, the Crooked Road, Round The Mountain, and related cultural heritage organizations and venues that promote entrepreneurial and employment opportunities. This bill is identical to HB 781.

Patron - Wampler

SB662 Virginia War Memorial. Requires the State Comptroller to advance a loan of \$5.97 million for the state share of the construction of an educational wing for the Virginia War Memorial and the expansion of the Shrine of Mem-

ory for to include Virginians killed in action in the War on Terror, in the form of a short-term treasury loan, with no interest, upon certification by the Governor or his designee that (i) \$2 million in private funds have been raised and the funds are either available or have been expended, and (ii) the funds were or will be used to support the projects. The State Treasurer shall advance \$500,000 of the \$5.97 million upon certification that \$1 million in private funds have been raised or expended for the educational wing.

Patron - Stosch

SB680 Service-disabled veteran-owned small business programs. Aligns Virginia's eligibility requirements for participation in the Service-Disabled Veteran-Owned Small Business Program with federal eligibility requirements set by the U.S. Department of Veterans Affairs.

Patron - Wagner

SB683 Virginia Commission on Higher Education Board Appointments; sunset. Removes the sunset on the Virginia Commission on Higher Education Board Appointments. This bill incorporates SB 302 and is identical to HB 776.

Patron - Norment

SB701 Department of Aging; coordination of long-term care services. Adds to the membership of the local long-term care coordination committee organizations providing housing and transportation services, and other appropriate organizations providing long-term care services. This bill is identical to HB 1447.

Patron - Lucas

SB726 Freedom of Information Act; records and meetings of Innovative Technology Authority. Exempts from public disclosure certain proprietary records submitted to the Innovative Technology Authority as part of a grant application. The bill also allows meetings of the Innovative Technology Authority to be closed when the exempt records are being discussed. This bill is identical to HB 1458.

Patron - Petersen

SB734 Administrative Process Act (APA); public participation guidelines. Requires, on or before July 1, 2008, the Department of Planning and Budget, in consultation with the Office of the Attorney General, to (i) develop model public participation guidelines and (ii) provide these model public participation guidelines to each agency that has the authority to promulgate regulations. By December 1, 2008, each agency shall either (a) adopt the model public participation guidelines or (b) if significant additions or changes are proposed, promulgate the model public participation guidelines with the proposed changes as fast-track regulations pursuant to § 2.2-4012.1. Agency action in adopting the model public participation guidelines in accordance with clause (a) shall be exempt from the APA. Any regulatory action commenced on or after January 1, 2009, shall use the model public participation guidelines in the form adopted by an agency. Thereafter, any amendments to an agency's public participation guidelines must be done in accordance with the APA. This bill is identical to HB 1167.

Patron - Smith

SB741 Department of Human Resource Management; staff augmentation services. Provides for the Department of Human Resource Management to work jointly with the Department of General Services and the Virginia Information Technologies Agency to develop expedited processes for the procurement of staff augmentation to supplement salaried and wage employees of state agencies. Under the bill, the Department of Human Resource Management may perform contract

administration duties and responsibilities for any resulting statewide augmentation contracts.

Patron - Hanger

SB756 Virginia Career Readiness Certificate Program; creation; report. Creates the Virginia Career Readiness Certificate Program to certify the workplace and college readiness skills of Virginians, in order to better prepare them for continued education and workforce training, successful employment, and career advancement. The Virginia Workforce Council, in consultation with the Secretary of Education, shall promulgate regulations necessary to implement and administer the Program. Funding shall come from the Workforce Investment Act, or other sources as shall be made available, in an amount not to exceed \$1 million. HB 1526 is identical.

Patron - Ruff

SB760 Veterans services in the Commonwealth. Requires the Department of Veterans Services to establish guidelines for the determination of eligibility for Virginia-domiciled veterans and their spouses, orphans, and dependents for participation in programs and benefits administered by the Department. The bill also establishes the Veterans Services Foundation as a body politic and corporate for the purposes of carrying out its statutory powers and duties. In addition the bill (i) adds the Chair of the Joint Leadership Council to the board of trustees and (ii) clarifies the purpose of the foundation to raise funds from the private sector for veterans services and programs in the state. In addition the bill changes references under the powers and duties of the Commissioner of Veterans Services from the Secretary of Administration to the Secretary of Public Safety. The bill incorporates SB 521.

Patron - Wagner

SB764 Address confidentiality for victims of domestic violence; program expanded; penalty. Expands the address confidentiality for victims of domestic violence program currently implemented in the County of Arlington to the Counties of Albemarle, Augusta, Dickenson, Fairfax, Henry, Lee, Rockbridge, Russell, Scott, Washington, and Wise as well as the Cities of Buena Vista, Charlottesville, Lexington, Martinsville, Norfolk, and Roanoke. The bill also provides that an applicant to the program may apply in person at a domestic violence program, which is defined as a public and not-for-profit agency the primary mission of which is to provide services to victims of sexual or domestic violence. Currently, such applications are made directly to the Office of the Attorney General.

Patron - Ticer

SJ126 Center for Innovative Technology; innovation index; report. Requests the Center for Innovative Technology (CIT) to establish a Commonwealth Innovation Index to foster the formation, retention, and expansion of technology-based economic development opportunities. In developing the Innovation Index, CIT shall solicit input from the Commonwealth's regional technology councils and technology community. The index shall serve as a community-driven tool that will enable community and Commonwealth leaders to steer a successful course toward global leadership in advanced technology company formation and attraction while saving tax dollars.

Patron - Stolle

Failed

HB75 Attorney General; official opinions. Adds the general registrar of a locality to the list of individuals and enti-

ties who may request advice or official advisory opinions from the Attorney General.

Patron - Toscano

HB90 Public Procurement Act; verification of legal presence. Requires all public contractors and their subcontractors to register and participate in a federal Electronic Work Verification Program or similar electronic verification of work authorization program to determine that their employees and individual independent contractors are legally eligible for employment in the United States. Contractors and subcontractors are required to verify the employment status of their employees and independent contractors, and are prohibited from employing or contracting with an individual who is not determined to be legally eligible for employment in the United States as determined through the verification of the individual's status. Contractors who do not register and participate in the registration program are ineligible for prequalification.

Patron - Nichols

HB109 Regulation of firearms by state entities. Prohibits a state agency, council, commission, or other entity from adopting any rules, regulations, or policies governing the purchase, possession, transfer, ownership, carrying, storage, or transporting of firearms, ammunition, or components or combinations thereof, unless expressly authorized by statute. The prohibition does not apply to state, local, and regional correctional facilities or mental health facilities, nor is it to be construed to prohibit a law-enforcement officer from acting within the scope of his duties. Any rule, regulation, or policy adopted prior to July 1, 2007, except for those specifically authorized by statute, will be invalid.

Patron - Cole

HB164 Department of General Services; Division of Engineering; use of compact fluorescent light bulbs in state-owned and occupied buildings. Requires the use of compact fluorescent light bulbs in state-owned and occupied buildings by January 1, 2011. Under the bill, all state-owned and occupied buildings shall discontinue the use of incandescent light bulbs by December 31, 2010, and in the intervening period replace them with compact fluorescent bulbs. Savings derived from the replacement implementation plan shall be used by the Division to study the appropriate means for disposing of compact fluorescent bulbs that have reached the end of their useful life.

Patron - Poisson

HB166 Venture capital investments, investment return guarantees. Creates a program under which the Commonwealth makes investment return guarantees for certain investments made between January 1, 2008, and January 1, 2013, in venture capital funds that invest in technology firms located in the Commonwealth. The Virginia Economic Development Partnership Authority shall administer the program. A venture capital fund eligible under the program must have an office in the Commonwealth and an established history of investing in businesses or industries that are in the early stages of development and must enter into a contract with the Authority under which it promises to use its best efforts to invest three times the amount of principal it receives in technology firms located in Virginia. Pension funds, endowments, and other institutions investing in eligible venture capital funds shall receive investment return guarantees from the Commonwealth. The Commonwealth guarantees a 10 percent average annual rate of return over a 10-year horizon to such institutions incorporated or having administrative headquarters located in the Commonwealth. The Commonwealth guarantees to all other institutions that they will not lose any of their principal investment over the 10-year period. The financial guarantees are in

the form of supplemental appropriations to such institutions such that the guaranteed rates of return are realized.

Patron - Purkey

HB187 Virginia Public Procurement Act; bid, payment, and performance bonds; alternate forms of security. Expands the forms of alternate bid, payment, and performance security that may be used to include a bond provided or executed by an individual surety provided that (i) the person acting as the individual surety transacts business only through an insurance agency licensed by the Bureau of Insurance of the State Corporation Commission; (ii) the person acting as the individual surety provides an affidavit of individual surety in a form acceptable to the Department of General Services; and (iii) pledges certain assets in the amount equal to 100 percent of the contract value for the total penal amount of the performance and payment bonds or the penal amount of the bid as required by the bid bond.

Patron - Marshall, R.G.

HB198 Department of Law; establishment of Division of Human Rights; elimination of the Human Rights Council; penalties. Eliminates the Human Rights Council and establishes the Division of Human Rights within the Department of Law to carry out the powers and duties of the Human Rights Council. The bill contains technical amendments.

Patron - Marshall, R.G.

HB203 Searchable budget database website. Requires the Director of the Department of Planning and Budget to maintain a searchable budget database website that would allow persons to search and aggregate information for individual or specific appropriations or budget items. The Director would be required to have the database operational by July 1, 2009. When fully operational, all data in the database would be maintained for a minimum of 10 years. The bill would repeal a current provision that requires the Auditor of Public Accounts to maintain an online searchable database providing certain state expenditure, revenue, and demographic information. This bill is incorporated into HB 1360.

Patron - Marshall, R.G.

HB206 Department of Consumer Affairs. Removes the Office of Consumer Affairs from the Department of Agriculture and Consumer Services and establishes it as the Department of Consumer Affairs (DCA). The DCA will be headed by a Director appointed by the Governor to serve at his pleasure. The DCA will be the successor in interest to the Office of Consumer Affairs by serving as the central coordinating agency and clearinghouse for receiving and investigating complaints by Virginia consumers of illegal, fraudulent, deceptive, or dangerous practices.

Patron - Marshall, R.G.

HB236 Identification cards, licenses, and driver's licenses. Requires that these documents be made of a material and in a form designed to prevent duplication, alteration, and counterfeiting.

Patron - Cosgrove

HB313 Freedom of Information Act (FOIA); working papers and correspondence. Removes the current exemption in FOIA for working papers and correspondence for the president or other chief executive officer of any public institution of higher education in Virginia.

Patron - Landes

HB390 Compromised Data Notification Act. Creates the Compromised Data Notification Act, which, following discovery or notification of a breach of a security system, requires

a state agency that owns or licenses computerized data that includes personal information to provide notice of the breach to all residents of Virginia whose unencrypted personal information was or is reasonably believed to have been acquired by an unauthorized person. The notice shall be given in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the system. This bill has been incorporated into HB 1469.

Patron - Bulova

HB415 Commonwealth Competition Council. Repeals the Commonwealth Competition Council.

Patron - Marshall, R.G.

HB416 Innovative Technology Authority; repealed. Repeals the Innovative Technology Authority and the Center for Innovative Technology. The bill moves the Advanced Communications Assistance Fund, the Commonwealth Technology Research Fund, and the Biotechnology Commercialization Loan Fund under the supervision of the Virginia Economic Development Partnership.

Patron - Marshall, R.G.

HB423 Searchable budget database website. Requires the Director of the Department of Planning and Budget to maintain a searchable budget database website that would allow persons to search and aggregate information for individual or specific appropriations or budget items. The Director would be required to have the database operational by July 1, 2009. When fully operational, all data in the database would be maintained for a minimum of 10 years. The bill would require to the Director to work with the Auditor of Public Accounts and the Joint Legislative Audit and Review Commission to avoid any duplication of efforts. This bill is incorporated into HB 1360.

Patron - Marshall, R.G.

HB426 Virginia Public Procurement Act; bid, payment, and performance bonds; alternate forms of security. Expands the forms of alternate bid, payment, and performance security that may be used to include a bond provided or executed by an individual surety provided that (i) the person acting as the individual surety transacts business only through an insurance agency licensed by the Bureau of Insurance of the State Corporation Commission; (ii) the person acting as the individual surety provides an affidavit of individual surety in a form acceptable to the Department of General Services; and (iii) pledges certain assets in the amount equal to 100 percent of the contract value for the total penal amount of the performance and payment bonds or the penal amount of the bid as required by the bid bond.

Patron - Marshall, R.G.

HB497 Center for Innovative Technology (CIT); duties. Requires CIT to perform a biennial survey of the Commonwealth's technology industry to assess the current and projected demand for science, math, and technology-related graduates and identify the types of graduates most desired by the technology industry. The bill requires CIT to report its findings to the Joint Commission on Technology and Science and the Commonwealth's institutions of higher education.

Patron - Cosgrove

HB595 State funds; state officials and employees; payment for certain communication devices and services prohibited. Prohibits the use of state funds to pay for the cellular phone, pager, or cable television service of any person

unless the service is provided for use in performance of an official or contractual obligation or task.

Patron - Marshall, D.W.

HB623 Enforcement of immigration laws; agreement with United States Immigrations and Customs Enforcement. States that it is the responsibility of the Governor to enter into a memorandum of agreement with Immigration and Customs Enforcement that would allow designated state and local law-enforcement officers to perform certain federal immigration law functions in the Commonwealth. Such an agreement is often referred to as an agreement under the federal 287(g) program.

Patron - Miller, J.H.

HB676 Commission on Climate Change; report. Establishes a Climate Change Commission in the executive branch of government to develop a Climate Change Action Plan that: (i) characterizes the quantity and source of greenhouse gas emissions in the Commonwealth; (ii) identifies the potential impacts and effects of increasing atmospheric greenhouse gas concentrations on the state; (iii) identifies actions necessary to prepare for and mitigate the likely consequences of climate change; (iv) quantifies a greenhouse gas reduction target; (v) identifies and evaluates both state and regional climate action plans that address climate change and greenhouse gas emissions; and (vi) identifies economically viable programs, policies, and actions that are needed to meet state targets for reducing greenhouse gas emissions. In its development of the Climate Change Action Plan, the Commission shall consider demand-side energy conservation by utilities and consumers, expanding renewable energy portfolios, rate decoupling, time-of-use pricing, mandatory energy efficiency measures, and transportation demand management. Wherever possible, the Commission shall examine opportunities to couple greenhouse gas reductions with economic development and other market-based approaches to statewide greenhouse gas reductions. This bill was incorporated into HB 796.

Patron - Plum

HB693 Small business health insurance pools; advisor. Requires the Secretary of Health and Human Resources to create the position of Small Business Health Insurance Advisor to assist small businesses in forming health insurance pools, as authorized by state and federal law. This bill was incorporated into HB 807.

Patron - Armstrong

HB793 Secretary of Natural Resources; development of strategy to reduce greenhouse gas emissions. Requires the Secretary to develop a comprehensive plan by January 1, 2010, that, if adopted by the General Assembly, is capable of providing a 30 percent reduction of the 2005 greenhouse gas emissions level by 2025 and an 80 percent reduction of the 2005 greenhouse gas emissions level by 2050.

Patron - Englin

HB807 Small business health insurance pools; advisor. Requires the Secretary of Health and Human Resources to create the position of Small Business Health Insurance Advisor to assist small businesses in forming health insurance pools, as authorized by state and federal law. This bill incorporates HB 693.

Patron - Englin

HB834 Irrigation systems; state-owned buildings and private property. Requires the Division of Engineering and Buildings, in every state-owned building or facility designed, constructed, or substantially altered after July 1, 2008, that includes as part of such design, construction, or

alteration the installation of an outdoor automatic sprinkler or irrigation system, to insure that such system shall have furnished and installed technology that inhibits or interrupts operation of the landscape irrigation system during periods of sufficient moisture or rainfall. The technology shall be adjustable either by the end user or the professional practitioner of landscape irrigation services. The bill also provides that every outdoor automatic sprinkler or irrigation system installed after July 1, 2008, by a landscape irrigation contractor shall be equipped with technology that inhibits or interrupts operation of the landscape irrigation system during periods of sufficient moisture or rainfall. The technology shall be adjustable either by the end user or the professional practitioner of landscape irrigation services. The bill provides that this latter provision shall not apply to systems operating on golf courses or agricultural lands.

Patron - Moran

HB909 Virginia Nanotechnology Authority; established. Establishes the Virginia Nanotechnology Authority to promote development of nanotechnology in Virginia. The Authority will be responsible for administering a fund to be used to provide industry and institutions of higher education with discovery grants, collaboration grants, and prototype grants. The Authority will be governed by a board of directors and managed by a president at the direction of the Board. The president is responsible for creating a virtual Virginia Nanotechnology Users Network to facilitate research and development of nanotechnology at the Commonwealth's institutions of higher education.

Patron - Purkey

HB910 Technology, Nanotechnology and Biotechnology Investment Fund created. Creates the Technology, Nanotechnology and Biotechnology Investment Fund to attract technology or biotechnology companies to, or assist those companies located in, the Commonwealth. Moneys in the Fund shall only be applied to qualified research expenses and basic research payments (as defined by § 41 of the Internal Revenue Code) for research conducted in the Commonwealth. Qualified research expenses are defined as in-house expenses or contract research expenses, paid by a technology or biotechnology company. Basic research payments are defined as payments made to companies and nonprofit research institutions and organizations located in the Commonwealth for research in technology and biotechnology. No grant to a company from the Fund is to exceed \$500,000 per year. The Innovative Technology Authority shall administer this fund.

Patron - Purkey

HB928 Illegal immigration; penalty. Adopts several measures aimed at curbing illegal immigration in the Commonwealth. The bill requires all public bodies and their contractors to register and participate in a federal work authorization program operated by the United States Department of Homeland Security to verify information on all new employees, and requires all agencies providing benefits to verify the recipient's immigration status. State institutions of higher education would be prohibited from providing in-state tuition to illegal aliens. The bill requires that if an independent contractor fails to provide documentation of the contractor's employment authorization, the contracting entity must withhold state income tax at the top marginal income tax rate from any compensation paid to the contractor. The bill makes it a Class 6 felony to harbor, transport, or conceal an illegal alien. In addition, the immigration status of any individual arrested on suspicion of a felony or of driving under the influence must be verified. To aid in the enforcement of immigration laws, the Attorney General is authorized to negotiate the terms of a memorandum of understanding with the Department of Home-

land Security that would allow law-enforcement officers in the Commonwealth to perform certain immigration functions. In addition, the Department of State Police is directed to establish a division of fraudulent document identification to investigate the sale and distribution of fraudulent documents in the Commonwealth.

Patron - Gilbert

HB943 Veterans services in the Commonwealth. Changes references under the powers and duties of the Commissioner of Veterans Services from the Secretary of Administration to the Secretary of Public Safety. The bill also clarifies the purpose of the Veterans Services Foundation to provide funding for veteran services and programs in the Commonwealth. This bill was incorporated in HB 229.

Patron - Jones, D.C.

HB1019 Telecommuting; state agencies to keep savings. Authorizes state agencies to retain the unappropriated balance in the general appropriation act realized as a direct result of implementing a telecommuting program within the agency.

Patron - Hugo

HB1020 Freedom of Information Act; electronic meetings; interim study committees. Permits interim study committees of the General Assembly to conduct meetings using electronic communications without meeting physical presence requirements for a quorum. Members participating in such meetings through electronic communications shall count towards quorum requirements and have full voting rights.

Patron - Hugo

HB1030 Procurement contracts; state contractors to offer telecommuting to employees. Requires the contractor to make every effort to offer telecommuting or alternative work schedules to its employees, based on the state telecommuting and alternative work schedule guidelines, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor.

Patron - Frederick

HB1064 Veterans Services; mental health program. Requires the Commissioner of Veterans Services to develop, in cooperation with the Department of Mental Health, Mental Retardation and Substance Abuse Services and the Department of Rehabilitative Services, a strategy for coordinating the various programs that address the unique mental health needs of veterans, including post-traumatic stress disorder and traumatic brain injuries, and to seek additional federal, state, and private sources of funding for such programs. This bill was incorporated into HB 475.

Patron - Brink

HB1096 Protection of Social Security Numbers Act; penalties. Creates the Protection of Social Security Numbers Act, which prohibits every agency from releasing those portions of a public record that contain the social security number of any individual. The bill contains several exemptions from this general rule and also allows disclosure of the last four digits of a social security number to certain entities for the purpose of verifying identity. The bill provides for penalties for violation and contains technical amendments.

Patron - Sickles

HB1102 Freedom of Information Act; records containing social security numbers. Exempts from the mandatory disclosure requirements of the Freedom of Information Act those portions of records containing an individual's social security number; except that access shall not be denied to the

person who is the subject thereof. Any person who is the subject of any such record and who is 18 years of age or older may waive, in writing, these protections. If the protections are so waived, the public body shall open such records for inspection and copying.

Patron - Sickles

HB1104 Veterans services in the Commonwealth. Changes references under the powers and duties of the Commissioner of Veterans Services from the Secretary of Administration to the Secretary of Public Safety. The bill also (i) adds the Chair of the Board of Trustees of the Veterans Services Foundation as a non voting member of the Joint Leadership Council of Veterans Service Organizations, (ii) adds the Chair of the Joint Leadership Council of Veterans Services Organizations as a voting member of the board of trustees of the Veterans Services Foundation, and (iii) establishes the Veterans Services Foundation as a body politic and corporate to provide funding for veteran services and programs in the Commonwealth. This bill was incorporated into HB 229.

Patron - Bouchard

HB1184 Financial and management review of all state agencies. Directs the Governor to initiate on July 1, 2008, an operational and programmatic performance review of (i) the Department of Health, (ii) the Department of Education, and (iii) primary and secondary education funded by the Commonwealth, which review shall be concluded by December 1, 2008. The review shall be conducted by a private management consulting firm. The goal of the review is to effect savings in expenditures, a reduction in duplication of effort, and programmatic efficiencies in the operation of state government.

Patron - Lingamfelter

HB1189 Appropriations; funding for anti-child-exploitation law enforcement. Provides both one-time and ongoing appropriations to fund anti-child-exploitation law-enforcement efforts in the Commonwealth.

Patron - Moran

HB1195 Department of General Services; Green Buildings Act. Requires all major facility projects of state agencies to be constructed to meet the United States Green Building Council Leadership in Energy and Environment Design (LEED) silver certification standard, unless granted an exemption by the Director of the Department of General Services. Such projects will not be required to obtain official LEED certification. Application of the requirement will be phased in over the next three years based on the square footage of the project. The provisions of the bill do not apply to construction projects of public school districts. The bill also requires the use of compact fluorescent light bulbs in state-owned and occupied buildings by January 1, 2010.

Patron - Moran

HB1357 Department of the Treasury; excess funds in the Revenue Stabilization Fund. Establishes a mechanism to provide tax relief to Virginia taxpayers when the Auditor of Public Accounts determines the Revenue Stabilization Fund has reached its maximum size as provided in the Constitution of Virginia. The excess funds will be deposited in a special nonreverting fund titled the "Virginia Taxpayer Surplus Relief Fund" to be used by the next session of the General Assembly to provide tax relief to Virginia taxpayers. This bill was incorporated into HB 1318.

Patron - Cline

HB1358 Procurement of services by certain state agencies. Requires the Director of the Division of Purchases and Supply of the Department of General Services to require

each state agency, except two- and four-year public institutions of higher education and law-enforcement agencies, to procure nonprofessional services from private sector if such services are listed in the Commonwealth Competition Council's list. The bill also provides that upon a written determination made in advance by a state agency that the procurement of services from a commercial source is neither practicable nor fiscally advantageous, such service may continue to be performed by the state agency.

Patron - Cline

HB1359 Department of Planning and Budget; submissions to the General Assembly. Requires the Department of Planning and Budget, in addition to providing copies of all agency budget estimates, to prepare an analysis of such estimates for the deliberative use of the Governor and the General Assembly, such analysis to include, but not be limited to, (i) appropriations requested as compared to the prior year, (ii) a brief description of each agency's priorities for receiving funding, and (iii) a discussion of major changes or initiatives recommended for the ensuing fiscal year. The Department is required to submit the estimates and analysis to the Governor and, within 30 days thereof, submit the same to the chairmen of the House Committee on Appropriations and the Senate Committee on Finance.

Patron - Cline

HB1416 Alcoholic beverage control; tax increases; substance abuse treatment fund. Requires the ABC Board to deduct quarterly five percent from its net profits to be paid into the Substance Abuse Treatment Fund, which is created in the bill. The fund shall be administered by the Secretary of Health and Human Resources and money in the fund shall be used solely to support substance abuse treatment programs throughout Virginia. The bill also raises the excise tax on beer and wine coolers and the liter tax on wine.

Patron - Ware, O.

HB1472 Employment discrimination; speaking English. Provides that discharging or taking other employment-related action with regard to an employee on the basis of the employee's failure or refusal to comply with his employer's requirement that English be spoken or used while at work for a legitimate business purpose shall not be deemed to constitute discrimination on the basis of national origin. Currently, employers with more than five but less than 15 employees are prohibited from discharging an employee on the basis of national origin.

Patron - Cole

HB1474 Secretary of Education; Citizenship Assistance Initiative Program. Establishes the Virginia Citizenship Assistance Initiative Program within the Office of the Secretary of Education to serve as a public resource for linking legal permanent residents directly to the information and services they need to successfully pursue citizenship. The Initiative is to be established as a nonprofit legal entity to (i) directly assist legal immigrants in Virginia become United States citizens; (ii) encourage legal immigrants to independently initiate their naturalization process; and (iii) help new citizens participate fully in civic life in Virginia.

Patron - Eisenberg

HB1485 Native American Month and Day of Appreciation. Changes the current reference to the "American Indian Month" and the "Day of Appreciation for American Indians" to "Native American Month" and "Day of Appreciation for Native Americans."

Patron - Hall

HB1493 Nondiscrimination in state public employment. Prohibits discrimination in state government employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, sexual orientation, or status as a special disabled veteran or other veteran covered by the Vietnam Era Veterans Readjustment Act of 1974.

Patron - Ebbin

HB1497 Small business health insurance pools; advisor. Requires the Secretary of Health and Human Resources to create the position of Small Business Health Insurance Advisor to assist small businesses in forming health insurance pools, as authorized by state and federal law.

Patron - Marshall, D.W.

HB1504 Compromised Data Notification Act. Creates the Compromised Data Notification Act, which, following discovery or notification of a breach of a security system, requires a state agency that owns or licenses computerized data that includes personal information to provide notice of the breach to all residents of Virginia whose unencrypted personal information was or is reasonably believed to have been acquired by an unauthorized person. The notice shall be given in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement or any measures necessary to determine the scope of the breach and restore the reasonable integrity of the system. This bill has been incorporated into HB 1469.

Patron - Nixon

HB1522 Department of Business Assistance; Virginia Economic Development Partnership. Abolishes the Department of Business Assistance and transfers its duties to the Virginia Economic Development Partnership.

Patron - Massie

HB1547 The 21st Century Capital Improvement Program. Creates the 21st Century Capital Improvement Program which is a dynamic program for the orderly and systematic programming and financing of capital projects throughout the Commonwealth that will be revised annually for the acquisition, development, enhancement, planning, or replacement of public facilities over a multiyear period. In addition, the bill provides an initial list of the Program's projects; a list of projects to be constructed by bonds issued by the Virginia College Building Authority and the Virginia Public Building Authority, and a list of projects whose planning costs will be appropriated in the Budget Bill.

Patron - Putney

HB1554 Virginia Public Procurement Act; small, women-, or minority-owned businesses. Requires the Department of General Services, in conjunction with the Department of Minority Business Enterprise, to develop a program that insures that at least 15 percent of state procurement contracts are awarded to small, women-, and minority-owned businesses located in historically underutilized business zones (HUB Zone) that meet certain requirements. The bill defines HUB Zone.

Patron - McClellan

HB1563 Telecommuting; reports to the General Assembly. Requires the Secretary of Technology to work in conjunction with the Secretary of Administration and Secretary of Transportation in advising and assisting the public and private sectors regarding telecommuting. The bill also places the primary reporting responsibility with the Secretary of Technology, as opposed to the Secretary of Administration. The Secre-

tary of Technology must report annually by October 1 to the General Assembly on the status and efficiency of telecommuting in the Commonwealth.

Patron - Scott, J.M.

HJ237 Center for Innovative Technology; innovation index; report. Requests the Center for Innovative Technology (CIT) to establish a Commonwealth Innovation Index to foster the formation, retention, and expansion of technology-based economic development opportunities. In developing the Innovation Index, CIT shall solicit input from the Commonwealth's regional technology councils and technology community. The index shall serve as a community-driven tool that will enable community and Commonwealth leaders to steer a successful course toward global leadership in advanced technology company formation and attraction while saving tax dollars.

Patron - Rust

SB257 State Interoperability Executive Committee. Codifies the State Interoperability Executive Committee, which assists the Commonwealth Interoperability Coordinator.

Patron - Deeds

SB302 Virginia Commission on Higher Education Board Appointments; sunset. Removes the sunset on the Virginia Commission on Higher Education Board Appointments. This bill was incorporated into SB 683 and is identical to HB 776.

Patron - Houck

SB338 Public funds; payment for membership to professional associations in certain instances prohibited. Provides that no public funds may be used to pay for the membership of any employee in a professional association as a condition of employment unless membership in the professional association is required for the employee to maintain a professional or occupational license, certification, or registration that is directly related to the performance of official duties.

Patron - Cuccinelli

SB346 State Office of Accountability. Establishes the State Office of Accountability to be headed by a State Inspector General to investigate complaints alleging fraud, waste, abuse, corruption, or mistreatment of citizens of the Commonwealth by a locality or state agency or public officers and employees. The bill also authorizes the State Inspector General to examine the management and operation of state agencies and provides a record exemption under the Freedom of Information Act for certain documents of the Office.

Patron - Blevins

SB348 Department of the Treasury; Risk Management Division; coverage for area agencies on aging. Clarifies that automobile insurance for vehicles used by local chapters or programs of the Meals on Wheels Association of America or any area agency on aging to provide nutritional services to the elderly, homebound, or disabled are to be included in the coverage provided under the State's risk management plan.

Patron - Blevins

SB426 Public Procurement Act; verification of legal presence. Requires all public contractors and their subcontractors to register and participate in a federal Electronic Work Verification Program or similar electronic verification of work authorization program to determine that their employees and individual independent contractors are legally eligible for employment in the United States. Contractors and subcontractors are required to verify the employment status of their employees and independent contractors, and are prohibited

from employing or contracting with an individual who is not determined to be legally eligible for employment in the United States as determined through the verification of the individual's status. Contractors who do not register and participate in the registration program are ineligible for prequalification.

Patron - Barker

SB433 Enforcement of immigration laws; agreement with United States Immigrations and Customs Enforcement. States that it is the responsibility of the Governor to enter into a memorandum of agreement with Immigration and Customs Enforcement that would allow designated state and local law-enforcement officers to perform certain federal immigration law functions in the Commonwealth. Such an agreement is often referred to as an agreement under the federal 287(g) program.

Patron - Vogel

SB447 Green Building Act; Department of General Services; capital outlay projects; standards applicable to certain buildings. Requires all major facility projects of state agencies to be designed to meet the standards of the U.S. Green Building Council's Leadership in Energy and Environmental Design building rating system or the Green Building Initiative's Green Globes building rating system. Application of the requirement will be phased in over the next three years based on the square footage of the project. The provisions of the bill do not apply to construction projects of public school districts.

Patron - Petersen

SB480 Comprehensive Services Act; utilization review. Requires the State Executive Council to oversee development and implementation of uniform standards of utilization review to include review of how individual need for services is determined, how services are procured, and how services are delivered. This bill has been incorporated into SB 487.

Patron - Hanger

SB481 Data Collection; residential service providers. Requires the State Executive Council to develop and implement uniform data collection standards to collect data on residential service providers and residential services provided under the Comprehensive Services Act program and to develop uniform outcome measures to evaluate residential services provided under the Comprehensive Services Act program. This bill has been incorporated into SB 483.

Patron - Hanger

SB484 Comprehensive Services Act; cost of services. Adds data regarding the number of youth and families eligible for CSA-funded services, the type of services provided, and the cost of services to the list of data that the State Executive Council is required to collect and for which the State Executive Council is required to develop and implement data collection standards. This bill has been incorporated into SB 483.

Patron - Hanger

SB485 Comprehensive Services Act; data collection. Requires the Office of Comprehensive Services to include in its child-level data set a field (i) identifying the facility in which a child receives services, including any residential service provider's identification number, (ii) indicating the circumstances under which each child ends each service, and (iii) indicating the circumstances under which each child exits the Comprehensive Services Act program. This bill has been incorporated into SB 483.

Patron - Hanger

SB486 Comprehensive Services Act; client-specific database. Requires the State Executive Council to oversee

development and implementation of data collection standards and collection of data for a client-specific database. This bill has been incorporated into SB 483.

Patron - Hanger

SB488 State Executive Council for Comprehensive Services; duties. Requires the State Executive Council to develop and implement an intensive case management services system, including uniform standards for case management for children in residential care. This bill has been incorporated into SB 487.

Patron - Hanger

SB489 Community Policy and Management Teams; duties. Requires CPMTs to identify children in residential care facilities who can be appropriately served in their homes and communities and to develop a plan for the return of such children from residential care to their homes and communities. Plans shall identify any community-based services which may be necessary for each child and provide for the coordination of services and the monitoring of children returning to their homes or communities from residential care. This bill has been incorporated into SB 487.

Patron - Hanger

SB516 Public employment; required eligibility verification documentation. Prohibits state and local government agencies from knowingly employing any person who is not a citizen of the United States or who does not provide employment eligibility verification documentation as specified in the Department of Homeland Security Employment Eligibility Verification Form I-9 indicating that he is legally eligible for employment in the United States. An intentional violation of this prohibition by any state employee or official, after notice from the Governor, or his designees, to desist, shall subject him to suspension or permanent dismissal from employment or office. The bill also requires the Department of Human Resource Management to compile an annual report detailing (i) the number of persons suspended and the length of the suspensions, and (ii) the number of persons permanently dismissed.

Patron - Cuccinelli

SB521 Veterans services in the Commonwealth. Changes references under the powers and duties of the Commissioner of Veterans Services from the Secretary of Administration to the Secretary of Public Safety. The bill also clarifies the purpose of the Veterans Services Foundation to provide funding for veteran services and programs in the Commonwealth. This bill was incorporated into SB 760.

Patron - Locke

SB627 Commission on Climate Change; report. Establishes a Climate Change Commission in the executive branch to develop a Climate Change Action Plan that: (i) calculates the size of and contributors to Virginia's carbon footprint; (ii) addresses the effects of increasing atmospheric greenhouse gas concentrations on the state; (iii) identifies what the Commonwealth needs to do to prepare for the likely consequences of climate change; and (iv) identifies actions that are needed to meet goals for reducing greenhouse gas emissions. In its development of the Climate Change Action Plan, the Commission shall consider demand-side energy conservation by utilities and consumers; expanding renewable energy portfolios; rate decoupling; time-of-use pricing; and transportation demand management. The Commission will also consult with the Superintendent of Public Instruction to establish and supervise the High School Climate Change Leadership Awards Program and with the State Council of Higher Education to require that a state-supported institution of higher education organize and host a 2009 Mid-Atlantic Regional Climate Change Lead-

ership Consortium. This bill was incorporated into SB 464 (Whipple).

Patron - Ticer

SB647 Freedom of Information Act (FOIA); exemption for certain publicly owned museum records. Exempts from FOIA records of a publicly owned museum that can be used to identify an individual who donates or loans one or more items of personal property to the museum.

Patron - Ticer

SB658 Comprehensive Services Act Program; case management and residential care plan. Requires the State Executive Council to develop, and localities to implement, a program of case management for residential care to include a provision for residential care plans. Requires family assessment and planning teams to develop, and community policy and management teams to review, residential care plans that include goals for residential care treatment, a provision for monitoring and review of plans, evaluation of progress toward identified goals, and a plan for returning the youth to his home or community at the earliest appropriate time. This bill has been incorporated into SB 487.

Patron - Howell

SB675 Qualified public depositories; credit unions. Adds state- and federal-chartered credit unions to the institutions that may be qualified public depositories.

Patron - Newman

SB795 Bonds for Virginia facilities and other projects. Authorizes the issuance of bonds under the Virginia Public Building Authority in a principal amount not to exceed \$1,103,600,000, and under the Virginia College Building Authority with the principal amount of bonds issued for all such projects not to exceed \$1,353,729,000. The bill also authorizes the State Treasurer to advance treasury loans in an amount not to exceed the costs of planning for certain capital projects with the total amount of treasury loans advanced for the costs of planning of all such projects not to exceed \$95,570,000.

Patron - Colgan

Carried Over

HB858 Freedom of Information Act (FOIA); exemption for certain publicly owned museum records. Exempts from FOIA records of a publicly owned museum that can be used to identify an individual who donates or loans one or more items of personal property to the museum.

Patron - Ebbin

HB1318 Excess funds in the Revenue Stabilization Fund. Establishes a mechanism to provide tax relief to Virginia taxpayers when the Auditor of Public Accounts determines the Revenue Stabilization Fund has reached its maximum size as provided in the Constitution of Virginia. The excess funds must equal at least \$50 million and will be deposited in a special nonreverting fund titled the Virginia Taxpayer Surplus Relief Fund and must be used by the next session of the General Assembly to provide tax relief to Virginia taxpayers. This bill incorporates HB 1357.

Patron - O'Bannon

HB1360 Searchable budget database website. Requires the Director of the Department of Planning and Budget to maintain a searchable budget database website that would allow persons to search and aggregate information for individual or specific appropriations or budget items. The

Director would be required to have the database operational by July 1, 2009. When fully operational, all data in the database would be maintained for a minimum of 10 years. The bill would require to the Director to work with the Auditor of Public Accounts and the Joint Legislative Audit and Review Commission to avoid any duplication of efforts. This bill incorporates HB 201, HB 203, HB 423, HB 1163, HJ 82, and HR 2.

Patron - Cline

HB1558 Public Procurement Act; verification of legal presence. Requires all public contractors and their sub-contractors to register and participate in a federal Electronic Work Verification Program or similar electronic verification of work authorization program to determine that their employees and individual independent contractors are legally eligible for employment in the United States. Contractors and subcontractors are required to verify the employment status of their employees and independent contractors, and are prohibited from employing or contracting with an individual who is not determined to be legally eligible for employment in the United States as determined through the verification of the individual's status. Contractors who do not register and participate in the registration program are ineligible for prequalification. This bill was continued to the 2009 Regular Session of the General Assembly.

Patron - Cline

SB342 Transfer of state toll facilities. Requires the purchaser of a state toll facility that is a non-Commonwealth public or private entity to agree in writing to conduct all business of the newly acquired toll facility in open meetings under the provisions of the Virginia Freedom of Information Act.

Patron - Cuccinelli

SB474 Department of Minority Business Enterprises; powers; certification of sheltered workshops. Requires the Director of the Department of Minority Business Enterprise to establish a certification program for sheltered workshops. The bill further requires sheltered workshops to be included in the procurement goals and programs of state agencies. The bill defines a "sheltered workshop" as a nonprofit business entity or organization that offers transitional or supported employment services serving the disabled.

Patron - Hanger

SB535 State and Local Government Conflict of Interests Act; prohibited conduct for certain officers and employees of local government. Prohibits a local officer and certain local employees from accepting employment with any person or business that was party to any transaction before the local officer's or employee's agency in which the local officer participated in discussion and the final vote taken by the agency on the transaction or the local employee participated in an official capacity during the agency's consideration of the transaction.

Patron - Herring

SB585 Searchable budget database website. Requires the Director of the Department of Planning and Budget to maintain a searchable budget database website that would allow persons to search and aggregate information for individual or specific appropriations or budget items. The Director would be required to have the database operational by July 1, 2009. When fully operational, all data in the database would be maintained for a minimum of 10 years. The bill would require to the Director to work with the Auditor of Public Accounts and the Joint Legislative Audit and Review Commission to avoid any duplication of efforts.

Patron - Cuccinelli

CSB703 Virginia Tourism Authority; Virginia Motion Picture Incentive Performance Grant Fund. Creates the Virginia Motion Picture Incentive Performance Grant Fund to be administered by the Virginia Film Office. The bill sets out eligibility requirements for obtaining grants by motion picture film production companies.

Patron - Lucas

Agriculture, Horticulture and Food

Passed

PHB5 Gas chambers. Prohibits the use of gas chambers for euthanizing companion animals. This is emergency legislation. This bill incorporates HB 1289 and HB 40.

Patron - Orrock

PHB207 Local animal pounds and shelters; definition. Clarifies that a facility serving as a pound or shelter may operate in either a building or a portion of a building, as designated by the State Veterinarian. This change would allow inspectors to tailor the separate inspection and regulatory standards for shelters and pounds to the respective portion of the facility designated for each purpose.

Patron - Morgan

PHB537 Rabies vaccination certificates; public access; duties of local treasurers. Exempts records sent by veterinarians to local treasurers from public access under the Freedom of Information Act when such information is not contained in the animal license or license application. This will allow local treasurers to dispose of records sent from veterinarians. This bill incorporates HB 457.

Patron - Orrock

PHB538 Commercial dog breeding operations; penalty. Defines a commercial breeder as any person who, during any 12-month period, maintains 30 or more adult female dogs for the primary purpose of the sale of their offspring as companion animals. Commercial breeders will be required to: (i) apply for a business license from their respective locality; (ii) cooperate with inspections by animal control officers to ensure compliance with state and federal animal care laws; (iii) maintain records of animal sales, purchases, breeding history, and veterinary care; (iv) dispose of dead dogs and confined waste in accordance with law; and (v) maintain no more than 50 dogs over the age of one year at one time for breeding purposes. The bill also provides that any person who has been convicted of any law concerning abuse, neglect, or cruelty to animals may not sell or trade any companion animal. Commercial breeders that violate any of these provisions are guilty of a Class 1 misdemeanor. Pet shops must ensure that their dogs are purchased from dealers or persons that are properly registered and licensed with the U.S. Department of Agriculture. This bill incorporates HB 690 and HB 1232. The provisions of the bill are made subject to funding in the general appropriation act.

Patron - Orrock

PHB644 Master Settlement Agreement; enforcement requirements for tobacco product manufacturers; national sales information. Requires every tobacco product manufacturer whose cigarettes are to be sold in the Commonwealth to submit, as a condition of selling cigarettes in the Commonwealth, to the Attorney General a true and correct copy of each annual return or report filed with the Alcohol and Tobacco Tax

and Trade Bureau for federal excise tax purposes. Failure to submit the annual return or report will result in the loss of the tobacco manufacturer's authority to sell cigarettes in the Commonwealth after 30 days' notice. This bill also provides provisions for the protection of the annual return data once in the possession of the Attorney General.

Patron - Hogan

PHB655 Dangerous dogs; judicial discretion. Provides a court with the authority not to declare a dog to be a dangerous dog for good cause, based on the evidence before it if the dog is not dangerous or a threat to the community. Currently, a court is required to declare a dog dangerous if there is any bite, attack, or injury to a person, even if the bite, attack, or injury is accidental or negligible.

Patron - Griffith

PHB656 Animal protection and fighting; penalty. Provides that engaging in the fighting of any animals is a Class 1 misdemeanor, while dog fighting remains a Class 6 felony. Possession of any materials intended to enhance the ability of animals to fight, permitting a minor to become involved in animal fighting, or wagering on animal fighting raises any such offense to a Class 6 felony. Animals that are the subject of such criminal charges may be forfeited to the locality, but the owner may post bond to retain his ownership interest and repossess the animals if the court issues a finding of not guilty. Law-enforcement officers would be permitted to conduct searches at any time upon the issuance of warrants. Currently, such officers may only conduct searches during the day. This bill incorporates HB 1057 and HB 1465. This bill is identical to SB 592.

Patron - Griffith

PHB673 Animal welfare standards. Requires that "adequate water" for animals is replenished in a manner that is appropriate for the weather and temperature. Currently, "adequate water" must be replenished at least once every 12 hours.

Patron - Alexander

PHB999 Bond for abandoned or cruelly treated animals. Allows the court to order the owner of any animal held by a humane investigator or animal control officer for more than 30 days to post a bond with the locality for the amount of the cost of boarding the animal if the locality has not adopted an ordinance requiring the posting of such bond.

Patron - Bell

PHB1121 Weights and measures; certified service technicians. Clarifies that it is permissible to possess for commercial purposes a weight or measure that has been placed into service by a duly certified service technician.

Patron - Sickles

PHB1331 Revision of Title 3.1; Department of Agriculture and Consumer Services; commodity-related boards; protection of food supplies; domestic animals. Creates proposed Title 3.2 (Agriculture, Animal Care, and Food) as a revision of existing Title 3.1 (Agriculture, Horticulture and Food) and consists of 65 chapters divided into five subtitles: Subtitle I (General Provisions; Protection and Promotion of Agriculture); Subtitle II (Boards, Councils, Foundations, and Commissions); Subtitle III (Production and Sale of Agricultural Products); Subtitle IV (Food and Drink; Weights and Measures); and Subtitle V (Domestic Animals). Subtitle I addresses the preservation of agricultural lands and the promotion of the agricultural industry. In addition to setting out the duties and responsibilities of the Department of Agriculture and Consumer Services, the Commissioner of Agriculture and Consumer Services, and the Office of Consumer Affairs, the

first chapter includes several new provisions. These sections provide title-wide definitions and the authority to adopt regulations governing the conduct of referenda and replace existing sections throughout the current title. Subtitle II establishes the various commodity-related boards, councils, and foundations formed to promote the agricultural industry in the Commonwealth. It begins with a listing of the special funds associated with these various collegial bodies and the reporting requirements for commodity boards, then sets out all of the commodity boards and prescribes their powers and duties. Subtitle III provides for the production and sale of agricultural products through a system of grading, licensing, certification, and registration. The sections in these chapters have been organized in a similar sequence, with a definitions section placed first, followed by agency administrative responsibilities, licensing or registrations requirements, enforcement provisions and, finally, penalties. Subtitle IV sets standards for consumer protection. These laws: (i) prescribe standards for ensuring the wholesomeness and safety of food products, including proper labeling practices; and (ii) protect the consumer by establishing standards for the instruments and devices used in weighing and measuring commodities. Subtitle V provides for the regulation of domestic animals in the Commonwealth.

Patron - Landes

HB1372 Inspection of honey houses; repeal. Repeals the duplicative authority of the Department of Agriculture and Consumer Services to regulate the sanitary conditions in places where honey is stored and manufactured under the beekeeping laws, because such authority is already broadly granted under Article 2, Sanitary Requirements in General, of Chapter 20 of Title 3.1.

Patron - Landes

HB1424 Poultry testing for avian influenza. Requires the importer of poultry into the Commonwealth to test for avian influenza within a period of time set out by proclamation of the State Veterinarian. Currently, an importer of poultry must test for avian influenza within 10 days before the poultry enters the Commonwealth. This bill contains an emergency clause.

Patron - Lohr

SB135 Applying fertilizer to nonagricultural property. Requires the Board of Agriculture and Consumer Services to adopt regulations that certify the competence of the contractor-applicators and licensees who apply any regulated product to nonagricultural property. The regulations are to be in accordance with the Department of Conservation and Recreation's nutrient management training and certification program. The Board is to consult with the Department of Conservation and Recreation and a committee of stakeholders in the development of the regulations. The Board is authorized to impose a civil penalty of up to \$250 on any contractor-applicator or licensee who does not comply with the regulations.

Patron - Stuart

SB272 Inspection of food establishments; exception for private homes. Exempts certain types of commercial food preparation in private homes from inspections by the Department of Agriculture and Consumer Services. The exception will apply to candies, jams, and jellies not considered to be low-acid or acidified low-acid food products or baked goods that do not require time or temperature control after preparation, including cream pies, if such products: (i) are sold to an individual for his own consumption and not for resale and (ii) are labeled "NOT FOR RESALE—PROCESSED AND PREPARED WITHOUT STATE INSPECTION."

Patron - Deeds

SB477 Matching grants to local purchase of development rights programs. Provides that, in general, local purchase of development rights programs would be required to make a \$1 match for each \$1 in grants awarded by the Office of Farmland Preservation.

Patron - Hanger

SB545 Master Settlement Agreement; regulation of cigarette manufacturers. Makes several changes to enhance the regulation of cigarette manufacturers and stamping agents and enforcement provisions. Changes include (i) establishing a bonding requirement for newly qualified and elevated risk nonparticipating tobacco manufacturers, (ii) authorizing the Attorney General to conduct audits and investigations for compliance with the requirements of the Master Settlement Agreement, (iii) requiring nonparticipating manufacturers located outside of the United States to appoint an agent in the state, and (iv) providing for the joint and several liability of nonparticipating manufacturers whose cigarettes are sold in Virginia and their importers for the deposit of required escrow payments. Under the bill, tobacco product manufacturers that are poor compliance risks or are not in compliance with the requirements of the Master Settlement Agreement may not be listed on the Virginia Tobacco Directory. The bill also exempts from FOIA records of the Office of the Attorney General acting pursuant to its enforcement authority under the Master Settlement Agreement, to the extent that such records contain reports, affidavits, correspondence, or other information submitted by a private business entity or principal thereof to the Office of the Attorney General.

Patron - Hurt

SB592 Animal protection and fighting; penalty. Provides that engaging in the fighting of any animals is a Class 1 misdemeanor, while dog fighting remains a Class 6 felony. Possession of any materials intended to enhance the ability of animals to fight, permitting a minor to become involved in animal fighting, or wagering on animal fighting raises any such offense to a Class 6 felony. Animals that are the subject of such criminal charges may be forfeited to the locality, but the owner may post bond to retain his ownership interest and repossess the animals if the court issues a finding of not guilty. Law-enforcement officers would be permitted to conduct searches at any time upon the issuance of warrants. Currently, such officers may only conduct searches during the day. This bill is identical to HB 656.

Patron - Norment

SB663 Local fees for companion animals. Removes the cap that localities may charge for the burial or cremation of animals and authorizes localities to charge increased fees for the repeated impoundment of the same animal.

Patron - Blevins

Failed

HB32 Fighting of cocks and other animals; penalty. Increases the penalty for engaging in the fighting of cocks or other animals, except dogs, from a Class 3 to a Class 1 misdemeanor. Currently, the penalties only apply if (i) the fighting occurs for money, prizes, or anything of value, (ii) an admissions fee is charged, or (iii) wagering occurs. These conditions are removed. The bill also makes it a Class 1 misdemeanor to possess, own, train, or sell cocks or other animals, except dogs, for fighting.

Patron - Ingram

HB40 Use of gas chambers for animal euthanasia prohibited. Prohibits the use of gas chambers for animal

euthanasia. This bill has a delayed effective date of October 1, 2008. This bill was incorporated into HB 5.

Patron - Scott, J.M.

HB217 Tethering of animals. Makes certain acts associated with the tethering of animals a Class 3 misdemeanor. The bill prohibits such actions as (i) tethering an animal that is less than six months old, except in an emergency, (ii) tethering an animal that has not been spayed or neutered, except in an emergency, and (iii) using a tether weighing more than the animal can reasonably bear. Local governments are authorized to adopt an animal tethering ordinance that can be more restrictive than the proposed statute.

Patron - Alexander

HB306 Animal control officers; training. Requires that animal control officers receive training in a basic animal control course within one year of appointment. Currently, animal control officers are not required to receive such training for two years after appointment. Animal control officers will also receive continuing education every year, instead of every three years. The content of continuing education courses will contain training on enforcement and animal care laws.

Patron - Eisenberg

HB457 Veterinarians and animal licensure. Repeals the requirement that veterinarians must provide the local treasurer with rabies certificate information, which the treasurers then use to collect license fees for companion animals. This law has been in effect since July 1, 2007, and provides a civil penalty of \$10 for a veterinarian that willfully fails to provide the vaccination certificates to the treasurer. This bill was incorporated into HB 537.

Patron - Merricks

HB464 Humane investigators. Restores the humane investigator program to its pre-2003 status. In 2003, the law was amended to limit (i) the number of humane investigators to those currently serving and (ii) the number of programs to those currently in operation. The 2003 bill allowed those appointed prior to July 1, 2003, to be reappointed for three-year terms. This bill removes the limitations placed on the program by the 2003 law.

Patron - Albo

HB661 Agritourism and marine tourism activity liability. Expands the Agritourism Activity Liability Act, passed in 2006, to marine tourism activities conducted by commercial fishermen. Currently, only agritourism activities on land are covered by the act, although aquaculture is already included as an agritourism activity.

Patron - Lewis

HB690 Commercial breeding of companion animals; penalty. Requires state licensure of any person who breeds companion animals and is also required to be licensed by the U.S. Department of Agriculture. The Virginia Department of Agriculture and Consumer Services will issue licenses and collect an annual fee of \$150, which will be remitted to the localities where animal breeding facilities are located. Animal control officers are granted the authority to investigate any commercial breeding operation to ensure compliance with animal care laws. This bill was incorporated into HB 538.

Patron - Armstrong

HB691 Animal control officers; inspection of breeding facilities. Requires an animal control officer to make quarterly inspections of any premises in his jurisdiction where dealers breed companion animals. The animal control officer

will ensure that dealers comply with state and federal standards for sanitation, licensure, and adequate care.

Patron - Armstrong

HB1057 Cockfighting; penalty. Imposes a penalty of a Class 6 felony on any person who knowingly engages in an animal fighting venture that involves two or more cocks or other animals, except dogs. This bill was incorporated into HB 656.

Patron - Scott, J.M.

HB1122 Weights and measures; certified service technicians. Clarifies that it is permissible to possess for commercial purposes a weight or measure that has been placed into service by a duly certified service technician.

Patron - Sickles

HB1232 Overbreeding of cats and dogs; penalty. Prohibits any dealer from breeding more than 20 litters of dogs or cats, or selling more than 100 dogs or cats, in any year. Violators are guilty of a Class 3 misdemeanor. This bill was incorporated into HB 538.

Patron - Vanderhye

HB1289 Use of gas chambers for animal euthanasia prohibited. Prohibits the use of gas chambers for animal euthanasia. This bill was incorporated into HB 5.

Patron - Athey

HB1396 Agritourism. Charges the Commissioner of Agriculture and Consumer Services with the responsibility of promoting Virginia agritourism both nationally and internationally. He is to develop a statewide agritourism master plan and coordinate efforts to educate the public about the importance of Virginia's agriculture heritage and industry.

Patron - Lohr

HB1465 Dogfighting; penalty. Includes, as violations applicable to the crime of dogfighting, attending such fights; permitting a minor to engage in any of the punishable activities; and possessing any materials intended to train animals to fight or enhance the ability of animals for fight. Dogs that are the subject of such criminal charges may be forfeited to the locality, but the owner may post bond to retain his ownership interest and repossess the animals if the court issues a finding of not guilty. Animal control officers would be permitted to conduct searches at any time upon the issuance of warrants. Currently, only police officers may conduct such searches, and only during the day. This bill was incorporated into HB 656.

Patron - Armstrong

HB1473 National Animal Identification System. Prohibits the Department of Agriculture and Consumer Services from supporting a mandatory National Animal Identification System, a USDA-sponsored program to register and track domestic animals and livestock. The Department of Agriculture and Consumer Services would not be prohibited from participating in discussions or attending meetings on the National Animal Identification System.

Patron - Eisenberg

HB1486 Dealer permits. Allows localities to charge dealers in companion animals up to \$150 to obtain a permit. The current limit for such a permit is \$50. The bill also requires localities that use the proceeds from real estate taxes to fund animal control activities or has releasing agencies that euthanize companion animals that are not critically ill or exhibit behavior that is a risk to their caretakers to obtain a permit.

Patron - Athey

HB1570 Companion animals; sterilization; penalty. Requires that sellers of dogs and cats adhere to the same sterilization requirements currently applied to releasing agencies, such as shelters and pounds. Breed improvers, fancier breeders, and hobby breeders would be exempt from the requirements. Violators would be subject to a civil penalty of not more than \$150, while persons fraudulently claiming exemption would be subject to a civil penalty of \$1,000.

Patron - Hull

SB498 Gas chambers. Prohibits the use of gas chambers for euthanizing companion animals. This is emergency legislation.

Patron - Northam

Carried Over

HB848 Lease of development rights program. Tasks the Office of Farmland Preservation to create a lease of development rights program. Under such program, properties of 20 acres and larger and that are enrolled in "land use" taxation programs, would be eligible to participate in a lease of development rights program whereby the property owner relinquishes "by right" development for at least seven years in exchange for a contractually agreed upon lease amount.

Patron - Ware, R.L.

HB1525 Infectious animal diseases; scrapie regulations for goats and sheep. Requires that any regulations adopted by the Board of Agriculture and Consumer Services regarding the eradication and control of scrapie in goats and sheep limit intrastate identification, reporting, and movement restrictions to infected and source flocks and high-risk animals.

Patron - Gear

SB172 Sales of equines by dealers; penalty. Regulates the sales of horses for showing or racing by dealers when the value of the horse is over \$10,000. Bills of sale will be required, along with written acknowledgements, to include permission and compensation, if an agent is acting on behalf of both the buyer and the seller. Violators shall be guilty of a Class 1 misdemeanor and civilly liable for treble damages.

Patron - Blevins

SB373 Invasive plants; labeling. Provides that the Board of Agriculture and Consumer Services, in consultation with the Virginia Invasive Species Plant Council, shall adopt regulations requiring nurseries to label all invasive species of plants.

Patron - Stuart

Alcoholic Beverage Control Act

Passed

HB548 Alcoholic beverage control; mixed beverage licenses. Allows the holder of a limited mixed beverage restaurant license to sell and serve dessert wine, in addition to certain liqueurs, as a privilege of the license.

Patron - Nixon

HB694 Alcoholic beverage control; wine tastings by gourmet shop licensees. Allows gourmet shop licensees to give samples of wine or beer at tastings sponsored by the licensee for its customers for on-premises consumption. Additionally, with the consent of the licensee, farm wineries,

wineries, breweries, and wholesale licensees may participate in tastings held by licensees authorized to conduct tastings, including the pouring of samples to any person to whom alcoholic beverages may be lawfully sold. The bill contains an emergency clause.

Patron - Armstrong

HB908 Alcoholic beverage control; operation of government stores; Sunday sales. Allows ABC stores to be open on Sunday in any city with a population of 100,000 or more. Since 2004, ABC stores may be open, at the discretion of the ABC Board, in the Counties of Fairfax, Arlington, Loudoun, and Prince William, and in the Cities of Alexandria, Fairfax City, Manassas, Manassas Park, Norfolk, and Virginia Beach. The bill would add the Cities of Portsmouth, Hampton, Newport News, Richmond, and Chesapeake.

Patron - Gear

HB1075 Alcoholic beverage control; powers and duties of the Alcoholic Beverage Control Board generally; prohibited acts by licensees; exceptions. Requires the ABC Board to adopt regulations allowing an on-premises licensee to reduce the length of any suspension or reduce the amount of any civil penalty if the licensee can demonstrate that it provided certified alcohol server training to its employees. The bill also authorizes an on-premises restaurant licensee to use alcoholic beverages that the licensee otherwise is authorized to purchase and possess for the purposes of preparing and selling for on-premises consumption food products with a final alcohol content of more than one-half of one percent by volume, as long as such food products are sold and consumed by persons who are 21 years of age or older. The bill provides that no ABC Board regulation may prohibit this. The bill prohibits a licensee from conducting a "happy hour" or related promotion at a licensed restaurant except during hours permitted by Board regulation. In addition, the ABC Board is prohibited from adopting regulations prohibiting any mixed beverage licensee from pre-mixing, either in a frozen drink dispenser of a type approved by the Board, or otherwise, mixed alcoholic beverages for purposes of sale and consumption on the licensed premises. The bill requires the ABC Board to adopt regulations providing for alternative methods for licensees to maintain and store business records that are subject to Board inspection, including methods for Board-approved electronic and off-site storage. The bill also defines the term "reasonable hours" for purposes of ABC Board inspection of retail licensee records. A mixed beverage licensee is authorized to mix wine, beer and spirits as an alcoholic beverage drink for a patron. The bill contains technical amendments. HB 862 and HB 1269 were incorporated into this bill.

Patron - Suit

HB1117 Alcoholic beverage control; suspension and revocation of licenses. Permits the revocation of a license if the licensee has allowed his premises to become a meeting place or rendezvous for members of a criminal street gang, as defined in § 18.2-46.1.

Patron - Miller, P.J.

HB1132 Alcoholic beverage control; wine and beer licenses. Adds the City of Roanoke to the list of locations where food concessions at outdoor amphitheaters, etc. having a seating capacity of more than 3,500 can obtain retail on-premises wine and beer licenses.

Patron - Fralin

HB1171 Alcoholic beverage control; prohibited acts; grounds for suspension or revocation of license; exceptions. Removes the authority of the Alcoholic Beverage Control Board to revoke or suspend a license if an establishment has

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

Patron - Cosgrove

HB1239 Beer and wine licensure qualifications. Requires gourmet shop licensees to maintain each year an average monthly inventory and sales volume of at least \$1,000 in cheeses and gourmet food.

Patron - Saxman

HB1379 Alcoholic beverage control; exemptions from the Virginia Public Procurement Act. Exempts the purchase of products used in connection with distilled spirits intended for resale from the Virginia Public Procurement Act as it applies to the Alcoholic Beverage Control Board.

Patron - Morrissey

HB1399 Alcoholic beverage control; farm wineries. Permits farm wineries to receive deliveries and shipments of wine not manufactured by the farm winery and sell and deliver or ship this wine to the Board or wholesale licensees for the purpose of resale. The bill also clarifies the definition of farm.

Patron - Scott, E.T.

HB1502 Alcoholic beverage control; canal boat operator license. Creates a canal boat operator license, sets the privileges of this new license, and sets the applicable state and local license tax. The bill defines canal boat operator.

Patron - Loupassi

HB1562 Alcoholic beverage control; transfer of licenses. Allows for the transfer of an ABC license upon application by a bona fide purchaser of a licensed premises under certain conditions. Bona fide purchasers whose license transfer application is granted by the Board shall, at the time for renewal of the license, meet all of the requirements for initial licensure. The bill provides that the ABC Board may not grant a license transfer to an applicant against whom there is pending in the courts or before the Board a charge for violation of the provisions of Title 4.1 or Board regulations. Additionally, the Board may refuse to grant a license transfer for such causes as are specified in § 4.1-222.

Patron - Scott, J.M.

SB198 Alcoholic beverage control; operation of government stores. Allows certain holders of a distiller's license, appointed as agents of the ABC Board, to also sell alcoholic beverages produced on the licensed premises. Currently, the alcoholic beverages must be manufactured by the licensees. The bill contains an emergency clause.

Patron - Puller

SB584 Alcoholic beverage control; prohibited acts by licensees; exceptions. Allows a mixed beverage licensee to make sangria. The bill defines sangria and provides that a mixed beverage licensee is prohibited from pre-mixing containers of sangria to be served and sold in pitchers for consumption on the licensed premises. The bill also provides a mixed beverage licensee may (i) make sangria that contains brandy, triple sec, or other similar spirits, (ii) combine beer or spirits, or both, with wine pursuant to a patron's order, or (iii) combine wine or spirits, or both, with beer pursuant to a patron's order.

Patron - Ticer

SB635 Alcoholic beverage control; alcohol content in prepared foods. Prohibits licensees from keeping any alcoholic beverage other than in the bottle or container in which it was purchased by him except (i) for a frozen alcoholic beverage and (ii) in the case of wine, in containers of a type approved by the Board pending automatic dispensing and sale of such wine. The bill also prohibits the Alcoholic Beverage Control Board from prohibiting an on-premises restaurant licensee from using alcoholic beverages that the licensee otherwise is authorized to purchase and possess for the purposes of preparing and selling for on-premises consumption food products with a final alcohol content of more than one-half of one percent by volume, as long as such food products are sold and consumed by persons who are 21 years of age or older.

Patron - Ticer

SB669 Alcoholic beverage control; application for licenses; criminal history checks. Permits ABC agents to check the national criminal database when conducting background checks on prospective licensees. The bill also increases the fee that an applicant for an ABC license has to pay for a national criminal history check through the FBI or CCRE from \$20 to the actual cost of those criminal history checks.

Patron - Deeds

Failed

HB127 Providing alcohol to underaged drinker; penalty. Provides that if a person is found guilty of providing alcohol to an underaged person and the underaged person to whom he provided or assisted in giving alcohol was his child or in his home or under his supervision at the time of the offense, the person shall have his license to operate a motor vehicle suspended for a period of one year. The current penalty for any offender includes license suspension for no more than one year.

Patron - Purkey

HB266 Alcoholic beverage control; mixed beverage restaurant licensees; liquor sale calculations. Requires the Alcoholic Beverage Control Board to establish a system defining a uniform mixed beverage sale price based on volume of spirits sold. Such uniform sale price shall be used solely for the purposes of calculating gross receipts for mixed beverage restaurant licensees pursuant to § 4.1-210.

Patron - Albo

HB421 Alcoholic beverage control (ABC); privatization of ABC stores. Provides for the issuance of a "package store" license to authorize the retail sale of alcoholic beverages for off-premises consumption. The bill also requires the ABC Board to sell at auction all real estate used as ABC stores, and to terminate leased property upon which the ABC Board has operated a government store. The bill requires the ABC Board to complete an implementation study by December 31, 2008, on how it will privatize government stores. The bill has a delayed effective date of January 1, 2009, to achieve full retail

privatization of government stores. The bill contains numerous technical amendments.

Patron - Marshall, R.G.

HB601 Alcoholic beverage control; local ordinances. Allows localities by ordinance to regulate or prohibit the sale, for off-premises consumption, of single units of alcoholic beverages from their original multi-unit packaging by the manufacturer.

Patron - McClellan

HB611 Alcoholic beverage control (ABC); privatization of ABC stores. Provides for the issuance of a "package store" license to authorize the retail sale of alcoholic beverages for off-premises consumption. The bill also requires the ABC Board to dispose of all real estate used as ABC stores, and to terminate leased property upon which the ABC Board has operated a government store. The bill requires the ABC Board to complete an implementation study by December 31, 2008, on how it will privatize government stores. The bill has a delayed effective date of January 1, 2009, to achieve full retail privatization of government stores. The bill provides that persons holding a retail off-premises wine and beer license are eligible to obtain a package store license. The bill contains numerous technical amendments.

Patron - Poisson

HB696 Alcoholic beverage control; substance abuse treatment. Requires the ABC Board to deduct quarterly five percent from its net profits to be paid into the Substance Abuse Treatment Fund, which fund is created in the bill. The fund shall be administered by the Secretary of Health and Human Resources and money in the fund shall be used solely to support substance abuse treatment programs throughout Virginia.

Patron - Armstrong

HB740 Underaged drinking; deferred disposition; mitigation. Provides that an underaged drinker who summons law enforcement or medical assistance on behalf of another is eligible for deferred disposition of his case. The bill also provides that a person who provides alcohol to an underaged drinker shall have considered in mitigation the fact that he summoned law enforcement or medical assistance on behalf of another.

Patron - Caputo

HB862 Alcoholic beverage control; alcohol content in prepared foods. Prohibits the Alcoholic Beverage Control Board from prohibiting an on-premises restaurant licensee from using alcoholic beverages that the licensee otherwise is authorized to purchase and possess for the purposes of preparing and selling for on-premises consumption food products with a final alcohol content of more than one-half of one percent by volume, as long as such food products are sold and consumed by persons who are 21 years of age or older. This bill was incorporated into HB 1075.

Patron - Ebbin

HB864 Alcoholic beverage control; mixed beverage licenses; local governments and historic buildings. Permits the Alcoholic Beverage Control Board to grant annual mixed beverage special events licenses to local governments for use in a building owned by a local government and listed on the National Historic Landmarks Survey.

Patron - Ebbin

HB1199 Alcoholic beverage control; operation of government stores. Authorizes the ABC Board to sell in government stores magazines or other publications whose principal

purpose is to feature and educate the consuming public about the wine industry.

Patron - Valentine

HB1269 Alcoholic beverage control; prohibited acts by licensees; exceptions. Allows a mixed beverage licensee to make sangria. The bill defines sangria and provides that no mixed beverage licensee is prohibited from pre-mixing containers of sangria to be served and sold in pitchers for consumption on the licensed premises. This bill was incorporated into HB 1075.

Patron - Ebbin

SB784 Alcoholic beverage control; operation of government stores. Authorizes the ABC Board to sell in government stores magazines or other publications whose principal purpose is to feature and educate the consuming public about the Virginia wine industry.

Patron - Deeds

Carried Over

SB294 Grounds for which ABC Board may revoke or suspend license. Eliminates provision that the ABC Board may revoke or suspend a license, other than a brewery license, if it has reasonable cause to believe that the licensee has employed a person who has been convicted of a felony or a crime of moral turpitude. The bill limits ABC Board's authority to revoke a license to licensees who employ a person who has violated the laws of the Commonwealth, of any other state, or of the United States, applicable to the manufacture, transportation, possession, use or sale of alcoholic beverages.

Patron - Puller

SB323 Alcoholic beverage control; mixed beverage restaurant licensee food sale requirement. Changes the gross receipt sale requirement for mixed beverage restaurant licensees. The bill requires licensees' gross receipts from the sale of food cooked or prepared and consumed on the premises and nonalcoholic beverages served on the premises, after issuance of such license, to amount to at least an average of \$4,000 per month annually.

Patron - Wagner

SB366 Alcoholic beverage control; nonresident winery distributor license. Creates a new nonresident winery distributor license that authorizes the licensee to sell and deliver the wine produced by the licensee, in accordance with ABC Board regulations, in closed containers, to (i) persons licensed to sell the wine at retail for the purpose of resale, § 4.1-326 notwithstanding, (ii) the Board, and (iii) persons in Virginia to whom alcoholic beverages may be lawfully sold. The bill provides that, for purposes of § 4.1-234 and Chapter 6 (§ 58.1-600 et seq.) of Title 58.1, each delivery of wine by such licensee to a consumer or a retail licensee shall constitute a sale in Virginia. Licensees are required to collect the taxes due to the Commonwealth and remit any excise taxes monthly to the Board and any sales tax to the Department of Taxation. The bill defines "nonresident winery distributor" as any winery located outside the Commonwealth and licensed as such in the state where the winery is located and whose total wine distribution to all Virginia licensees does not exceed 3,000 cases in any calendar year. The bill also grants these same privileges to certain winery and farm winery licensees. The bill also requires the ABC Board to quarterly audit and inspect all licensees with the privilege of self-distribution to ensure they meet the requirements for the license. The bill sets the state license tax for this new license and requires the ABC Board to adopt emergency regulations to implement the provisions of the bill. The bill

eliminates the authority for creation of a nonprofit corporation by the Commissioner of Agriculture and Consumer Services and contains numerous technical corrections to effect such elimination.

Patron - Watkins

CSB601 Alcoholic beverages; underage possession. Changes the penalty for possession of alcoholic beverages by a person under age 21 to a Class 2 misdemeanor (confinement in jail for not more than six months and a fine of not more than \$1000, either or both) from a Class 1 misdemeanor (confinement in jail for not more than 12 months and a fine of not more than \$2,500, either or both).

Patron - Norment

Aviation

Failed

FHB1158 Aircraft accident investigations; state police. Provides joint jurisdiction to local police and the Department of State Police to investigate aircraft accidents. Currently, State Police have sole jurisdiction over such accidents.

Patron - Saxman

Banking and Finance

Passed

FHB12 Payday Loan Act. Requires the State Corporation Commission, by January 1, 2009, to certify and contract with one or more third parties to develop, implement, and maintain an Internet-accessible database, and requires payday lenders to query the database prior to making any loan to determine whether the loan is permissible. Licensees are required to pay a database inquiry fee to the database provider. A payday lender is prohibited from making a payday loan to a person if the loan would cause the borrower to have more than one payday loan outstanding at the same time and from making a payday loan on the same day that the person has paid a previous payday loan. Payday lenders are permitted to charge, on any payday loan, interest at an annual rate of 36 percent, a loan fee of not more than 20 percent of the loan proceeds, and a \$5 verification fee. Payday lenders are prohibited from knowingly making loans to a member of the military service or to the spouse or dependent of such person. A borrower may enter into an extended payment plan, which allows the borrower to repay the loan in at least four equal installments over a period of not less than 60 days. A borrower may not enter into more than one extended payment plan in any 12-month period. A payday loan may not be made to a borrower in an extended payment plan or within 90 days after payment of an extended payment plan. The measure provides that the fifth payday loan made to a borrower within 180 days shall either be followed by a 45-day lockout period or be made as an extended term loan, under which the loan will be repaid in four equal installments over a 60-day period and be followed by a 90-day lockout period. Other provisions (i) prohibit a lender from engaging in any unfair, misleading, deceptive, or fraudulent acts or practices in the making or collecting of a payday loan; (ii) require a lender, when collecting or attempting to collect a payday loan when the check given as security for such loan is dishonored, to comply with certain restrictions and prohibitions contained in the

Fair Debt Collection Practices Act; (iii) provide that any provision of a written loan agreement that violates the Payday Loan Act is unenforceable against the borrower; and (iv) state that the provisions of the Payday Loan Act apply to Internet lenders. The measure, except the authorization to establish the database, will become effective January 1, 2009. SB 588 is identical. This bill also incorporates HB 1404, HB 730, HB 249, and HB 176.

Patron - Oder

FHB915 Credit Counseling Act; fees. Removes two of the existing factors that the State Corporation Commission is required to use when setting the annual fee assessed on licensed credit counseling agencies. The factors being removed are the total assets held in trust by a licensee for Virginia consumers and the total revenues of a licensee from Virginia consumers.

Patron - Purkey

FHB1098 Wet Settlement Act. Provides that a determination by a settlement agent that prerecordation conditions in a real estate purchase contract have been satisfied shall not control the rights and obligations of the parties under the contract.

Patron - Sickles

FHB1487 Home ownership protection. Authorizes the State Corporation Commission to impose a fine not exceeding \$2,500 upon a mortgage lender or mortgage broker that is required to be licensed under the Mortgage Lender and Broker Act for violating any other law or regulation applicable to the conduct of the lender's or broker's business. The Housing Commission is directed to study all new federal legislation pertaining to mortgage lending and brokering, and to determine if the legislation requires changes to Virginia law. The measure authorizes the Commission to suspend or revoke a mortgage lender's or broker's license upon its failure promptly to pay when due reasonable fees to a licensed appraiser for appraisal services performed in connection with the origination or closing of a mortgage loan for a customer of the mortgage broker or lender. Other amendments to the Mortgage Lender and Broker Act (i) remove the element of the definition of a mortgage loan that has required the property securing the loan to be owner-occupied; (ii) require the Commission to conduct criminal background checks through the Central Criminal Records Exchange on every member, senior officer, director, and principal of a licensee; (iii) require licensees to conduct background checks on employees who may have access to or process personal identifying or financial information from a member of the public; (iv) require licensees to ensure that employees are properly trained in applicable state and federal mortgage lending laws and regulations; and (v) authorize the Attorney General to bring actions to enjoin violations of the federal Real Estate Settlement Procedures Act to the extent authorized by provisions of that Act.

Patron - Suit

FSB149 CRESPA settlement agent; surety bond. Increases the required surety bond under CRESPA from \$100,000 to \$200,000.

Patron - Stosch

FSB158 Wet settlement act; lender's disclosure of appraisal information. Requires any lender providing a loan secured by a first mortgage on real estate containing not more than four residential dwelling units to disclose on the settlement statement any fee charged to the borrower for an appraisal and any fee charged to the borrower for a valuation or opinion of value prepared using an automated or other mechanism prepared by a person who is not licensed as an appraiser.

Patron - McEachin

SB588 Payday Loan Act. Requires the State Corporation Commission, by January 1, 2009, to certify and contract with one or more third parties to develop, implement, and maintain an Internet-accessible database, and requires payday lenders to query the database prior to making any loan to determine whether the loan is permissible. Licensees are required to pay a database inquiry fee to the database provider. A payday lender is prohibited from making a payday loan to a person if the loan would cause the borrower to have more than one payday loan outstanding at the same time and from making a payday loan on the same day that the person has paid a previous payday loan. Payday lenders are permitted to charge, on any payday loan, interest at an annual rate of 36 percent, a loan fee of not more than 20 percent of the loan proceeds, and a \$5 verification fee. Payday lenders are prohibited from knowingly making loans to a member of the military service or to the spouse or dependent of such person. A borrower may enter into an extended payment plan, which allows the borrower to repay the loan in at least four equal installments over a period of not less than 60 days. A borrower may not enter into more than one extended payment plan in any 12-month period. A payday loan may not be made to a borrower in an extended payment plan or within 90 days after payment of an extended payment plan. The measure provides that the fifth payday loan made to a borrower within 180 days shall either be followed by a 45-day lockout period or be made as an extended term loan, under which the loan will be repaid in four equal installments over a 60-day period and be followed by a 90-day lockout period. Other provisions (i) prohibit a lender from engaging in any unfair, misleading, deceptive, or fraudulent acts or practices in the making or collecting of a payday loan; (ii) require a lender, when collecting or attempting to collect a payday loan when the check given as security for such loan is dishonored, to comply with certain restrictions and prohibitions contained in the Fair Debt Collection Practices Act; (iii) provide that any provision of a written loan agreement that violates the Payday Loan Act is unenforceable against the borrower; and (iv) state that the provisions of the Payday Loan Act apply to Internet lenders. The measure, except the authorization to establish the database, will become effective January 1, 2009. HB 12 is identical.

Patron - Puckett

Failed

HB156 Mortgage loans; legal presence; penalty. Makes it unlawful for any person to make a loan secured by a mortgage or deed of trust on real estate located in the Commonwealth to an individual unless the individual, prior to settlement, has provided evidence of legal presence. The lender is further required to keep copies of the evidence of legal presence for at least three years. Violators are subject to a fine of not more than \$10,000.

Patron - Nichols

HB176 Payday Loan Act; database. Requires the State Corporation Commission, by January 1, 2009, to certify and contract with one or more third parties to develop, implement, and maintain an Internet-accessible database, and requires payday lenders to query the database prior to making any loan to determine whether an applicant is eligible for the loan. Fifty cents may be charged to defray the costs of using the database. The proceeds from the fees shall be used only for the payment of the expenses of the administration of the Payday Loan Act and of the performance of other functions of the Bureau of Financial Institutions. This bill was incorporated into HB 12.

Patron - Ware, O.

HB189 Payday lending; power of localities to regulate. Authorizes each locality to establish (i) a maximum annual interest rate for payday loans made within its jurisdiction and (ii) the maximum number of payday loans that payday lenders operating within its jurisdiction may, in a calendar year, make to a borrower residing in the locality. References in the Payday Loan Act to the fee that may be charged on such loans are revised to refer to the interest that may be charged.

Patron - Marshall, R.G.

HB249 Payday lending charges. Establishes a maximum annual interest rate for payday loans of 36 percent. In addition, the measure requires each prospective borrower to acknowledge in writing that he has received and read a copy of the most recent version of the State Corporation Commission's Consumer Guide to Payday Lending before entering into a payday loan. This bill was incorporated into HB 12.

Patron - O'Bannon

HB730 Payday Loan Act. Repeals the Payday Loan Act effective July 1, 2010. This bill was incorporated into HB 12.

Patron - McClellan

HB804 Consumer Real Estate Settlement Protection Act; interest on escrow accounts. Allows a settlement agent who is not an attorney to retain a portion of the interest received on funds deposited in connection with any escrow, settlement, or closing if (i) the settlement agent retains an amount not to exceed 10 percent of the interest earned on such deposits and (ii) the remainder of such interest is paid to the Department of Housing and Community Development to be used to support the statewide homeless intervention program administered by the Department.

Patron - Englin

HB1097 Mortgage Lender and Broker Act. Requires mortgage lenders and brokers required to be licensed under the Mortgage Lender and Broker Act to make a reasonable and good faith determination based on verified and documented information that a borrower has a reasonable ability to repay a nonqualified mortgage loan. The measure prohibits a mortgage lender from compensating a mortgage broker based on the terms of a nonqualified mortgage loan. The fine or penalty that may be imposed by the State Corporation Commission for a violation of either of these provisions is \$5,000; for other violations of the Act, the maximum fine remains \$2,500. Finally, the measure requires the employees of a mortgage lender or broker who originates mortgage loans to be registered with the Commissioner of the Bureau of Financial Institutions. Applicants for registration will be required to submit to a criminal background check and to satisfy training standards and education requirements. The employee registration provisions will become effective January 1, 2009.

Patron - Sickles

HB1103 Payday Loan Act. Requires the State Corporation Commission, by January 1, 2009, to contract with a third party to develop, implement, and maintain an Internet-accessible database, and requires payday lenders to query the database prior to making any loan to determine whether an applicant is ineligible for the loan. The measure also (i) caps the maximum amount of a payday loan at the lesser of 25% of the borrower's gross monthly income or \$1,000, or \$500 if it is a second payday loan; (ii) requires the lender to keep records of the pay stubs used in determining gross monthly income; (iii) limits a borrower to having no more than two payday loans outstanding at any time; (iv) allows borrowers to enter into a 60-day, interest-free payment plan on a second payday loan; (v) increases

the minimum term of a payday loan from seven to 14 days; (vi) requires a one day waiting period between the repayment of a loan and making a new loan; (vii) clarifies and expands the disclosure requirements for borrower's right to cancel or rescind a payday loan by 5:00 pm of the business day following the date a loan is made; (viii) assesses licensees a fee of \$1 per payday loan to defray the costs of the database; (ix) requires lender to distribute the State Corporation Commission's Consumer Guide to Payday Lending to loan applicants; (x) requires lenders to notify a borrower by telephone call prior to depositing a check given as security for a payday loan; (xi) prohibits lenders from knowingly making loans to a member of the military service or to the spouse of such person; (xii) prohibits a lender from engaging in any unfair, misleading, deceptive, or fraudulent acts or practices in the making or collecting of a payday loan; (xiii) requires a lender, when collecting or attempting to collect a payday loan when the check given as security for such loan is dishonored, to comply with certain restrictions and prohibitions contained in the Fair Debt Collection Practices Act; (xiv) provides that any provision of a written loan agreement that violates the Payday Loan Act is unenforceable against the borrower; (xv) states that the provisions of the Payday Loan Act apply to Internet lenders; and (xvi) allows licensees to secure payday loans with the borrower's electronic debit authorization or wire transfer authorizations.

Patron - Sickles

HB1264 Consumer Real Estate Settlement Protection Act. Allows a person who has been convicted of a felony involving fraud, deceit or misrepresentation to be employed by a settlement agent and assist in the performance of escrow, closing or settlement services involving the receipt or disbursement of funds if he works under the direct supervision of a licensed attorney.

Patron - Hall

HB1351 Payday Loan Act. Requires the State Corporation Commission, by July 1, 2009, to certify and contract with one or more third parties to develop, implement, and maintain an Internet-accessible database, and requires payday lenders to query the database prior to making any loan to determine whether an applicant is eligible for the loan. A payday lender is prohibited from making a payday loan if the loan would cause the borrower to have more than two payday loans outstanding at the same time. Payday lenders are prohibited from knowingly making loans to a member of the military service or to the spouse or dependent of such person. A borrower may enter into an extended payment plan to repay any payday loan, provided that it may do so with any lender not more frequently than once every 12 months. An extended payment plan allows the borrower to repay the loan in at least two equal installments over 60 days. A payday loan may not be made to a borrower in an extended payment plan. Other provisions (i) prohibit a lender from engaging in any unfair, misleading, deceptive, or fraudulent acts or practices in the making or collecting of a payday loan; (ii) require a lender, when collecting or attempting to collect a payday loan, to comply with certain restrictions and prohibitions contained in the Fair Debt Collection Practices Act; (iii) provide that any provision of a written loan agreement that violates the Payday Loan Act is unenforceable against the borrower; (iv) state that the provisions of the Payday Loan Act apply to Internet lenders; (v) allow licensees to secure payday loans with the borrower's electronic debit authorization; (vi) prohibit a lender from filing or initiating a legal proceeding against a borrower until 60 days after the date of default on a payday loan; and (vii) prohibit a lender from making a payday loan to a borrower on the same day that the borrower pays or otherwise satisfies a previous payday loan.

Patron - Ware, R.L.

HB1377 Payday lending charges. Establishes a maximum annual interest rate for payday loans of 36 percent.

Patron - Morrissey

HB1404 Payday loans; interest cap. Limits the interest that may be charged on a payday loan to a maximum rate of 36 percent annually. This bill was incorporated into HB 12.

Patron - Jones, D.C.

HB1495 Real estate lending practices. Prohibits the assessment of a prepayment penalty on a loan secured by a mortgage or deed of trust on an owner-occupied home more than two years after the origination date of the loan. A prepayment penalty provision that contravenes requirements applicable to such loans shall be unenforceable. The measure also amends the Mortgage Lender and Broker Act to prohibit mortgage brokers from receiving compensation that is based on or varies with the terms of a mortgage loan, and to prohibit mortgage lenders and brokers from paying compensation to any person for placing a borrower in a mortgage loan, if the compensation is based on, or varies with, the terms of the mortgage loan.

Patron - Jones, D.C.

HB1505 Payday Loan Act; database. Requires the State Corporation Commission, by January 1, 2009, to certify and contract with one or more third parties to develop, implement, and maintain an Internet-accessible database, and requires payday lenders to query the database prior to making any loan to determine whether an applicant is eligible for the loan. A fee of not more than \$1 may be charged to defray the costs of using the database. The database provider will own the information contained in the database and be responsible for protecting the confidentiality and security of information in the database. The proceeds from the fees shall be used only for the payment of the expenses of the administration of the Payday Loan Act and of the performance of other functions of the Bureau of Financial Institutions.

Patron - Nixon

SB24 Payday lending charges. Establishes a maximum annual interest rate for payday loans of 36 percent. References in the Payday Loan Act to the fee that may be charged on such loans are revised to refer to the interest that may be charged.

Patron - Reynolds

SB25 Payday Loan Act. Repeals the Payday Loan Act effective July 1, 2008.

Patron - Reynolds

SB156 Payday Loan Act. Repeals the Payday Loan Act effective July 1, 2010.

Patron - McEachin

SB238 Payday lending charges. Establishes a maximum interest rate for payday loans of 36 percent annually.

Patron - Locke

SB278 Payday Loan Act. Repeals the Payday Loan Act effective January 1, 2009.

Patron - Locke

SB279 Payday lending charges. Establishes a maximum annual interest rate for payday loans of 36%.

Patron - Miller, J.C.

SB565 Motor vehicle equity loans; penalties. Regulates motor vehicle equity loans, which are closed-end loans secured by an interest in a motor vehicle. The measure caps the

interest on such loans at 20 percent per month for the first two months and three percent per month for the balance of the term. If such a loan is repaid in full within 48 hours, the loan shall not bear interest. The maximum term of such a loan is 12 months. The maximum amount of a motor vehicle equity loan is 50 percent of the value of the motor vehicle. Lenders are required to be licensed with the State Corporation Commission. A violation of the measure is a prohibited practice under the Consumer Protection Act. Violators are subject to civil and criminal penalties. Making unlicensed motor vehicle equity loans, or arranging or brokering motor vehicle equity loans, is punishable as a Class 1 misdemeanor.

Patron - Obenshain

FSB670 Payday lending charges. Establishes a maximum annual interest rate for payday loans of 36 percent. References in the Payday Loan Act to the fee that may be charged on such loans are revised to refer to the interest that may be charged.

Patron - McEachin

FSB694 Payday loans; collection practices. Prohibits a payday lender, when collecting a payday loan, from (i) engaging in any conduct the natural consequence of which is to harass, oppress, or abuse any person in connection with the collection of a debt, (ii) using any false, deceptive, or misleading representation or means in connection with the collection of a debt, and (iii) using unfair or unconscionable means to collect or attempt to collect any debt.

Patron - McEachin

FSB709 Mortgage lenders and brokers. Prohibits any mortgage lender or broker that is required to be licensed under the Mortgage Lender and Broker Act from making a mortgage loan to, or negotiating, placing or finding a mortgage loan for, a borrower if it is more expensive than another mortgage loan with identical terms that the lender or broker markets or offers and for which the borrower qualifies.

Patron - Martin

Carried Over

CHB279 Small Estate Act. Updates certain banking and fiduciary statutes to make them consistent with the changes made to the Code under the Small Estate Act (promulgated in 2006), namely raising the qualifying amount from \$15,000 to \$50,000.

Patron - Watts

CHB1091 Subprime adjustable mortgage loans; escrowing taxes and insurance. Requires certain lenders that make a subprime adjustable rate mortgage loan to a borrower to collect and hold in escrow periodic payments for real estate taxes and insurance premiums.

Patron - Sickles

CHB1093 Low-document, no-document and stated income mortgages. Prohibits certain lenders from making a low-document, no-document, or stated-document mortgage loan unless the lender has obtained detailed documentation of all sources of income claimed by the borrower in the loan application, or corroborated the claimed income by independent verification, and determined, that a reasonable creditor would believe at the time the loan is closed that the borrower will be able to make the scheduled payments associated with the loan.

Patron - Sickles

CSB157 Mortgage Lender and Broker Act; duties to borrowers. Establishes a fiduciary duty of mortgage brokers to borrowers. Mortgage brokers are required to act in the borrower's best interest and with the utmost good faith. Mortgage brokers have the duties (i) to disclose all material information that might reasonably affect the borrower's rights, interests, or ability to receive the intended benefit from the loan, including the total compensation that the mortgage broker would receive from any of the loan options presented to the borrower, and (ii) to make reasonable efforts to secure or obtain a mortgage loan that is in the best interest of the borrower. Mortgage lenders are required to act in good faith and deal fairly in any transaction, practice or course of business in connection with a mortgage loan, and to make reasonable efforts to make a mortgage loan that is reasonably advantageous to the borrower. In addition, mortgage brokers and lenders are required to safeguard and account for any money handled for a borrower, follow reasonable and lawful instructions from the borrower, and use reasonable skill, care, and diligence.

Patron - McEachin

CSB258 Mortgage lending practices; penalty. Prohibits any (i) mortgage lender or broker, (ii) person required to be licensed under the Mortgage Lender and Broker Act, and (iii) person exempt from the licensing requirements of the Mortgage Lender and Broker Act, other than a state or federally chartered bank, savings institution, or chartered credit union, or person making, providing, or arranging a mortgage loan originated or purchased by an agency of the Commonwealth or a locality, from arranging special mortgages unless the borrower has obtained a written certification from an authorized independent loan counselor on the advisability of the loan transaction. A special mortgage is a residential mortgage loan originated, subsidized, or guaranteed by or through an agency of the Commonwealth, a locality, or a nonprofit organization that has one or more nonstandard payment terms which substantially benefit the borrower. Such persons are also prohibited from (a) entering into subprime loans containing a provision requiring or permitting the imposition of a prepayment penalty or charge in the event the loan is prepaid and (b) making, providing, or arranging for a residential mortgage loan, other than a reverse mortgage, if the borrower's compliance with any repayment option will result in negative amortization during any six-month period. The measure expressly gives borrowers a private cause of action, in which they may seek recovery of damages, statutory damages equal to the amount of all lender fees included in the amount of the principal of the mortgage loan, punitive damages, costs, and reasonable attorney fees. Finally, the measure makes it unlawful to knowingly make or cause to be made any deliberate and material misstatement, misrepresentation, or omission during the mortgage lending process with the intention that it be relied on by a mortgage lender, borrower, or any other party to the mortgage lending process; to knowingly use or facilitate the use of any deliberate and material misstatement, misrepresentation, or omission, knowing the same to contain a material misstatement, misrepresentation, or omission, during the mortgage lending process with the intention that it be relied on by a mortgage lender, borrower, or any other party to the mortgage lending process. Violations are to be punishable as a Class 1 misdemeanor or, if a financial loss of greater than \$200 results, a Class 6 felony. Second or subsequent convictions are punishable as a Class 6 felony. Violators shall also be required to pay restitution.

Patron - Deeds

Civil Remedies and Procedure

Passed

HB80 Lis pendens; zoning ordinance violation. Provides that in actions to enforce a zoning ordinance, no lis pendens or attachment shall affect a bona fide purchaser of real or personal estate unless the memorandum of lis pendens recorded in the clerk's office contains a description of the alleged zoning violation. The bill also provides that a memorandum of lis pendens admitted to record in an action to enforce a zoning ordinance shall expire after 180 days. This bill is identical to SB 427.

Patron - Marshall, R.G.

HB172 Civil procedure; disclosure of insurance liability limits. Allows an injured person, or his attorney, to request the disclosure of the liability limits of an insurance policy prior to filing a civil action for personal injuries resulting from a motor vehicle accident. The party requesting this information shall provide the insurer with (i) the date of the accident, (ii) the name and last-known address of the alleged tortfeasor, (iii) a copy of the accident report, if any, (iv) the claim number, if available, and (v) the injured person's medical records, medical bills, and wage-loss determination. The insurer only has to disclose the liability limits if the amount of the injured person's medical bills and wage losses equals or exceeds \$12,500. The bill also provides that disclosure of a policy's limits shall not constitute an admission that the alleged injury is subject to the policy.

Patron - Kilgore

HB221 Landlord and managing agent immunity for mold claims. Provides that landlords and managing agents are not liable for civil damages in an action for exposure to mold arising from the condition within the interior of a dwelling unit brought by a tenant, authorized occupant, or guest or invitee if the mold condition is caused solely by the negligence of the tenant. The bill also provides that managing agents with no maintenance responsibilities are not liable for damages unless the agents have actual knowledge of the mold condition and fail to disclose the existence of the condition to the landlord and any prospective or actual tenants. The bill provides further that if a written move-in inspection report reflects that there is no visible evidence of mold in a dwelling unit, and the tenant does not object in writing to such report within five days of his receipt of the report, there shall be a rebuttable presumption that no mold existed at the time of the move-in inspection. The bill also requires landlords and managing agents with maintenance responsibilities to perform mold remediation if visible evidence of mold occurs within a dwelling unit. This bill is identical to SB 232.

Patron - Kilgore

HB403 Health care provider liability protections. Provides that, in the absence of gross negligence or willful misconduct, health care providers who respond to a disaster are immune from civil liability for any injury or wrongful death arising from the delivery or withholding of health care. This immunity only applies (i) if a state or local emergency has been or is subsequently declared in response to such a disaster, and (ii) if the emergency and subsequent conditions caused a lack of resources, attributable to the disaster, rendering the health care provider unable to provide the same level or manner of care that would have been required in the absence of the emergency. The bill also allows persons who hold licenses or certificates evidencing their professional or mechanical skills who

render aid involving that skill during a disaster to receive reimbursement for their actual and necessary expenses. The bill also combines the definitions of the terms "man-made disaster" and "natural disaster" as contained in the Commonwealth of Virginia Emergency Services and Disaster Law of 2000 into the term "disaster" and adds the term "communicable disease of public health threat" to the definition. The bill also expands when immunity attaches for health care providers who abandon patients in order to respond to a disaster to include disasters, emergencies, and major disasters. This bill also makes technical amendments. This bill is identical to SB 657.

Patron - Hamilton

HB501 Medical malpractice; professional services. Defines the term "professional services in nursing homes" in the context of medical malpractice actions as services provided to a patient by a health care provider, including psycho-social services, personal hygiene, hydration, nutrition, fall assessments or interventions, patient monitoring, prevention and treatment of medical conditions, diagnosis or therapy. This bill is in response to the Supreme Court decision in *Alcoy v. Valley Nursing Homes, Inc.*, 272 Va. 37, 630 S.E.2d 301 (2006). This bill incorporates HB 1051 and is identical to SB 602.

Patron - Hamilton

HB584 Presumption of knowledge of statewide standard of care; malpractice. Adds nurses, including nurses licensed by a state participating in the Nurse Licensure Compact, to those persons presumed to know the statewide standard of care in the field in which they are qualified or certified for purposes of medical malpractice actions or proceedings before a medical malpractice review panel.

Patron - Marsden

HB616 Malpractice actions; limitation. Extends the two-year limitations period for personal injury actions in malpractice cases arising out of the negligent failure to diagnose a malignant tumor or cancer or to communicate such diagnosis to the patient for a period of one year from the date the existence of a malignant tumor or cancer is communicated to the patient.

Patron - Amundson

HB708 Temporary detention orders; admission as evidence. Clarifies that temporary detention orders and the records pertaining thereto are admissible as evidence because they are considered judicial records.

Patron - Janis

HB882 Administrative orders; collection of interest. Provides that administrative orders will be able to provide for interest and fix the period at which the interest commences on any principal sum awarded. The bill would, in the interest context, treat administrative orders as if they were a verdict, judgment, or decree.

Patron - Loupassi

HB1133 Enforcement of deed of trust or mortgage. Reduces the time in which one may enforce a deed of trust or mortgage from 20 years to 10 years.

Patron - Fralin

HB1149 Trail activity; immunity. Allows localities to establish a system of trails for ATVs and motorcycles and provides immunity for the locality in the absence of gross negligence or willful misconduct, for damages resulting from injuries from the use of such system.

Patron - Phillips

HB1294 Good Samaritan statute; where protection extends; what is considered compensation. Provides that immunity under the statute extends to those providing care at a location for screening or stabilization in addition to the scene of the accident and en route to the hospital. Also the bill clarifies that reimbursement for expenses is not considered compensation under the statute.

Patron - Athey

SB232 Landlord and managing agent immunity for mold claims. Provides that landlords and managing agents are not liable for civil damages in an action for exposure to mold arising from the condition within the interior of a dwelling unit brought by a tenant, authorized occupant, or guest or invitee if the mold condition is caused solely by the negligence of the tenant. The bill also provides that managing agents with no maintenance responsibilities are not liable for damages unless the agents have actual knowledge of the mold condition and fail to disclose the existence of the condition to the landlord and any prospective or actual tenants. The bill provides further that if a written move-in inspection report reflects that there is no visible evidence of mold in a dwelling unit, and the tenant does not object in writing to such report within five days of his receipt of the report, there shall be a rebuttable presumption that no mold existed at the time of the move-in inspection. The bill also requires landlords and managing agents with maintenance responsibilities to perform mold remediation if visible evidence of mold occurs within a dwelling unit. This bill is identical to HB 221.

Patron - McDougle

SB427 Lis pendens; zoning ordinance violation. Provides that in actions to enforce a zoning ordinance, no lis pendens or attachment shall affect a bona fide purchaser of real or personal estate unless the memorandum of lis pendens recorded in the clerk's office contains a description of the alleged zoning violation. The bill also provides that a memorandum of lis pendens admitted to record in an action to enforce a zoning ordinance shall expire after 180 days. This bill is identical to HB 80.

Patron - Barker

SB602 Medical malpractice; professional services. Defines the term "professional services in nursing homes" in the context of medical malpractice actions as services provided to a patient by a health care provider, including psycho-social services, personal hygiene, hydration, nutrition, fall assessments or interventions, patient monitoring, prevention and treatment of medical conditions, diagnosis or therapy. This bill is in response to the Supreme Court decision in *Alcoy v. Valley Nursing Homes, Inc.*, 272 Va. 37, 630 S.E.2d 301 (2006). This bill is identical to HB 501.

Patron - Norment

SB657 Health care provider liability protections. Provides that, in the absence of gross negligence or willful misconduct, health care providers who respond to a disaster are immune from civil liability for any injury or wrongful death arising from the delivery or withholding of health care. This immunity only applies (i) if a state or local emergency has been or is subsequently declared in response to such a disaster, and (ii) if the emergency and subsequent conditions caused a lack of resources, attributable to the disaster, rendering the health care provider unable to provide the same level or manner of care that would have been required in the absence of the emergency. The bill also allows persons who hold licenses or certificates evidencing their professional or mechanical skills who render aid involving that skill during a disaster to receive reimbursement for their actual and necessary expenses. The bill

also combines the definitions of the terms "man-made disaster" and "natural disaster" as contained in the Commonwealth of Virginia Emergency Services and Disaster Law of 2000 into the term "disaster" and adds the term "communicable disease of public health threat" to the definition. The bill also expands when immunity attaches for health care providers who abandon patients in order to respond to a disaster to include disasters, emergencies, and major disasters. This bill also makes technical amendments. This bill is identical to HB 403.

Patron - Newman

Failed

HB142 Virginia Successor Asbestos-Related Liability Fairness Act; created. Creates the Virginia Successor Asbestos-Related Liability Fairness Act, which establishes limits on the liability of successor corporations for asbestos-related claims that have been assumed or incurred through merger or consolidation with another corporation.

Patron - Kilgore

HB143 Copies of medical bills and charges; no cost. Provides that a patient, patient's attorney, or insurance provider may obtain a list of charges or an account balance pertaining to that patient at no cost.

Patron - Kilgore

HB145 Medical records; fees for copying. Provides that the provisions that control the fees that may be charged for medical records in civil cases also apply with respect to Workers' Compensation Act proceedings.

Patron - Kilgore

HB151 Name change; proof that the applicant is U.S. citizen. Requires that every application for a change of name contain proof that the applicant is a United States citizen.

Patron - Lewis

HB157 Immunity for enforcement of immigration laws. Provides immunity to agencies and employees of the Commonwealth and political subdivisions for the authorized enforcement of immigration laws.

Patron - Nichols

HB409 Unauthorized use of person's name in website address; damages. Provides that a person who uses the name of another in an internet website address without the written consent of such other person and with the intent to deceive the public that the website is owned, operated, or authorized by such other person is liable to that person for damages in the amount of \$1,000 or three times the amount of actual damages, whichever is greater.

Patron - Griffith

HB947 Foreclosure protection; Attorney General may enforce violation; penalty. Provides protection for homeowners during the foreclosure process by requiring persons who advertise services to assist persons to escape foreclosure to disclose fully the nature of their services and the homeowners' right to rescind a contract entered into with such persons. Also allows the Attorney General to enforce any violation of this article and provides that a violation of the article is a Class 5 felony. This bill was incorporated into HB 408.

Patron - Iaquinto

HB1051 Medical malpractice; professional services. Defines the term "professional services" in the context of medical malpractice actions as services provided to a patient by a health care provider pursuant to federal or state statutes or reg-

ulations. The bill also provides that the definition of "health care" includes professional services provided during a patient's residency at a nursing home. This bill is in response to the Supreme Court decision in *Alcoy v. Valley Nursing Homes, Inc.*, 272 Va. 37, 630 S.E.2d 301 (2006). This bill was incorporated into HB 501.

Patron - Watts

HB1282 Medical Malpractice Settlement Offer and Recovery Act. Provides that a defendant in a medical malpractice case may make an irrevocable settlement offer within 180 days after responsive pleadings were filed. The offer shall provide for the payment of the plaintiff's net compensatory damages and attorney fees in an amount equal to 10 percent of these damages, however it shall not provide for punitive or exemplary damages. The plaintiff has 30 days to accept or reject the offer. If the offer is rejected, the plaintiff's case proceeds with the increased burden that he prove by clear and convincing evidence that his injuries resulted from the defendant's gross negligence or wanton and willful misconduct.

Patron - Athey

HB1370 Use of interpreters; not hearsay. States that if a person is testifying regarding the statement of another, and it would not be considered impermissible hearsay but for the use of an interpreter to communicate with such person, then the fact that an interpreter was used shall not make it impermissible.

Patron - Gilbert

HB1383 Evidence of life expectancy. Establishes that in any matter where it is necessary to establish the expectancy of continued life, life tables published by the U.S. Department of Health and Human Services pertaining to age, sex, and ethnicity of the person shall be received in all courts. Currently the Code provides a table of the life expectancy based upon age and gender only.

Patron - Janis

SB23 Assignment of judgment; docketing. Requires that an assignment of a judgment shall be noted upon the judgment docket. Such a notation is currently discretionary. If no notation is made, the judgment shall be considered satisfied.

Patron - Reynolds

SB213 Fiduciaries; naming represented person or fiduciary as the party to an action. Allows either the fiduciary, or the person being represented by the fiduciary, to be named as the party to the action without prejudicing the underlying action. This bill also applies to persons who are deemed to lack capacity due to mental defect.

Patron - Edwards

SB265 False academic credentials. Creates a civil cause of action for persons who are damaged by a person who knowingly manufactures, issues, or uses a false academic credential to gain advantages in employment or education. Under current law there is a criminal penalty (Class 3 misdemeanor) for a person who materially falsifies or alters a transcript or diploma and fraudulently uses it for pecuniary gain.

Patron - Deeds

Carried Over

HB51 Immunity for enforcement of immigration laws. Provides immunity to agencies and employees of the Commonwealth and political subdivisions for the authorized

enforcement of immigration laws. This bill was continued to the 2009 Regular Session of the General Assembly.

Patron - Lingamfelter

HB382 Medical advisory committees and consultants; privileged communications. Clarifies that information created by and shared with medical review or advisory committees is privileged and inadmissible in legal proceedings.

Patron - O'Bannon

HB551 Medical records; fees for copying. Provides that the provisions that control the fees that may be charged for medical records in civil cases also apply with respect to Workers' Compensation Act proceedings.

Patron - Griffith

HB1068 Return of service of process; costs. Provides that if a sheriff who has received process or papers to be served by him fails to return service of process within 72 hours of effecting service, the party requesting service of process may elect to have process served by a private process server. The party shall give notice of such an election to the clerk's office that issued the process and the sheriff prior to making such an election. If, at the time such notice is received, return of service of process has still not been made, the sheriff shall be liable for the costs subsequently incurred in effecting service as well as costs incurred in collecting the costs of service.

Patron - Amundson

SB12 Return of service of process; costs. Provides that if a sheriff who has received process or papers to be served by him fails to return service of process within 72 hours of effecting service, the party requesting service of process may elect to have process served by a private process server. The party shall give notice of such an election to the clerk's office that issued the process and the sheriff prior to making such an election. If, at the time such notice is received, return of service of process has still not been made, the sheriff shall be liable for the costs subsequently incurred in effecting service as well as costs incurred in collecting the costs of service.

Patron - Puller

SB17 Commonwealth's lien for payment of medical services; reduction. Provides that in the event that the Commonwealth's lien against any recovery from a third party obtained by an injured person whose medical costs were paid in whole or in part by the Commonwealth is compromised under § 2.2-514, this lien shall be reduced by an amount proportionate to the costs, expenses, and attorney fees incurred by the injured person.

Patron - Edwards

Commonwealth Public Safety

Passed

HB462 Department of Criminal Justice Services; regulation of locksmiths. Sets up a regulatory scheme for the regulation of locksmiths by the Criminal Justice Services Board.

Patron - Albo

HB838 Board for Criminal Justice Services; establishment of Executive Committee. Authorizes the Board for Criminal Justice Services to establish an Executive Committee comprising the Chairman and seven members of the Board to take actions on behalf of the Board including hearing an appeal

by a regulant of a determination of a violation of the regulations promulgated by the Board. Under the bill, decisions made by the Executive Committee affirming a violation of any regulation promulgated by the Board shall be subject to judicial review in accordance with the Administrative Process Act.

Patron - Sherwood

☐HB844 Crimes Against Minors and Sex Offender Registry. Allows the State Police to provide the Statewide Automated Victim Notification (SAVIN) system with Registry data in an electronic format to the Compensation Board for verification of registrant status and notification of victims and law enforcement. This bill incorporates HB 1376. This bill is identical to SB 74.

Patron - Sherwood

☐HB866 Department of Criminal Justice Services; bail bondsmen; limitation on licensure. Allows a spouse or person living in the same household as enumerated persons (e.g. employees of sheriff's offices, regional jails, and police departments, etc.) to be a licensed bail bondsman if the enumerated person is not a sworn officer or has no access to the records of inmates.

Patron - Johnson

☐HB902 Registration procedures under the Sex Offender and Crimes Against Minors Act. Specifies that the vehicle information currently required to be filed with the registration as a sex offender is motor vehicle, watercraft and aircraft information.

Patron - Mathieson

☐HB1044 Sex Offender Registry. Makes it clear that persons convicted under certain Code sections that were amended by the 2007 General Assembly must register even though the sections have been rewritten. The bill requires the registration of any conviction of crimes involving use of a communications system to facilitate certain offenses involving children rather than current law which requires registration only when the victim is a minor or is physically helpless. The bill also revises definitions to make it clear that an out-of-state conviction for a registerable offense has the same status as a Virginia conviction. This bill is identical to SB 114.

Patron - Watts

☐HB1236 The Department of Criminal Justice Services; powers and duties. Requires the Department of Criminal Justice Services to establish compulsory training standards and publish a model policy for law-enforcement personnel regarding death notifications.

Patron - Merricks

☐HB1395 Policies for responding to crimes involving sexual assault. Requires that the Department of State Police, local law-enforcement agencies and campus police departments establish written policies and procedures regarding response to incidents involving sexual assault. The Department of Criminal Justice Services is directed to provide law-enforcement agencies with technical support and assistance in developing the policies and procedures and to submit a report on the status of implementing such policies and procedures. A Code section on domestic violence procedures is moved from Title 19.2 to Title 9.1. This bill is identical to SB 786.

Patron - Bell

☐SB74 Crimes Against Minors and Sex Offender Registry. Allows the State Police to provide the Statewide Automated Victim Notification (SAVIN) system with Registry data in an electronic format to the Compensation Board for verifica-

tion of registrant status and notification of victims and law enforcement. This bill is identical to HB 844.

Patron - Howell

☐SB114 Sex Offender Registry. Makes it clear that persons convicted under certain Code sections that were amended by the 2007 General Assembly must register even though the sections have been rewritten. The bill requires the registration of any conviction of crimes involving use of a communications system to facilitate certain offenses involving children rather than current law which requires registration only when the victim is a minor or is physically helpless. The bill also revises definitions to make it clear that an out-of-state conviction for a registerable offense has the same status as a Virginia conviction. This bill is identical to HB 1044.

Patron - McDougle

☐SB590 Sex offenders; registration; penalty. Makes various amendments addressing the Sex Offender and Crimes Against Minors Registry including which crimes require what level of registration and the length of registration (15 years prior to petition, 25 years prior to petition, or life) in order to ensure that Virginia law complies with the federal Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. § 16901 et seq.). The bill also allows persons convicted of carnal knowledge of a child 13 or 14 years of age to register as a regular sex offender rather than a violent sex offender if the person convicted was more than five years older than the victim.

Patron - Howell

☐SB786 Policies for responding to crimes involving sexual assault. Requires that the Department of State Police, local law-enforcement agencies and campus police departments establish written policies and procedures regarding response to incidents involving sexual assault. The Department of Criminal Justice Services is directed to provide law-enforcement agencies with technical support and assistance in developing the policies and procedures and to submit a report on the status of implementing such policies and procedures. A Code section on domestic violence procedures is moved from Title 19.2 to Title 9.1. This bill is identical to HB 1395.

Patron - Deeds

Failed

☐HB10 Line of Duty Act; definition of deceased person; fire company personnel of the Virginia National Guard and the Virginia Air National Guard. Includes under the coverage of the Line of Duty Act individuals employed as fire company personnel for the Virginia Air National Guard or the Virginia National Guard's Fort Pickett Reserve.

Patron - Wright

☐HB100 Law-Enforcement Officers Procedural Guarantee Act; definitions. Includes deputy sheriffs under the coverage of the Law-Enforcement Officers Procedural Guarantee Act.

Patron - Poisson

☐HB271 Line of Duty Act. Amends the definition of "deceased person" to include an individual who suffers a heart attack or stroke during nonroutine, stressful, or strenuous law-enforcement situations, fire suppression, rescue, or other such activities and who suffers the heart attack or stroke while engaged in the activity or not later than 24 hours after the activity. The bill also allows for the \$100,000 payment to the beneficiary of the deceased to be annually adjusted to reflect changes in the Consumer Price Index.

Patron - Miller, P.J.

HB552 Removal of name and information from sex offender registry. Provides that any person required to register, other than a person who has been convicted of any (i) sexually violent offense, (ii) two or more offenses for which registration is required, (iii) a violation of former § 18.2-67.2:1, or (iv) murder, may petition the circuit court for removal of his name and all identifying information from the sex offender registry on or after July 1, 2008, whose offense requiring registration was committed before July 1, 1994 (inception of the registry). Currently such a person may not be on file for such removal earlier than 10 years after the date of initial registration.

Patron - Griffith

HB562 Criminal Justice Services Board; Committee on Training; membership. Increases the membership of the Committee on Training from 14 to 15 members by adding a representative of the Virginia Association of Directors of Criminal Justice Training.

Patron - Crockett-Stark

HB563 Criminal Justice Services Board; membership. Increases the membership of the Criminal Justice Services Board from 29 to 30 by adding an individual who is a director of a criminal justice training academy, to be appointed by the Governor after consideration of the names submitted by the Virginia Association of Directors of Criminal Justice Training.

Patron - Crockett-Stark

HB701 Sex Offenders and Crimes Against Minors Registry Act. Allows a local law-enforcement agency to charge a person who is required to register pursuant to the act an administrative fee, not to exceed \$24.

Patron - BaCote

HB964 Sex offender registry; penalties. Provides that any failure to register is a Class 6 felony; under current law failure to register for an offense other than a sexually violent offense or murder is a Class 1 misdemeanor and a second or subsequent conviction is a Class 6 felony. The bill requires the revocation of probation or parole if a person is convicted of failure to register and is on probation or parole for a sex offense or for failure to register. The bill specifies that similar offenses in other countries and states require registration, whether they are under existing or former laws.

Patron - Shannon

HB998 Line of Duty Act; definition of disabled person. Amends the definition of disabled person, for purposes of the Line of Duty Act, to include permanently disabled local employees who were injured in the line of duty on or after January 1, 1990. The Act currently provides health insurance coverage to eligible disabled state employees retroactively to 1966, but is not retroactive for disabled local employees.

Patron - Bell

HB1376 Crimes Against Minors and Sex Offender Registry. Allows the State Police to provide the Statewide Automated Victim Notification (SAVIN) system with Registry data in an electronic format to the Compensation Board for verification of registrant status and notification of victims and law enforcement. This bill has been incorporated into HB 844.

Patron - Morrissey

HB1436 Line of Duty Act; definitions; funding for Line of Duty Health Benefits Trust Fund. Includes local employees disabled on or after January 1, 1966, in the definition of "disabled employee." The bill also provides for a \$1 fee

to be collected from alarm company operators for each alarm system monitored and a \$5 fee to be collected for processes and services in civil proceedings to provide funding to the Line of Duty Health Benefits Trust Fund.

Patron - Bulova

SB41 Line of Duty Act; definitions; funding for Line of Duty Death and Health Benefits Trust Fund. Includes local employees disabled on or after January 1, 1966, in the definition of "disabled employee." The bill also provides for a \$1.50 fee to be collected per month from alarm company operators for each alarm system monitored and a \$5 fee to be collected for processes and services in civil proceedings to provide funding to the Line of Duty Death and Health Benefits Trust Fund. This bill is identical to SB 329.

Patron - Reynolds

SB76 Law-Enforcement Officers Procedural Guarantee Act. Makes several changes as to the process and procedures afforded to officers under the procedural guarantee act, clarifying several existing rights and setting forth specific procedures for the questioning of officers and the conduct of a disciplinary hearing. This bill incorporates SB355.

Patron - Cuccinelli

SB269 Law-enforcement; overtime compensation. Extends the coverage under the overtime compensation for law-enforcement employees and firefighters, etc., to include the Department of State Police. The bill will become effective only if an appropriation of general funds effectuating the purposes of the bill is included in the appropriations act.

Patron - Deeds

SB281 Offender registration; local fee. Allows local law-enforcement agencies to charge a fee, not to exceed \$24, for registration or reregistration of certain offenders.

Patron - Miller, J.C.

SB329 Line of Duty Act; definitions; funding for Line of Duty Death and Health Benefits Trust Fund. Includes local employees disabled on or after January 1, 1966, in the definition of "disabled employee." The bill also provides for a \$1.50 fee to be collected per month from alarm company operators for each alarm system monitored and a \$5 fee to be collected for processes and services in civil proceedings to provide funding to the Line of Duty Death and Health Benefits Trust Fund. This bill is identical to SB 41.

Patron - Quayle

SB355 Law-Enforcement Officers Procedural Guarantee Act. Makes several changes in the process and procedures afforded to officers under the procedural guarantee act, including right to counsel, notice of allegations, and a prohibition against a complaining officer being in charge of an investigation. The bill also grants the officer under investigation an opportunity to review the file at the conclusion of the investigation. This bill has been incorporated into SB 76.

Patron - Deeds

SB659 Office of Commonwealth Preparedness and the Department of Criminal Justice Services; gang prevention. Directs the Office of Commonwealth Preparedness to work with localities and other state agencies in identifying links between terrorism and gang-related activities and to coordinate with the Department of Criminal Justice Services to obtain federal grants related to gang prevention programs.

Patron - Miller, Y.B.

Carried Over

SB16 Crisis intervention pilot programs for persons with mental illness. Permits the Department of Criminal Justice Services to establish crisis intervention team pilot programs in areas of the state by January 1, 2009. The crisis intervention team pilot programs shall assist law-enforcement officers in responding to crisis situations involving persons with mental illness, substance abuse problems, or both. By November 1, 2008, the Department shall submit to the Joint Commission on Health Care a report outlining the plan for the program. The Department, in consultation with the Department of Mental Health, Mental Retardation and Substance Abuse Services, shall establish a training program for all persons involved in the crisis intervention team pilot programs. Each crisis intervention team shall develop a protocol that permits law-enforcement officers to release from custody persons whom they encounter in crisis situations when the crisis intervention team has determined the person is sufficiently stable. The Department shall evaluate and report annually to the Joint Commission on Health Care on the impact and effectiveness of the crisis intervention team pilot programs.

Patron - Edwards

SB65 Community criminal justice boards; membership. Adds a provider and consumer of mental health services to the membership of community criminal justice boards.

Patron - Howell

SB372 Placement of juveniles on the sex offender registry. Provides that juveniles adjudicated delinquent for an offense for which registration on the sex offender registry is required and who are 12 years of age or older at the time of the offense shall be required to register.

Patron - Stuart

Conservation

Passed

HB119 Soil and Water Conservation Districts. Requires the Attorney General to represent Soil and Water Conservation Districts in any suits or actions brought by the districts or district directors, upon request of such districts or directors. Currently, attorneys for the Commonwealth are charged with the responsibility of representing districts and district directors.

Patron - Landes

HB343 Cathode ray tubes; disposal bans. Permits localities to prohibit the disposal of cathode ray tubes in any waste-to-energy or solid waste disposal facility within its jurisdiction, provided the locality has implemented a recycling program that is capable of handling all cathode ray tubes generated within its jurisdiction. Previously the ban only applied to privately operated landfills.

Patron - Plum

HB344 Computer Recovery and Recycling Act; penalties. Requires the manufacturer of more than 500 items of computer equipment to adopt and implement a recovery plan providing for the reasonably convenient collection, recycling, and reuse of computer equipment returned by a consumer in the Commonwealth. The manufacturer must also affix a permanent, readily visible label to the computer equipment with the manufacturer's brand before a manufacturer may offer

computer equipment for sale in the Commonwealth. Examples of collection methods meeting the recovery plan requirements in this Act include (i) a system by which the consumer may return the computer equipment free of charge; (ii) a system using a physical collection site; or (iii) a system using collection events at which the consumer may return computer equipment. Each manufacturer must annually report on the weight of computer equipment collected, recycled, and reused during the preceding calendar year.

Patron - Plum

HB360 Nonpoint source reduction funding. Authorizes the Governor and General Assembly to provide additional funding in excess of the amount deposited in the Water Quality Improvement Fund from a budget surplus to fund nonpoint source pollution reduction activities. This bill is identical to SB 513.

Patron - Bulova

HB392 Stormwater ordinance. Authorizes localities classified as MS4 stormwater localities to enact ordinances to enforce stormwater permits. The bill would give these localities the authority to seek civil charges and injunctive relief, and impose civil penalties. Any person who willingly and knowingly violates the ordinance would be subject to a criminal penalty of a Class 1 misdemeanor.

Patron - Bulova

HB455 Scenic river. Designates portions of the North Mayo River and South Mayo River as components of the Virginia Scenic Rivers System. This bill is identical to SB 40.

Patron - Merricks

HB528 Chesapeake Bay ordinance appeals. Allows localities subject to the Chesapeake Bay Preservation Act to adopt an ordinance that establishes a time limit of at least 30 days for an aggrieved party to appeal a decision of the local board to the circuit court.

Patron - Pogge

HB837 Dam break inundation zones. Provides localities with the authority to address development in dam break inundation zones. The bill directs developers to assist dam owners with required upgrades and requires additional disclosure and notification procedures for dam owners. The bill contains an enactment clause that specifies that the bill's provisions do not affect site plans or subdivision plans submitted prior to the effective date of the act.

Patron - Sherwood

HB1115 Payment for forest protection. Increases the annual amount a locality pays to the State Forester to provide forest fire protection, detection, prevention, and suppression. Beginning July 1, 2008, the amount localities will pay for such services will increase from the current five cents per acre to seven cents per acre and starting July 1, 2009, the payments will increase to nine cents per acre.

Patron - Abbitt

HB1116 Environmental impact reports. Requires an environmental impact report be done for any major state construction project that will cost \$500,000 or more. The current threshold amount requiring such a report is \$100,000.

Patron - Abbitt

HB1142 Virginia Recreational Facilities Authority. Delays the reversion of title to real property from the Virginia Recreational Facilities Authority to the Commonwealth, in the

event that the Authority ceases to operate a project, until July 1, 2009. This bill contains an emergency clause.

Patron - Fralin

HB1214 Sale of trees from state-owned forests. Increases to \$50,000 the minimum threshold at which public bidding is required for sales of trees taken from state forests. Currently, the State Forester is required to solicit bids if the underlying value of the trees is greater than from \$10,000.

Patron - Tyler

HB1259 Environmental impact reports; highway projects. Requires an environmental impact report in connection with a local highway construction, reconstruction, or improvement project only when such a project is estimated to cost more than \$1 million. The current threshold amount requiring such a report is \$100,000. This bill incorporates HB 1083. This bill is identical to SB 43.

Patron - O'Bannon

HB1332 Air and Water Boards permit issuance process. Establishes a uniform permit issuance process for the Air Pollution Control Board (Air Board) and the State Water Control Board (Water Board). After issuing a public notice of a pending permit action, if at least 25 individuals have requested a public hearing and the Director finds that the issues raised are germane to the permit action and are not inconsistent with state or federal laws, a public hearing will be held. The Director or the two Boards may convene a meeting under an expedited schedule to reconsider the decision of the Director to grant a public hearing. The meeting may be held electronically if one public forum is available. The Board is required to act on the permit within 90 days of the close of the comment period unless the applicant agrees to an extension of the time period. Persons who commented during the public hearing may address the Air and Water Boards at the meeting where final action on the permit will occur. The Board's decision shall contain a written basis for its decision. The bill also increases membership on the Air Pollution Control Board from five to seven members. However, the two new members are prohibited from voting on any action related to a permit that is under consideration as of January 1, 2008. A qualification of the Air Board members is changed so that no member can be a current employee of an entity subject to a permit or enforcement order of the Air Board. Currently, a majority of the members appointed to the Air Board can represent the public interest and not derive any significant positions of their income from entities subject to permit or enforcement actions. The qualifications of the membership of the Water Board and the Virginia Waste Management Board are changed to require that the members, by their education, training, or experience, be knowledgeable of water quality or waste management, respectively, and shall be fairly representative of conservation, public health, business, and agriculture. This bill is identical to SB 423.

Patron - Landes

HB1335 Natural resources funding. Establishes the Virginia Natural Resources Commitment Fund. The Fund would be capitalized with appropriated funds and moneys from public and private sources. Beginning July 1, 2008, and for the next 10 years, moneys in the Fund would be distributed to the Department of Conservation and Recreation's Agricultural Best Management Practices Cost-Share Program for the implementation of agricultural best management practices (BMP). Fifty-seven percent of the moneys are to be used for matching grants to implement BMPs on agricultural lands exclusively in the Chesapeake Bay watershed and 38 percent of the moneys would be used for all other lands in the Commonwealth. Five

percent of the moneys would be allocated to soil and water conservation districts. This bill is identical to SB 511.

Patron - Landes

HB1443 Streamlined permitting process for alternative and renewable energy facilities. Requires the Air Pollution Control Board to develop procedures for the expedited review of applications for the construction of a qualified energy generator. The expedited procedures cap the permit fees at \$50 and require processing of an application to be completed within 60 days. A qualified energy generator is a commercial facility located in the Commonwealth with the capacity annually to generate not more than five megawatts of electricity, or its equivalent in fuel, steam, or other form of energy, that is generated or produced from biomass. The measure does not apply to facilities that are subject to a major new source review program required by the federal Clean Air Act.

Patron - Merricks

HB1448 State parks' employee housing. Authorizes the Director of the Department of Conservation and Recreation to lease private residential properties that are near state parks and then subsequently sublease these properties to state park employees in order to provide security and operational efficiencies for Department properties.

Patron - Plum

HB1552 Erosion and sediment control plan. Allows any person creating and operating stream restoration banks in more than one jurisdiction to file general erosion and sediment control specifications for stream restoration banks annually with the Virginia Soil and Water Conservation Board.

Patron - Lingamfelter

SB40 Scenic river. Designates portions of the North Mayo River and South Mayo River as components of the Virginia Scenic Rivers System. This bill is identical to HB 455.

Patron - Reynolds

SB43 Environmental impact reports; highway projects. Requires an environmental impact report in connection with a local highway construction, reconstruction, or improvement project only when such a project is estimated to cost more than \$1 million. The current threshold amount requiring such a report is \$100,000. This bill is identical to HB 1259.

Patron - Miller, Y.B.

SB254 Easement in state park. Authorizes the Department of Conservation and Recreation to grant a 20-foot wide easement across a portion of the Staunton River State Park in exchange for the extinguishment of an existing right-of-way easement across Staunton River State Park.

Patron - Ruff

SB303 Easement in state park. Authorizes the Department of Conservation and Recreation to grant a 30-foot-wide easement across a portion of Lake Anna State Park in exchange for the extinguishment of an existing right-of-way easement across Lake Anne State Park.

Patron - Houck

SB321 Environmental impact of renewable energy electric generating facilities. Requires the Department of Environmental Quality to consult with other state agencies that have expertise in natural resource management when considering the cumulative impact of new and proposed renewable energy electric generating facilities. Along with such other agencies, the Department will develop a coordinated recommendation to submit to the State Corporation Commission

specifying any mitigation measures and additional site-specific studies.

Patron - Wagner

SB423 Air and Water Boards permit issuance process. Establishes a uniform permit issuance process for the Air Pollution Control Board (Air Board) and the State Water Control Board (Water Board). After issuing a public notice of a pending permit action, if at least 25 individuals have requested a public hearing and the Director finds that the issues raised are germane to the permit action and are not inconsistent with state or federal laws, a public hearing will be held. The Director or the two Boards may convene a meeting under an expedited schedule to reconsider the decision of the Director to grant a public hearing. The meeting may be held electronically if one public forum is available. The Board is required to act on the permit within 90 days of the close of the comment period unless the applicant agrees to an extension of the time period. Persons who commented during the public hearing may address the Air and Water Boards at the meeting where final action on the permit will occur. The Board's decision shall contain a written basis for its decision. The bill also increases membership on the Air Pollution Control Board from five to seven members. However, the two new members are prohibited from voting on any action related to a permit that is under consideration as of January 1, 2008. A qualification of the Air Board members is changed so that no member can be a current employee of an entity subject to a permit or enforcement order of the Air Board. Currently, a majority of the members appointed to the Air Board can represent the public interest and not derive any significant positions of their income from entities subject to permit or enforcement actions. The qualifications of the membership of the Water Board and the Virginia Waste Management Board are changed to require that the members, by their education, training, or experience, be knowledgeable of water quality or waste management, respectively, and shall be fairly representative of conservation, public health, business, and agriculture. This bill is identical to HB 1332.

Patron - Puckett

SB511 Natural resources funding. Establishes the Virginia Natural Resources Commitment Fund. The Fund would be capitalized with appropriated funds and moneys from public and private sources. Beginning July 1, 2008, and for the next 10 years moneys in the Fund would be distributed to the Department of Conservation and Recreation's Agricultural Best Management Practices Cost-Share Program for the implementation of agricultural best management practices (BMP). Fifty-seven percent of the moneys are to be used for matching grants to implement BMPs on agricultural lands exclusively in the Chesapeake Bay watershed and 38 percent of the moneys would be used for all other lands in the Commonwealth. Five percent of the moneys would be allocated to soil and water conservation districts. This bill is identical to HB 1335.

Patron - Whipple

SB513 Nonpoint source reduction funding. Authorizes the Governor and General Assembly to provide additional funding in excess of the amount deposited in the Water Quality Improvement Fund from a budget surplus to fund nonpoint source pollution reduction activities. This bill is identical to HB 360.

Patron - Hanger

SB648 Used motor oil, other fluids for automotive maintenance, and oil filters; statewide recycling program. Strengthens and broadens the current recycling program for used motor oil and used oil filters to include all automotive maintenance fluids and to require that the Department of Envi-

ronmental Quality maintain a toll-free hotline number and website for consumers that choose to properly dispose of used motor oil, other fluids for automotive maintenance, and oil filters.

Patron - Ticer

SB679 Recovery of fire fighting costs by localities. Allows a locality to collect the costs for fighting or extinguishing a fire if the fire was set intentionally and the person who set the fire did not prevent the fire from escaping. Further states that any such person shall be liable for the full amount incurred by the locality and any volunteer fire or rescue squad for fighting or extinguishing the fire and any reasonable administrative costs expended to collect such expenses. Also allows a locality to recover costs, up to \$750, from a minor's parents for any fire suppression that is the result of malicious or willful conduct on the part of the minor. The Department of Forestry already has the authority to collect costs expended by the Commonwealth in such circumstances.

Patron - Reynolds

SB690 Disbursements from Water Quality Improvement Fund. Authorizes the Department of Environmental Quality to reimburse localities for the costs of nutrient removal upgrades at publicly owned treatment works on a monthly basis so long as there is written certification from the grant recipient that the local share of the project costs has been expended.

Patron - Watkins

SB748 Alternative fuels; net emissions increase. Provides that no permit modifications, trial burns, or other demonstrations are required if the owner of an industrial burner chooses to replace residual oil with processed animal fat, processed fish oil, processed vegetable oil, distillate oil, or any mixture thereof in place of the same quantity of residual oil to fire industrial boilers. The Air Pollution Control Board is also required to adopt regulations containing certain provisions that clarify the process of emissions calculations under the minor new source program.

Patron - Vogel

Failed

HB18 Department of Environmental Quality. Amends legislation passed during the 2007 Session of the General Assembly to consolidate the existing three citizen boards—the State Air Pollution Control Board, the State Water Control Board, and the Waste Management Board—into one 11-member citizen board. The existing three citizen boards would retain authority over any applications for permits and amendments pending before the end of 2007 until the earlier of the resolution of the application or June 30, 2010.

Patron - Englin

HB19 Department of Environmental Quality. Repeals legislation passed during the 2007 Session of the General Assembly to consolidate the existing three citizen boards—the State Air Pollution Control Board, the State Water Control Board, and the Waste Management Board—into one 11-member citizen board.

Patron - Englin

HB260 Department of Conservation and Recreation. Allows the Department to acquire abandoned railroad corridors for use as greenways, linear parks, or potential transportation corridors.

Patron - Fralin

HB514 Fossil fuel combustion products permit. Requires any applicant seeking approval for the use of fossil fuel combustion products as structural fill to (i) publish a notice of his intent to apply for approval for the project from the Department of Environmental Quality (DEQ), (ii) hold a public meeting to answer citizen's questions, and (iii) submit minutes of the meeting to DEQ. The DEQ is not to issue the permit until the applicant has fulfilled these requirements.

Patron - Crockett-Stark

HB643 Air emissions from major stationary sources. Requires operators of major stationary sources of air pollution that have facilities (i) whose stacks do not meet good engineering practices and (ii) emit one or more of the criteria pollutants, to demonstrate compliance with all National Ambient Air Quality Standards (NAAQS) by December 31, 2008. If this deadline is not met, then by July 1, 2009, the Department of Environmental Quality shall issue only a permit that ensures modeled compliance with all NAAQS.

Patron - Hogan

HB650 Department of Environmental Quality; authority of citizen boards. Provides that the Air Pollution Control Board and the State Water Control Board may delegate their authority to make permitting decisions to the Director of the Department of Environmental Quality (the authority to issue permits related to waste management is already vested with the Director). Either Board has the discretion to make a final permitting decision if it finds significant public interest in the permit, substantial and disputed issues within the scope of the Board's statutory authority, and that the time required for a public hearing and decision by the Board would not create an unreasonable delay. The membership of all three citizen environmental boards would also be reconfigured so that the membership of each board—the Air Pollution Control Board, the State Water Control Board, and the Virginia Waste Management Board—includes at least one member from the other two boards.

Patron - Hogan

HB913 Regulation of arborists. Prohibits any person from using the titles "arborist" and "consulting arborist" unless he possesses the proper certification. The bill provides for injunctive relief to restrain the invalid use of the titles and exempts any person who is not certified to perform arboriculture, defined as the specialized field involving the cultivation of trees and shrubs especially for ornamental purposes, if the person does not represent himself to the public as being an arborist or a consulting arborist.

Patron - Purkey

HB1083 Submission of environmental impact report on major state projects. Exempts counties, cities, and towns from submission of environmental impact reports on highway construction, reconstruction, and improvement projects estimated to cost more than \$1 million. This bill was incorporated into HB 1259.

Patron - Suit

HB1230 Greenhouse gas emissions; mandatory reporting. Requires that the State Air Pollution Control Board adopt regulations requiring the reporting of greenhouse gas emissions from stationary sources. The regulations would apply only to those sources that emit more than a de minimis amount of greenhouse gas and that are already required to report emissions of other air pollutants. The Board is also authorized to adopt regulations that require those same parties to report greenhouse gas emissions from fleets of motor vehicles. Beginning in 2008, the Virginia Department of Transpor-

ation is required to provide the Department of Environmental Quality with data necessary to maintain a greenhouse gas emissions inventory for individual road segments throughout the Commonwealth.

Patron - Vanderhye

HB1408 Eligibility for betterment loans. Directs the Board of Health and the Director of the Department of Environmental Quality to develop procedures for qualifying the owners of failing septic tanks, underground storage tanks, and contaminated dry cleaning stores, for betterment loans to be provided by private lenders.

Patron - Poindexter

HB1466 Environmental impact of renewable energy electric generating facilities. Requires the Department of Environmental Quality to evaluate information provided by state agencies with expertise in natural resource management regarding the potential environmental impacts of a proposed renewable energy electric generating facility. The Department is required to coordinate the development of consensus recommendations to address the facility's potential adverse environmental impacts. The recommendations shall identify specific measures, including additional site studies, to mitigate or minimize these adverse environment impacts.

Patron - Shannon

HB1549 Recycling glass containers. Requires all "on-premises" licensees of the Virginia Alcoholic Beverage Control Board to recycle their glass containers, if the locality in which they are located is within 50 miles of a recycling center. A \$50 civil penalty is assessed on anyone who violates this requirement.

Patron - Cosgrove

SB234 Greenhouse gas emissions; mandatory reporting. Requires that the State Air Pollution Control Board adopt regulations requiring the reporting of greenhouse gas emissions from stationary sources. The regulations would apply only to those sources that emit more than a de minimis amount of greenhouse gas and that are already required to report emissions of other air pollutants. To the extent possible, reporting requirements will incorporate standards and protocols developed by other widely recognized and verified greenhouse gas inventory programs. Beginning in 2009, the Virginia Department of Transportation is required to provide the Department of Environmental Quality with data necessary to maintain a greenhouse gas emissions inventory for individual road segments throughout the Commonwealth. The Board is also authorized to establish a voluntary program allowing persons to register voluntary reductions in direct or indirect emissions of greenhouse gases. The voluntary program may include the reporting of reductions in emissions from motor vehicle fleets owned by persons otherwise required to report emissions from stationary sources.

Patron - Whipple

SB386 Application of the Chesapeake Bay Preservation Act. Redefines the localities that are under the jurisdiction of the Chesapeake Bay Preservation Act (CBPA). Currently, the CBPA applies to specifically named counties and cities that are defined as being located within Tidewater Virginia. The bill changes the definition of which localities constitute Tidewater Virginia to include only those localities wholly east of Interstate 95. Because the definition of Tidewater Virginia in the CBPA also appears in the stormwater law, to ensure that there is no change in the coverage of the stormwater program, the counties and cities currently listed in the CBPA's definition of Tidewater are delineated in the stormwater law.

Patron - Martin

FSB594 Dam safety. Exempts the owners of historically significant dams that do not present an imminent danger from having to correct deficiencies identified in a dam safety inspection conducted by the Department of Conservation and Recreation.

Patron - Norment

FSB717 Fossil fuel combustion products permit. Requires a solid waste permit to authorize the placement of unamended coal combustion byproduct as structural fill in a 100-year flood plain.

Patron - Edwards

Carried Over

CHB378 Department of Conservation and Recreation; Virginia Golden Age Card Program. Provides for the Department of Conservation and Recreation to establish a Virginia Golden Age Card authorizing citizens of the Commonwealth who are 60 years of age or older to enter the camping facilities of Virginia's state parks at a 50% discount for a maximum of 14 days in any calendar year.

Patron - Marshall, D.W.

CHB1533 Television recycling programs; manufacturer fees; disposal ban. Bans the disposal of covered televisions and component parts as solid waste effective January 1, 2009. The bill requires manufacturers of televisions covered by the act to pay a \$5,000 per year state registration fee and report to the Department of Environmental Quality on the weight, in pounds, of televisions sold in the Commonwealth. The Department will use the fees collected to provide reimbursements to localities implementing television recycling programs in compliance with criteria established by the Department. If a locality does not implement a television recycling program, the Department shall initiate a program for residents in that locality. Both the Department and the Office of the Attorney General have authority to enforce the provisions of this act.

Patron - Plum

CHB1548 Recyclable construction and demolition debris. Prohibits publicly owned landfills from accepting three or more tons of construction and demolition debris per hauler trip if there are recycling facilities available in the area or there is a construction and demolition landfill in the area.

Patron - Morgan

CHB1567 Nonpoint source pollution; commercial lawn care providers. Expands an existing training program for nutrient management training to include a voluntary program for commercial providers of lawn care or landscaping services to reduce nonpoint source pollution. Businesses that employ at least one individual trained and certified under a nutrient management program are eligible to receive a "Friend of the Bay Award."

Patron - Marsden

CSB308 State Forester; right of entry. Clarifies the right of the State Forester or his designees to enter and inspect any forest lands or logging operations to carry out the provisions of Virginia's forestry laws. The law continues to provide that no action for trespass may lie against the State Forester or his designees for actions taken in the performance of their duties.

Patron - Reynolds

CSB470 Natural resources funding. Provides annual funding for natural resources from (i) 20 percent of the remaining revenues of state recordation taxes that are not currently

allocated and (ii) unallocated land preservation tax credits in each calendar year. Of the revenues allocated to natural resources, 17 percent would be used to provide matching grants to local purchase of development rights programs, 16 percent would be distributed to the Virginia Land Conservation Fund, and 67 percent would be distributed to the Agricultural Best Management Practices Cost-Share Program for agricultural best management practices. For the moneys allocated to agricultural best management practices, five percent would be distributed to soil and water conservation districts to provide technical assistance for the implementation of agricultural best management practices. The remaining moneys would be used for matching grants for agricultural best management practices, with 60 percent of the moneys used for lands exclusively in the Chesapeake Bay watershed and 40 percent of the moneys used for all other lands in the Commonwealth. For the moneys allocated to provide matching grants to local purchase of development rights programs, 60 percent of the moneys would be used for grants for local purchase of the development rights programs of counties and cities wholly or partly within the Chesapeake Bay watershed and 40 percent of the moneys would be used for grants for local purchase of the development rights programs of all other counties and cities. In general, for each \$1 received, the local purchase of development rights program would be required to provide a \$1 match.

Patron - Hanger

CSB712 Cap and trade system for NOx and SO2; non-attainment areas. Provides that the Air Pollution Control Board may prohibit electric generating facilities located within specified nonattainment areas in the Commonwealth from meeting their compliance obligations for pollutants that contribute to ongoing nonattainment in that area through the purchase of allowances for NOx and SO2 only if the Board finds that: (i) the prohibition will directly and quantifiably reduce ambient concentrations of ozone or PM2.5 in the affected nonattainment area; and (ii) there is no other reasonably available approach to achieve a comparable air quality benefit for the Commonwealth.

Patron - Wagner

CSB752 Brownfields; public notice of voluntary remediation plans. Requires the Department of Environmental Quality to provide written notice of an application for a voluntary remediation plan to any person who owns a property that abuts or lies within 100 feet of the boundary lines of the subject property or who owns a property that is identified as contaminated by a release on the subject property. Notice must also be published in a newspaper of general circulation. A public comment period of at least 30 days shall follow the issuance of notice.

Patron - Herring

Contracts

Failed

FHB1200 Contracts; improper use of payment device numbers. Provides a civil penalty of not more than \$2,500 per violation for the improper use of a credit card number.

Patron - Valentine

Corporations

Passed

HB918 Professional corporations; professional limited liability companies. Conforms the substantive provisions that govern mergers and consolidations of professional corporations and professional limited liability companies. The measure also (i) provides a credit toward the entrance fee that is due from a foreign stock or nonstock corporation applying for a certificate of authority if it was previously a Virginia corporation; (ii) authorizes the issuance of a certificate of correction to a Virginia stock or nonstock corporation upon the filing of articles of correction that were received within 30 days of the effective date of the articles being corrected; and (iii) makes technical amendments.

Patron - Joannou

HB926 Business entities; employing illegal aliens. Provides that the authority of certain business entities, including foreign and domestic corporations, limited liability companies, business trusts, and limited partnerships, to operate in the Commonwealth may be terminated involuntarily or revoked upon the conviction of the business entity for a violation of 8 U.S.C. § 1324a(f) (hiring or continuing to employ illegal aliens). A business entity whose authority to operate in the Commonwealth is terminated or revoked is not eligible to have that authority reinstated for a period of not less than one year. The business entity shall immediately report any such conviction to the State Corporation Commission and file with the Commission an authenticated copy of the judgment or record of conviction. This bill incorporates HB 227. This bill is identical to SB 782.

Patron - Byron

HB1490 Foreign business entities; failure to register. Bars the successor to a foreign limited liability company, business trust or limited partnership that transacted business in the Commonwealth without registering in the Commonwealth, and the assignee of a cause of action arising out of that business, from maintaining a proceeding based on that cause of action in any court until the foreign business entity or its successor has registered with the State Corporation Commission. Similar prohibitions currently exist with respect to foreign stock and nonstock corporations.

Patron - Putney

SB146 Stock and nonstock corporations. Authorizes the State Corporation Commission to correct Commission records at any time to eliminate clerical errors and eliminate filings made by a person without authority to act for the stock or nonstock corporation. The period within which a shareholder is required to file a petition asserting that a certification contains a misstatement of a material fact is increased from 10 to 30 days after the effective date of the certificate. The measure clarifies that actions required to be adopted, as well as actions required to be taken, at a shareholders meeting may be adopted or taken without a meeting if the action is adopted or taken by all of the shareholders entitled to vote. The requirement that a stock corporation give nonvoting shareholders written notice of certain actions not less than 15 days before the action becomes effective is repealed. A provision that allowed an exception to the requirement that, unless otherwise provided in the articles of incorporation, each class of shares be allowed to vote as a separate voting group on a proposed amendment to the articles that would increase or decrease the aggregate number of authorized shares of the class is repealed.

Other elements revise provisions relating to the time limit on the commencement of proceedings to enforce a claim against a dissolved corporation, limitations on remedial actions, maintaining records with respect to beneficial owners whose shares are held by a nominee, and proceedings to determine the security to be provided for claims involving a dissolved corporation.

Patron - Stosch

SB209 Professional corporations and professional limited liability companies. Authorizes persons or professional business entities that are duly licensed or authorized to render the professional service under the laws of the Commonwealth or the jurisdiction under whose laws the entity is formed to be shareholders of a professional corporation or members of a professional limited liability company. The requirements that at least one of the members of a professional limited liability company and that at least one shareholder of a professional corporation be licensed or otherwise legally authorized to render the service in the Commonwealth are deleted.

Patron - Stosch

SB360 Virginia Business Trust Act. Reorganizes provisions of the Virginia Business Trust Act regarding the winding up, cancellation, and reinstatement of business trusts. The revisions to the structure of the Act conform to the organization of the Virginia Stock and Nonstock Corporation Acts. Other provisions address the involuntary cancellation and reinstatement of foreign business trusts and the cancellation of a business trust's existence. The measure also authorizes the removal of the initial registered office and registered agent information in the articles of trust if a statement of change is on file with the Commission, and makes technical clarifications.

Patron - Watkins

SB573 Virginia Limited Liability Company Act. Reorganizes provisions of the Virginia Limited Liability Company Act regarding the winding up, cancellation, and reinstatement of limited liability companies. The revisions to the structure of the Act conform to the organization of the Virginia Stock and Nonstock Corporation Acts. Other provisions address the involuntary cancellation of domestic and foreign limited liability companies and state that upon certain events a limited liability company's existence is cancelled, rather than stating that the events result in cancellation of the company's certificate of organization. The measure also (i) provides a uniform method of reinstating a domestic limited liability company that has been canceled, (ii) authorizes the removal of the initial registered office and registered agent information in the articles of organization if a statement of change is on file with the Commission, and (iii) makes technical clarifications.

Patron - Saslaw

SB782 Business entities; employing illegal aliens. Provides that the authority of certain business entities, including foreign and domestic corporations, limited liability companies, business trusts, and limited partnerships, to operate in the Commonwealth may be terminated involuntarily or revoked upon the conviction of the business entity for a violation of 8 U.S.C. § 1324a(f) (hiring or continuing to employ illegal aliens). A business entity whose authority to operate in the Commonwealth is terminated or revoked is not eligible to have that authority reinstated for a period of not less than one year. The business entity shall immediately report any such conviction to the State Corporation Commission and file with the Commission an authenticated copy of the judgment or record of conviction. This bill is identical to HB 926.

Patron - Obenshain

Failed

HB742 Corporations; business office of registered agent. Authorizes the business office of an individual registered agent of a corporation to be at a post office box at any post office in the Commonwealth. Such business office is not required to be identical with the corporation's registered office. If such a post office box is the registered agent's business office, then the clerk of the State Corporation Commission is an agent of the corporation for the purpose of receiving service of process.

Patron - Caputo

Counties, Cities and Towns

Passed

HB8 Lien for water and sewer charges. Adds the Towns of Front Royal and Kenbridge to those localities that may provide that charges imposed for water or sewers shall be a lien on the real estate served by such waterline or sewer. Where residential rental real estate is involved, no lien shall attach (i) unless the user of the water or sewer services is also the owner of the real estate or (ii) unless the owner of the real estate negotiated or executed the agreement by which such water or sewer services were provided to the property.

Patron - Wright

HB33 Marked sheriffs' office vehicles. Allows marked sheriffs' office vehicles to be painted solid colors other than brown or white.

Patron - Ingram

HB140 Local governing bodies and local school boards. Requires local governing bodies and local school boards to annually publish their approved budgets online. If there is no local government website or local school board website, the budgets must be available in hard copy.

Patron - Peace

HB190 Provisions for subdivision of a lot for conveyance to a family member. Includes stepchildren within the definition of "immediate family" for purposes of family subdivision provisions. This bill is identical to SB 230.

Patron - Orrock

HB195 Subdivision plats. Clarifies definitions related to subdivision plats and preliminary subdivision plats.

Patron - Orrock

HB262 Housing loans and grants in designated conservation or rehabilitation districts. Grants authority to localities to make loans or grants of local funds to certain individuals for the purpose of rehabilitating owner-occupied residences or assisting in the purchase of an owner-occupied residence in designated conservation or rehabilitation districts.

Patron - Ware, O.

HB350 Powers of zoning administrator. Expands certain authority related to enforcement of occupancy limits in residential dwelling units to all zoning administrators, rather than just those in Planning District 8. This bill is identical to HB 663.

Patron - Cole

HB357 Special rate districts. Adds Fauquier County to those localities that may request an electric utility that proposes to construct an overhead electric transmission line of 150 kilovolts or more, any portion of which would be located in such locality, to enter into an agreement with the locality that provides the locality will impose a tax or assessment on electric utility customers in a special rate district in an amount sufficient to cover the utility's additional costs of constructing that portion of the proposed line to be located in such locality, or any smaller portion thereof as the utility and the locality may agree, as an underground rather than an overhead line.

Patron - Cole

HB394 Powers of water and waste authorities. Grants such authorities powers related to intellectual property rights.

Patron - Bulova

HB430 Administrative inspection warrants. Provides that a zoning ordinance may include provisions for the issuance of inspection warrants by a magistrate or court of competent jurisdiction. The zoning administrator or his agent may present sworn testimony to a magistrate or court of competent jurisdiction and if such sworn testimony establishes probable cause that a zoning ordinance violation has occurred, request that the magistrate or court grant the zoning administrator or his agent an inspection warrant to enable the zoning administrator or his agent to enter the subject dwelling for the purpose of determining whether violations of the zoning ordinance exist. The zoning administrator or his agent shall make a reasonable effort to obtain consent from the owner or tenant of the subject dwelling prior to seeking the issuance of an inspection warrant under this bill. This bill is identical to SB 428.

Patron - Frederick

HB432 Arts and cultural districts. Adds the City of Manassas to those localities authorized to create an arts and cultural district for the purpose of increasing awareness and support for the arts and culture in the locality. Localities may provide incentives for the support and creation of arts and cultural venues in the district.

Patron - Frederick

HB434 Defacement of buildings; immunity. Provides that local employees and agents of a locality who remove graffiti from buildings shall have any and all immunity normally provided to an employee of the locality.

Patron - Frederick

HB443 Rights and duties of county chairman in Loudoun County. Lists various rights and duties of the board chairman in Loudoun County.

Patron - Rust

HB445 Occupancy limits. Provides that no fines shall accrue against the owner or managing agent of a single-family residential dwelling unit for the violation of a zoning ordinance regulating occupancy limits during the pendency of any legal action commenced by such owner or managing agent against a tenant to eliminate an overcrowding condition.

Patron - Rust

HB451 Composition of the Northern Virginia Transportation Authority. Increases the membership from 16 to 17 by adding a town representative who shall serve as a nonvoting member.

Patron - Rust

HB466 Restraining certain violations. Allows a zoning administrator or locality to record a memorandum of lis pendens for certain zoning ordinance violations.
Patron - Watts

HB522 Land use adjacent to certain jet bases. Includes interfacility traffic areas or any other area designated by the military as an area of special concern based on the potential for adverse effects on military operations as property that must be included in the land use program of any locality in which a United States Navy Master Jet Base is located. This bill contains an emergency clause.
Patron - Suit

HB526 Peninsula Ports Authority of Virginia. Creates a procedure for the dissolution of the Peninsula Ports Authority of Virginia.
Patron - Pogge

HB663 Powers of zoning administrator. Expands certain authority related to enforcement of occupancy limits in residential dwelling units to all zoning administrators, rather than just those in Planning District 8. This bill is identical to HB 350.
Patron - Lewis

HB679 Civil penalties for violations of zoning ordinance. Requires the general district court, upon a finding of liability, to order a violator of a zoning ordinance to abate or remedy the violation in compliance with the zoning ordinance within a period not to exceed 30 days. In addition, the bill provides that should the violator choose to waive trial, admit liability, and pay the civil penalty, the violator will have to first agree in writing to abate or remedy the violation within a specified timeframe. The bill also provides that when civil penalties for a zoning ordinance violation total \$5,000 or more, the violation may be prosecuted as a criminal misdemeanor. This bill incorporates HB 1090.
Patron - Hull

HB721 Approval of plats, site plans, and plans of development in certain localities. Creates a more compact approval process for commercial property in localities with a population greater than 90,000.
Patron - Oder

HB877 Community Development Authority; City of Richmond. Provides that the board of any such authority shall consist of seven members.
Patron - Loupassi

HB879 Affordable dwelling unit ordinances. Provides that a locality establishing an affordable housing dwelling unit program in any ordinance may establish a requirement that the prices for resales and rentals be controlled by the local housing authority or local governing body or designee for a period of not less than 15 years, but not to exceed 50 years, after the initial sale or rental transaction for each affordable dwelling unit, provided that the ordinance further provides for reasonable rules and regulations to implement a price control provision. Under current law, the prices for resales and rentals may be controlled by the local housing authority or local governing body or designee for a period of 50 years after the initial sale or rental transaction for each affordable dwelling unit. HB 330 is incorporated into this bill.
Patron - Loupassi

HB883 Affordable Dwelling Unit ordinance; permitting certain densities in the comprehensive plan. Authorizes

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

HB991 Transfer of development rights. Permits, in Albemarle County, the severance and transfer of development rights from a sending property without requiring those rights to be immediately affixed to a specific receiving property.
Patron - Bell

HB1061 Zoning ordinances. Provides that a zoning ordinance may prescribe an appeal period of less than 30 days, but not less than 10 days, for a notice of violation involving maximum occupancy limitations of a residential dwelling unit. This bill incorporates HB 1101.
Patron - Amundson

HB1078 Vested rights and nonconforming uses. Makes several changes to the vested rights and nonconforming use provisions, including (i) that a locality shall use square footage and building code provisions in determining whether a nonconforming use has been enlarged or structurally altered; and (ii) providing that when a property owner has paid taxes to the locality for a building or structure for a period in excess of 15 years, a zoning ordinance may provide that such building or structure shall be nonconforming, but not illegal.
Patron - Suit

HB1079 Board of Zoning appeals; variances. Provides that a structure permitted by a variance may not be expanded unless the expansion is within an area of the site or part of the structure for which no variance is required under the ordinance. Where the expansion is proposed within an area of the site or part of the structure for which a variance is required, the approval of an additional variance shall be required.
Patron - Suit

HB1084 Approval of certain proffered conditions. Provides that in any instance in which a locality has accepted proffered conditions that include pedestrian improvements, and the Virginia Department of Transportation has reviewed and not objected to the proposed pedestrian improvements during the processing of the rezoning, the Virginia Department of Transportation shall allow the proffered improvements to be constructed, except when such improvements will violate local, state, or federal laws, regulations, or mandated engineering and safety standards.
Patron - Englin

HB1086 Appeals to boards of zoning appeals. Provides that a written notice of a zoning violation or a written order of the zoning administrator that includes such statement sent by registered or certified mail to, or posted at, the last known address of the property owner as shown on the current real estate tax assessment books or current real estate tax assessment records shall be deemed sufficient notice to the

property owner and shall satisfy the notice requirements under general law.

Patron - Sickles

HB1107 Fines for overcrowding in residential dwellings. Increases the maximum fines for repeat violations of ordinances regulating the number of unrelated persons in single-family residential dwellings.

Patron - Rust

HB1177 Plats. Provides that once a plat for all or a portion of a multiphase development is recorded, the preliminary plat shall remain valid for a period of five years from the date of the latest recorded plat of subdivision for the property. Also, an approved final subdivision plat that has been recorded, from which any part of the property subdivided has been conveyed to third parties (other than to the developer or local jurisdiction), shall remain valid for an indefinite period of time unless and until any portion of the property is subject to a vacation action.

Patron - Lingamfelter

HB1342 Lien for water and sewer charges. Adds the County of Isle of Wight to those localities that may provide that charges imposed for water or sewers shall be a lien on the real estate served by such waterline or sewer. Where residential rental real estate is involved, no lien shall attach (i) unless the user of the water or sewer services is also the owner of the real estate or (ii) unless the owner of the real estate negotiated or executed the agreement by which such water or sewer services were provided to the property.

Patron - Barlow

HB1355 Sewage treatment plants. Provides that whenever the governing body of a locality or a combination of governing bodies of two or more localities is expanding or upgrading a sewage treatment plant, the facility shall be expanded or upgraded so that it has the capability to accept and treat the septage from all onsite sewage disposal systems, which are not adequately served by another approved disposal site, located in the locality or combination thereof to be served by such plant.

Patron - Bulova

HB1437 Conservation of trees during the land development process for air quality improvement in certain localities. Provides that certain localities may, by ordinance, require conservation of trees during the development process. The bill also provides that the tree conservation ordinance may require that the site plan for any subdivision or development provide for the preservation and replacement of trees on the development site such that the minimum tree canopy or tree cover percentage 20 years after development is projected to be as follows: (i) 10 percent tree canopy for a site zoned business, commercial, or industrial; (ii) 10 percent tree canopy for a residential site zoned 20 or more units per acre; (iii) 15 percent tree canopy for a residential site zoned more than eight but less than 20 units per acre; (iv) 20 percent tree canopy for a residential site zoned more than four but not more than eight units per acre; (v) 25 percent tree canopy for a residential site zoned more than two but not more than four units per acre; and (vi) 30 percent tree canopy for a residential site zoned two or less units per acre. Finally, the bill mandates that any tree conservation ordinance provide for certain deviations from the canopy requirements.

Patron - Bulova

HB1463 Group homes. Removes Henry County from a provision related to the zoning classification of group homes.

Patron - Armstrong

HB1480 Allowances to injured deputy sheriffs. Requires a locality to allow a deputy sheriff injured in the line of duty to use accrued vacation, compensatory, and sick leave to supplement his workers' compensation allowance, so as to receive 100 percent compensation. The bill also requires the locality to continue to pay any employer's share of certain health insurance coverage for the injured deputy and his dependents. This bill is identical to SB 673.

Patron - Kilgore

HB1496 Southwest Regional Recreation Authority. Establishes an authority for Southwest Virginia to create a multi-purpose regional recreational area similar to, and potentially adjoining, such areas in West Virginia and Kentucky. The recreational area might consist of various trails and other amenities on private open-space lands where members of the public could, for example, hunt, fish, boat, camp, ride motorcycles or all-terrain vehicles, ride mountain bikes, or ride horses. The Southwest Regional Recreation Authority would have various powers to manage the area by raising funds, employing staff, and adopting rules punishable by civil penalties. Landowners participating in the recreation area would be afforded a limited liability for persons engaging in recreational activities on their property.

Patron - Bowling

HB1527 Enforcement of certain sewer charges. Provides that in Planning District 1 or Planning District 2 a water and waste authority may require that water service provided by another entity be discontinued under certain circumstances for nonpayment of sewer charges. This bill contains an emergency clause.

Patron - Phillips

HB1528 Southwest Virginia Health Facilities Authority. Makes changes to the membership of the board of directors of such authority.

Patron - Phillips

SB230 Provisions for subdivision of a lot for conveyance to a family member. Includes stepchildren within the definition of "immediate family" for purposes of family subdivision provisions. This bill is identical to HB 190.

Patron - McDougle

SB237 Donations by localities. Allows localities to make donations to any nonprofit association or organization furnishing services to beautify and maintain communities and/or to prevent neighborhood deterioration.

Patron - Whipple

SB268 Affordable Dwelling Unit ordinance; permitting certain densities in the comprehensive plan. Authorizes the City of Charlottesville to provide in its comprehensive plan for the physical development within the city for densities of development ranging between a floor area ratio (FAR) of 1.0 (1.0 FAR) and a floor area ratio of 10.0 (10.0 FAR) or greater in some or all parts of the city. The bill authorizes the City of Charlottesville to establish affordable housing contributions from developers as a condition of the governing body's approval of a special exception application for residential, commercial, or mixed-use projects with a density equal to or greater than 1.0 FAR. Under the bill, the provisions of the ordinance would allow the developer to provide on-site Affordable Dwelling Units, off-site Affordable Dwelling Units, or a cash contribution to the city's affordable housing fund in lieu of providing the units. This bill is identical to HB 883.

Patron - Deeds

SB393 Variances; nonconforming uses. Provides that a zoning ordinance shall permit the owner of any residential or commercial building damaged or destroyed by a natural disaster or other act of God to repair, rebuild, or replace such building to eliminate or reduce the nonconforming features to the extent possible, without the need to obtain a variance. Under current law, if a residential or commercial building is damaged or destroyed by a natural disaster or other act of God, the zoning ordinance may require that such building be repaired, rebuilt, or replaced to eliminate or reduce the nonconforming features to the extent possible, without the need to obtain a variance.

Patron - Martin

SB415 Industrial Development and Revenue Bond Act. Provides that in Buchanan County a constitutional officer who has previously served on the board of the industrial development authority may serve as a director of the authority, provided the governing body approves.

Patron - Puckett

SB428 Administrative inspection warrants. Provides that a zoning ordinance may include provisions for the issuance of inspection warrants by a magistrate or court of competent jurisdiction. The zoning administrator or his agent may present sworn testimony to a magistrate or court of competent jurisdiction and if such sworn testimony establishes probable cause that a zoning ordinance violation has occurred, request that the magistrate or court grant the zoning administrator or his agent an inspection warrant to enable the zoning administrator or his agent to enter the subject dwelling for the purpose of determining whether violations of the zoning ordinance exist. The zoning administrator or his agent shall make a reasonable effort to obtain consent from the owner or tenant of the subject dwelling prior to seeking the issuance of an inspection warrant under this bill. This bill is identical to HB 430.

Patron - Barker

SB532 Disclosures in land use proceedings; Loudoun County. Requires each individual member of the Loudoun County board of supervisors, planning commission, and board of zoning appeals in any proceeding before each such body involving an application for a special exception or variance or involving an application for amendment of a zoning ordinance map, which does not constitute the adoption of a comprehensive zoning plan, an ordinance applicable throughout the locality, or an application filed by the board of supervisors that involves more than 10 parcels that are owned by different individuals, trusts, corporations, or other entities, to, prior to any hearing on the matter or at such hearing, make a full public disclosure of any business or financial relationship that such member has, or has had within the 12-month period prior to such hearing, (i) with the applicant in such case; (ii) with the title owner, contract purchaser, or lessee of the land that is the subject of the application, except, in the case of a condominium, with the title owner, contract purchaser, or lessee of 10 percent or more of the units in the condominium; (iii) if any of the foregoing is a trustee (other than a trustee under a corporate mortgage or deed of trust securing one or more issues of corporate mortgage bonds), with any trust beneficiary having an interest in such land; or (iv) with the agent, attorney, or real estate broker of any of the foregoing.

Patron - Herring

SB673 Allowances to injured deputy sheriffs. Requires a locality to allow a deputy sheriff injured in the line of duty to use accrued vacation, compensatory, and sick leave to supplement his workers' compensation allowance, so as to receive 100 percent compensation. The bill also requires the

locality to continue to pay any employer's share of certain health insurance coverage for the injured deputy and his dependents. The bill is identical to HB 1480.

Patron - Wampler

SB704 Gifts and donations by localities to certain nonprofit foundations. Provides that a locality may make gifts and donations to nonprofit foundations established to support the locality's public parks, libraries, and law enforcement. For the purposes of this bill, "donations" to any such foundation shall include the lawful provision of in-kind resources.

Patron - Puller

SB710 Conservation of trees during the land development process for air quality improvement in certain localities. Provides that certain localities may, by ordinance, require conservation of trees during the development process. The bill also provides that the tree conservation ordinance may require that the site plan for any subdivision or development provide for the preservation and replacement of trees on the development site such that the minimum tree canopy or tree cover percentage 20 years after development is projected to be as follows: (i) 10 percent tree canopy for a site zoned business, commercial, or industrial; (ii) 10 percent tree canopy for a residential site zoned 20 or more units per acre; (iii) 15 percent tree canopy for a residential site zoned more than eight but less than 20 units per acre; (iv) 20 percent tree canopy for a residential site zoned more than four but not more than eight units per acre; (v) 25 percent tree canopy for a residential site zoned more than two but not more than four units per acre; and (vi) 30 percent tree canopy for a residential site zoned two or less units per acre. Finally, the bill mandates that any tree conservation ordinance provide for certain deviations from the canopy requirements. This bill incorporates SB 448 and is identical to HB 1437.

Patron - Ticer

SB740 Southwest Regional Recreation Authority. Establishes an authority for Southwest Virginia to create a multi-purpose regional recreational area similar to, and potentially adjoining, such areas in West Virginia and Kentucky. The recreational area might consist of various trails and other amenities on private open-space lands where members of the public could, for example, hunt, fish, boat, camp, ride motorcycles or all-terrain vehicles, ride mountain bikes, or ride horses. The Southwest Regional Recreation Authority would have various powers to manage the area by raising funds, employing staff, and adopting rules punishable by civil penalties. Landowners participating in the recreation area would be afforded a limited liability for persons engaging in recreational activities on their property.

Patron - Puckett

SB742 Moratorium on city annexation and county immunity notices and proceedings. Provides that the moratorium on annexation proceedings does not end following the expiration of the 2006-2008 or the 2008-2010 biennium if, for the 2008-2010 biennium, actual appropriations to local governments for law-enforcement expenditures are less than the amount statutorily required.

Patron - Hanger

SB791 Incentive zoning; definition. Redefines the term "incentive zoning" for the purposes of Chapter 22 of Title 15.2 as the use of bonuses in the form of increased project density or other benefits to a developer in return for the developer providing certain features, design elements, uses, services, or amenities desired by the locality, including but not limited to, site design incorporating principles of new urbanism and traditional neighborhood development, environmentally sustainable

and energy-efficient building design, affordable housing creation and preservation, and historical preservation, as part of the development.

Patron - Whipple

Failed

HB72 Capital improvements impact fees. Allows localities to adopt provisions for the assessment of impact fees prior to issuance of a building permit. The impact fees may be assessed in relation to the adequacy of education, transportation, parks, or public safety 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.

HB82 Zoning violations; overcrowding. Provides for enhanced fines for any conviction resulting from a violation of provisions related to overcrowding of residential dwellings. The bill also authorizes zoning provisions to provide that any conviction resulting from a violation of provisions that prohibit a person from permitting a single-family residential dwelling owned by him to be occupied by any unrelated person who has no legal right to do so or in violation of any of the provisions regulating the number of unrelated persons in single-family residential dwellings shall be punishable by a fine of up to \$1,500 for each such unrelated person.

Patron - Marshall, R.G.

HB200 Zoning enforcement; Planning District 8. Provides for enhanced penalties in Planning District 8 for certain violations related to overcrowding of residential dwellings.

Patron - Marshall, R.G.

HB202 Adoption of certain ordinances. Provides that if the results of any May, June, or November general election would result in a change in a majority of the membership of a governing body on the following July 1, September 1, or January 1, respectively, no regulation, district boundary, or classification of property shall be amended, supplemented, or changed from the date of such election and until such respective date except by a two-thirds vote of the governing body members.

Patron - Marshall, R.G.

HB205 Provisions of zoning ordinance. Provides that a zoning ordinance may contain provisions for the issuance of inspection warrants by a magistrate. The zoning administrator may present sworn testimony to a magistrate or court of competent jurisdiction and request that the magistrate or court grant the zoning administrator an inspection warrant to enable the zoning administrator to enter the subject dwelling for the purpose of determining whether violations of the zoning ordinance exist. The zoning administrator shall make a reasonable effort to obtain consent from the owner or tenant of the subject dwelling prior to seeking the issuance of an inspection warrant.

Patron - Marshall, R.G.

HB208 Adequate public facilities. Allows any locality to adopt provisions in its subdivision ordinance for deferring the approval of subdivision plats or site plans when it deter-

mines that existing schools, roads, public safety, sewer or water facilities are inadequate to support the proposed development. Such deferrals cannot extend beyond 12 years. A locality may also consider the adequacy of public facilities in the preparation of its zoning ordinance.

Patron - Cole

HB212 Certain firearms taxes; destruction of records. Repeals local authority to impose a license tax of not more than \$25 on persons engaged in the business of selling pistols and revolvers. Also, a recordkeeping requirement for such persons is deleted and the clerk of the circuit court shall destroy any such existing records.

Patron - Cole

HB265 Regulation of wood burning fireplaces. Provides that in any locality with a population density of greater than 1,000 persons per square mile, the locality may by ordinance regulate the use of wood burning fireplaces in any portion of the locality where such use may constitute a nuisance to adjacent residences.

Patron - Albo

HB288 Virginia Indoor Clean Air Act; restaurants. Allows localities to adopt ordinances containing standards or provisions relating to smoking in restaurants that meet or exceed those established in the Virginia Indoor Clean Air Act.

Patron - Englin

HB294 Water and sewage connections. Provides that New Kent County may require connection to its water and sewer systems by owners of property that can be served by the systems if the property, at the time of installation of such public system, or at a future time, does not have a then-existing or correctable domestic supply or source of potable water and a then-existing or correctable system for the disposal of sewage.

Patron - Peace

HB301 Performance of certain federal immigration functions. Requires the sheriff of a locality with a population greater than 300,000 to enter into a memorandum of agreement with Immigration and Customs Enforcement that would allow designated local law-enforcement officers to perform certain federal immigration law functions in the Commonwealth. Such an agreement is often referred to as an agreement under the federal 287(g) program.

Patron - Nichols

HB304 Occupancy limits in single-family dwellings. Requires localities to limit occupancy to no more than four unrelated persons.

Patron - Nichols

HB330 Affordable housing; price controls. Changes the current requirement, which localities may include in their affordable dwelling unit ordinances, that the prices for resales and rentals be controlled by the authority or locality from "for a period of fifty years" after the initial sale or rental transaction for each affordable dwelling unit, to "at least 15 years but no more than 50 years." This bill was incorporated in HB 879.

Patron - McClellan

HB358 Suspending water hook-ups during certain emergencies. Allows a locality that has adopted a water supply emergency ordinance to suspend the issuance of water hook-up permits for connection to its water and sewer systems during such emergency.

Patron - Cole

HB367 Sanctuary cities prohibited. Prohibits a local governing body from adopting a policy that serves to protect undocumented immigrants from deportation. Furthermore, no locality shall prohibit its employees from asking a person about his immigration status.

Patron - Carrico

HB371 Local control of firearms; attorney fees. Requires a locality to pay attorney fees resulting from taking certain actions prohibited with regard to firearm control.

Patron - Carrico

HB387 Purchase of property by locality. Expands the definition of "public use" for purposes of determining whether a locality is authorized to acquire property.

Patron - Bulova

HB393 Northern Virginia Transportation Authority. Changes the applicability of certain existing fund distribution from "the Cities of Falls Church and Alexandria and the County of Arlington" to "any city or county that maintained its own roads as of July 1, 2007."

Patron - Bulova

HB452 Penalties related to overcrowding of dwellings. Removes the prohibition regarding a potential jail term for violating certain zoning provisions related to overcrowding of residential dwellings.

Patron - Rust

HB485 Carbon monoxide detectors in certain buildings. Provides that any locality may, by ordinance, require that carbon monoxide detectors be installed in the following structures or buildings: (i) any building containing one or more dwelling units, (ii) any hotel or motel regularly used or offered for or intended to be used to provide overnight sleeping accommodations for one or more persons, and (iii) rooming houses regularly used, offered for, or intended to be used to provide overnight sleeping accommodations.

Patron - Shuler

HB486 Failure to provide adequate crowd control. Expands existing authority to bring a civil action against a person who negligently fails to provide adequate security or crowd control at events that draw large crowds to include the Town of Blacksburg. This bill was incorporated into HB 851.

Patron - Shuler

HB508 Approval of annexation by referendum. Requires a city-initiated annexation to be approved by two-thirds of the voters in each of the affected localities.

Patron - Hamilton

HB509 Annexation, granting of city charters, and county immunity. Repeals the temporary restrictions on city annexation of counties, the creation of new cities, and the granting of county immunity from annexation.

Patron - Hamilton

HB511 Vacant building registration. Increases the vacant building annual registration fee from \$25 to \$50. The bill also increases the civil penalty for failure to register such building from \$50 to \$75.

Patron - Dance

HB635 Impact fees. Expands existing road impact fee provisions to include school improvements and extends the applicability of such provisions from localities that meet certain population and growth criteria to all localities. "Impact

fee" is defined as a charge or assessment imposed against new development in order to generate revenue to fund or recover the costs of public facilities necessitated by and attributable to the new development. The value of any dedication, contribution, or construction from the developer for off-site road improvements and school facility improvements within the service area shall be treated as a credit against the impact fee.

Patron - May

HB675 Urban county executive form of government; discrimination based on sexual orientation. Allows Fairfax County (the only county with such form of government) by ordinance to prohibit discrimination in housing, real estate transactions, employment, public accommodations, credit, and education on the basis of sexual orientation. Such authority currently exists with regard to race, color, religion, sex, pregnancy, childbirth or related medical conditions, national origin, age, marital status, or disability.

Patron - Plum

HB697 Control of firearms; libraries. Provides that localities may adopt an ordinance that prohibits firearms, ammunition, or components or combinations thereof in libraries owned or operated by the locality.

Patron - BaCote

HB726 Conditional zoning; purchase of development rights. Provides that localities with cash proffer authority may accept cash proffers for the purchase of development rights to preserve open space.

Patron - Scott, E.T.

HB788 Highway maintenance payments to counties. Allows counties that maintain their own secondary highways (Henrico and Arlington) and are more than 100 square miles in size to receive the same per-lane-mile maintenance payments provided for roads within urban transportation service districts in other counties.

Patron - Ingram

HB851 Failure to provide adequate crowd control. Expands existing authority to bring a civil action against a person who negligently fails to provide adequate security or crowd control at events that draw large crowds to include all cities and towns. This bill incorporates HB 486.

Patron - Orrock

HB901 Employee benefits; residence in certain localities. Allows localities comprising Planning District 8, which is composed of the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park; the towns of Dumfries, Herndon, Leesburg, Purcellville, and Vienna; and the counties of Arlington, Fairfax, Loudoun, and Prince William, to provide for the use of funds, other than state funds, to provide grants, loans, and other assistance for local government and school board employees, as well as employees of local constitutional officers, to purchase or rent residences for use as the employee's principal residence within the locality.

Patron - Scott, J.M.

HB954 Conditional zoning; purchase of development rights. Provides that localities with cash proffer authority may accept cash proffers for the purchase of development rights to preserve farmland or open space.

Patron - Scott, E.T.

HB957 Northern Virginia Transportation Authority. Increases the membership of the Authority to provide for a

mayor from a town within a county that is a member of the Authority.

Patron - Shannon

HB958 Local government authority; registration of non-owner occupied residential dwellings; civil penalty. Authorizes localities to require all non-owner occupied residential dwellings to be registered on an annual basis. Failure to register shall be a \$50 civil penalty; however, failure to register in conservation and rehabilitation districts designated by the governing body, or in other areas designated as blighted, is punishable by a civil penalty not exceeding \$250.

Patron - Shannon

HB976 Single lot development; stormwater management. Provides that the developer of a single lot shall provide storm water management where substantial redevelopment of such lot is proposed. Substantial redevelopment" shall be deemed to occur when land-disturbing activities occur on more than 15 percent of the square footage of any single lot.

Patron - Shannon

HB1026 Restrictions on granting public benefits; penalty. Prohibits localities from granting public benefits to persons who are not citizens, legal permanent residents, or conditional resident aliens of the United States. The bill also provides that failure to determine immigration status shall result in the termination of all funds appropriated in the general appropriations act except those funds required by the Constitution of the Commonwealth and federal law.

Patron - Frederick

HB1033 Urban transportation service districts. Grants towns authority to create such districts. Creation of such districts is also a prerequisite for use of the new impact fee authority granted during the 2007 Session.

Patron - Frederick

HB1036 Property tax rates; assessments; bills. Requires: (i) localities to fix tax rates for an ensuing year at least 30 days prior to approval of the budget for the ensuing year, with separate public notices and separate public hearings; (ii) localities to attach to each real and personal property tax bill information showing how the amount of the tax bill has been apportioned in the current fiscal year on the major categories of spending; and (iii) localities to provide more detailed information on notices of reassessments. The bill has a delayed effective date of January 1, 2009.

Patron - Frederick

HB1063 Virginia Indoor Clean Air Act; restaurants in Northern Virginia. Allows localities in Northern Virginia to adopt concurrent ordinances containing standards or provisions relating to smoking in restaurants which exceed those established in the Virginia Indoor Clean Air Act.

Patron - Brink

HB1087 Public access to social security numbers; exceptions. Provides that the social security number of any individual contained in the public records of a local government shall be confidential and exempt from disclosure under the Freedom of Information Act. The bill provides, however, that a social security number may be released (i) in accordance with a proper judicial order; (ii) to any law-enforcement agency, officer, or authorized agent thereof acting in the performance of official law-enforcement duties; or (iii) to any data subject exercising his rights under the Government Data Collection and Dissemination Practices Act.

Patron - Sickles

HB1090 Civil penalties for violations of zoning ordinance. Requires the general district court, upon a finding of liability, to order a violator of a zoning ordinance to abate or remedy the violation in compliance with the zoning ordinance within a period not to exceed 30 days. In addition, the bill provides that should the violator choose to waive trial, admit liability, and pay the civil penalty, the violator will have to first agree in writing to abate or remedy the violation within a specified timeframe. This bill was incorporated into HB 679.

Patron - Sickles

HB1101 Notice of certain zoning violations. Provides that localities may shorten the appeal period from 30 days to 10 days for notices of violations of zoning ordinances that limit occupancy in residential dwellings. This bill was incorporated into HB 1061.

Patron - Sickles

HB1159 Provisions of zoning ordinance. Provides that a zoning ordinance may contain provisions for the issuance of inspection warrants by a magistrate. The zoning administrator may present sworn testimony to a magistrate or court of competent jurisdiction and request that the magistrate or court grant the zoning administrator an inspection warrant to enable the zoning administrator to enter the subject dwelling for the purpose of determining whether violations of the zoning ordinance exist. The zoning administrator shall make a reasonable effort to obtain consent from the owner or tenant of the subject dwelling prior to seeking the issuance of an inspection warrant.

Patron - Albo

HB1210 Vacant building registration; penalties. Provides for enhanced penalties for failure to register vacant buildings.

Patron - Melvin

HB1253 Smoking in restaurants. Prohibits smoking in restaurants.

Patron - Marsden

HB1279 Transportation district commissioners; compensation. Raises the per diem for transportation district commissioners from \$50 to \$100.

Patron - Spruill

HB1297 Adequate public facilities. Provides that any locality that is subject to the provisions of the Chesapeake Bay Preservation Act may by ordinance adopt provisions related to the provision of adequate public facilities. Local adequate public facility provisions may be applied during the subdivision or site plan review and approval process.

Patron - Frederick

HB1303 Virginia Residential Property Disclosure Act; property located within a historic district. Authorizes a locality to, by ordinance, provide that an owner of residential real property located within such locality shall disclose, in writing, to the purchaser of such property whether (i) such property is located in a historic district designated by the locality pursuant to § 15.2-2306 and (ii) the provisions of any historic district ordinance affect the property. Such written disclosure shall state the specific historic district in which the property is located according to the official zoning map.

Patron - Oder

HB1341 Virginia Indoor Clean Air Act; restaurants. Allows localities to adopt ordinances containing standards or

provisions relating to smoking in restaurants that meet or exceed those established in the Virginia Indoor Clean Air Act.

Patron - Barlow

HB1343 Rezoning property to previous zoning designation. Allows a locality to include provisions in its zoning ordinance that permit the county to require that an approved site plan or final subdivision plan be obtained for the development within a specified period of not less than five years. If no such approval is obtained during the specified period, the locality may rezone the property to its previous zoning designation. However, a locality may not rezone the property if the rezoning would adversely impact the terms of a loan that the property owner has obtained at least one year prior to a proposed locality initiated rezoning. If a locality rezones such property to its previous zoning designation, the locality shall compensate the property owner through use of a tax credit equal to the amount of excess real estate taxes that the landowner has paid due to the higher zoning classification.

Patron - Barlow

HB1380 Approval of sewage systems. Clarifies that counties and towns may approve a sewage system at a reduced size if it is in the best interest of the locality.

Patron - Albo

HB1415 Extension of health insurance coverage funded by localities. Provides that the governing body of any locality that self-funds a health insurance program for its officers and employees may extend coverage under such program to any other class of persons as may be mutually agreed upon by the locality and the policyholder.

Patron - Scott, J.M.

HB1430 Clustering of single-family dwellings; Surry County. Extends the effective date of legislation from the 2006 Session requiring Surry County to provide for the clustering of single-family dwellings and the preservation of open space developments from July 1, 2007, to July 1, 2009. This bill is identical to SB 671.

Patron - Barlow

HB1432 Virginia Indoor Clean Air Act; restaurants in certain cities. Allows cities with a population of at least 200,000 to adopt ordinances containing standards or provisions relating to smoking in restaurants that exceed those established in the Virginia Indoor Clean Air Act.

Patron - Howell, A.T.

HB1565 Multicounty/city Transportation District. Creates such district for the purpose of providing funding for transportation projects. Each district member is authorized to have a local option fuel tax of \$0.02 per gallon.

Patron - Crockett-Stark

HB1566 Speed limits in counties. Grants counties certain powers with regard to setting speed limits and performing maintenance along county roads.

Patron - Crockett-Stark

HB1571 Impact fees. Restores road impact fee provisions to how they existed prior to July 1, 2007, and repeals general impact fee provisions passed during the 2007 Session.

Patron - Hull

HB1574 Photo-monitoring systems. Provides that any county, city, or town having less than 10,000 residents may install and operate a traffic light signal photo-monitoring system at no more than one intersection for every intersection

within such county, city, or town that has an average daily traffic volume of at least 20,000 vehicles per day.

Patron - Hargrove

SB20 Carbon monoxide detectors in certain buildings. Provides that any locality may, by ordinance, require carbon monoxide alarms be installed in (i) any building containing one or more dwelling units, (ii) any hotel or motel regularly used, offered for, or intended to be used to provide overnight sleeping accommodations, and (iii) any rooming house regularly used, offered for, or intended to be used to provide overnight sleeping accommodations when such structures or buildings contain dwelling units that have an attached garage or carport or are serviced by fuel-fired appliances.

Patron - Edwards

SB32 Control of firearms; libraries. Provides that localities may adopt an ordinance that prohibits firearms, ammunition, or components or combinations thereof in libraries that are owned or operated by the locality.

Patron - Locke

SB33 Control of firearms; outdoor theaters, cabarets, carnivals, and fairs. Provides that localities may adopt an ordinance that prohibits firearms, ammunition, or components or combinations thereof at outdoor theaters, cabarets, carnivals, and fairs at which 500 or more persons are authorized to lawfully attend.

Patron - Locke

SB49 Matters to be considered in drawing and applying zoning ordinances and districts. Provides that zoning ordinances and districts shall be drawn and applied with reasonable consideration for the conservation of environmental resources.

Patron - Whipple

SB50 Purpose of zoning ordinances. Provides that zoning ordinances shall be designed to give reasonable consideration to conserving natural and environmental resources.

Patron - Whipple

SB51 Extension of health insurance coverage funded by localities. Provides that the governing body of any locality that self-funds a health insurance program for its officers and employees may extend coverage under such program to any other class of persons as may be mutually agreed upon by the locality and the policyholder.

Patron - Whipple

SB159 Number of deputies. Requires the number of full-time deputies appointed by the sheriff of a county without a police force to be fixed by the Compensation Board at not less than 10 deputies. The bill further requires the number of full-time deputies appointed by the sheriff of a county or city with a police force to be fixed by the Compensation Board at not less than two.

Patron - McEachin

SB184 Advertisement of plans; descriptive summary. Provides that no person who received actual written notice pursuant to certain zoning ordinance amendments may challenge the validity of the plan or ordinance, or amendment thereof, due to the insufficiency of, or an error in, the advertisement.

Patron - Herring

SB196 Storage of hazardous materials. Permits localities to prohibit the initiation of storage of hazardous materials in floodplains five stream miles upstream of an intake for a

public water supply. However, the provisions of this bill shall not apply to: (i) operations of the Virginia Department of Transportation or its contractors concerning the construction, reconstruction, or maintenance of highways; or (ii) all Department of Defense facilities and operations.

Patron - Herring

ESB202 Virginia Indoor Clean Air Act; restaurants. Allows localities to adopt ordinances containing standards or provisions relating to smoking in restaurants that meet or exceed those established in the Virginia Indoor Clean Air Act.

Patron - Quayle

ESB300 Dangerous weapons in government facilities. Provides that the governing body of any locality may, by ordinance, make it unlawful for any person to possess a dangerous weapon upon the property, including buildings and grounds thereof, of any facility that is owned or leased by that locality and used by it for governmental purposes.

Patron - Whipple

ESB347 Smoking ban in restaurants; local option. Provides that any locality within Planning District 23 may adopt an ordinance regulating smoking in restaurants.

Patron - Blevins

ESB419 Cable television services. Provides that a municipality currently authorized to provide cable television services may offer such services within the geographic boundaries of Planning Districts 2 and 3. The bill further provides that any locality in either Planning District 2 or 3 may contract with, or issue a franchise to, any public or private provider of cable television services to provide the citizens of such locality with such cable television services.

Patron - Puckett

ESB448 Conservation of trees during the development process for air quality improvement in localities. Provides that localities may, by ordinance, require conservation of trees during the development process. The bill also provides that the tree conservation ordinance may require that the site plan for any subdivision or development provide for the preservation and replacement of trees on the development site such that the minimum tree canopy or tree cover percentage 10 years after development is projected to be as follows: (i) 10 percent tree canopy for a site zoned business, commercial, or industrial; (ii) 10 percent tree canopy for a residential site zoned 20 or more units per acre; (iii) 15 percent tree canopy for a residential site zoned more than 10 but less than 20 units per acre; (iv) 20 percent tree canopy for a residential site zoned more than five but not more than 10 units per acre; and (v) 30 percent tree canopy for a residential site zoned one to five units per acre. Finally, the bill mandates that any tree conservation ordinance provide for reasonable exceptions to or deviations from the canopy requirements. This bill has been incorporated into SB 710.

Patron - Petersen

ESB453 Northern Virginia Transportation Authority. Alters the membership of the Authority to provide for a mayor from a town within a county that is a member of the Authority.

Patron - Petersen

ESB455 Local government authority; registration of non-owner occupied residential dwellings; civil penalty. Authorizes localities to require all non-owner occupied residential dwellings to be registered on an annual basis. Failure to register shall be a \$50 civil penalty; however, failure to register in conservation and rehabilitation districts designated by the

governing body, or in other areas designated as blighted, is punishable by a civil penalty not exceeding \$250.

Patron - Petersen

ESB457 Single lot development; stormwater management. Provides that the developer of a single lot shall provide storm water management where substantial redevelopment of such lot is proposed. Substantial redevelopment" shall be deemed to occur when land-disturbing activities occur on more than 15 percent of the square footage of any single lot.

Patron - Petersen

ESB531 Certain disclosures of real parties in interest. Provides that in any locality that has adopted zoning, every applicant for a special exception, or a special use permit, amendment to the zoning ordinance or variance shall make complete disclosure of the equitable ownership of the real estate to be affected, including, in the case of corporate ownership, the name of stockholders, officers, and directors and in any case the names and addresses of all of the real parties of interest.

Patron - Herring

ESB632 Conservation of trees during the land development process for air quality improvement in certain localities. Provides that certain localities may, by ordinance, require conservation of trees during the development process. The bill also provides that the tree conservation ordinance may require that the site plan for any subdivision or development provide for the preservation and replacement of trees on the development site such that the minimum tree canopy or tree cover percentage 10 years after development is projected to be as follows: (i) 10 percent tree canopy for a site zoned business, commercial, or industrial; (ii) 10 percent tree canopy for a residential site zoned 20 or more units per acre; (iii) 15 percent tree canopy for a residential site zoned more than 10 but less than 20 units per acre; (iv) 20 percent tree canopy for a residential site zoned more than five but not more than 10 units per acre; and (v) 30 percent tree canopy for a residential site zoned one to five units per acre. Finally, the bill mandates that any tree conservation ordinance provide for reasonable exceptions to or deviations from the canopy requirements.

Patron - Ticer

ESB671 Clustering of single-family dwellings; Surry County. Extends the effective date of legislation from the 2006 Session requiring Surry County to provide for the clustering of single-family dwellings and the preservation of open space developments from July 1, 2007, to July 1, 2009. This bill is identical to HB 1430.

Patron - Quayle

ESB724 Hampton Roads and Northern Virginia Transportation Authorities. Repeals the authority of the Hampton Roads and Northern Virginia Transportation Authorities to impose fees or taxes, and provides that each local governing body embraced by the Hampton Roads or the Northern Virginia Transportation Authority may impose the taxes and fees that were previously authorized for imposition by the respective Authorities. All revenues from such local taxes and fees would be required to be transferred to the respective Authority.

Patron - Cuccinelli

ESB755 Virginia Water and Waste Authorities Act. Provides that each political subdivision may adopt, after a public hearing, an ordinance requiring the delivery of all or any portion of the refuse generated or collected within such political subdivision to the refuse collection and disposal system of the authority. The bill also provides that the exercise of such

forementioned power or other certain powers shall not be deemed to cause displacement under the provisions of § 15.2-930, 15.2-934, or 15.2-5121.

Patron - Quayle

Carried Over

HB356 Impact fees. Provides that the assessment, collection, and imposition of impact fees shall, at the option of the locality, not apply to a subdivision, separation, or split-off of property made pursuant to a family subdivision ordinance, provided that title to the parcels subdivided, separated, or split-off is held in the name of an immediate family member for at least the first 60 months immediately following the subdivision, separation, or split-off.

Patron - Cole

HB463 Farm wineries. Adds a list of "usual and customary activities" that will be permitted at farm wineries. Also, a winery that receives a judgment from a court of competent jurisdiction in a suit against any local government to enforce the provisions of this section shall be entitled to receive its attorney fees and costs expended in such suit.

Patron - Albo

HB892 Annexation. Extends from 2010 to 2020 the temporary restriction on city annexation authority, the granting of city charters, and county immunity proceedings.

Patron - Lohr

HB923 Public schools; financing. Creates the Virginia School Construction Revolving Fund for financing elementary, secondary, or vocational education school projects. This bill incorporates HB 566.

Patron - Rust

HB1534 Plastic carryout bags. Authorizes a locality to provide that a retail merchant located within its jurisdiction shall not provide to any of its customers at the point of sale any plastic carryout bag in which a product or products purchased by any such customer from such store is placed unless such plastic carryout bag is a durable plastic bag, with handles, that is at least 2.25 mils thick and is specifically designed and manufactured for multiple reuse.

Patron - Barlow

HB1564 Regional Industrial Facility Authority; Wythe County. Provides that Wythe County may withdraw from Virginia's First Regional Industrial Facility Authority if Wythe County (i) has not voted affirmatively for such regional industrial facility authority to incur debt; (ii) has not entered into any participation agreement with other member localities of the authority obligating itself to pay any debt incurred by the Authority; or (iii) is not otherwise legally obligated to pay any debt incurred by the Authority.

Patron - Crockett-Stark

HB1573 Central Virginia Regional Transportation Authority. Creates an authority to include the Counties of Chesterfield, Hanover and Henrico, and the City of Richmond. The Authority may also include other localities in the Richmond region. The Authority shall have powers related to transportation infrastructure improvements and shall also have revenue authority. However, the fees and taxes authorized by this Act by the Authority shall only be imposed or assessed by the Authority if (i) at least three of the four governing bodies of the core localities embraced by the Authority that include at least 51 percent of the population of the core localities

embraced by the Authority pass a duly adopted resolution stating their approval of such power of the Authority.

Patron - Hall

SB120 Failure to provide adequate crowd control. Expands existing authority to bring a civil action against a person who negligently fails to provide adequate security or crowd control at events that draw large crowds to include the Town of Blacksburg.

Patron - Edwards

SB162 Vacant building registration; penalties. Provides for enhanced penalties for failure to register vacant buildings.

Patron - Lucas

SB163 Derelict structures. Authorizes a locality, by ordinance, to impose on the record owner of a derelict structure, a fee not to exceed the lesser of \$2,500 or 15 percent of the most recently assessed value of the derelict structure and the land upon which the structure is situated if such owner or owners fail to (i) respond in writing within 30 days from the date notice declaring such structure derelict is sent with an abatement or removal plan to be completed within a reasonable time or (ii) abate or remove the derelict structure within the time prescribed in a plan for abatement or removal which has been approved by the locality. Also, a locality may provide that any owner or owners of such derelict structure who fail to (i) respond to a notice in writing with an abatement or removal plan or (ii) abate or remove the derelict structure as prescribed in an approved plan, shall be guilty of a misdemeanor punishable by a fine of not more than \$2,500. The bill also allows a locality to abate or remove the derelict structure should the owner fail to act; the cost of which shall be a lien on the property. The bill defines derelict structure.

Patron - Lucas

SB166 Replacement of trees during development process in certain localities. Reduces the maturity date from 20 years to 15 years. The bill also increases the mature canopy coverage from 20 percent to 30 percent for a residential site zoned 10 units or less per acre.

Patron - Lucas

SB185 Impact fees. Grants general impact fee authority to "high-growth" localities. Any locality that includes within its comprehensive plan a calculation of the capital costs of public facilities necessary to serve residential uses may impose and collect impact fees to cover the costs of issuing permits for residential uses in amounts sufficient to defray all or part of the capital costs of public facilities related to residential development. Impact fees imposed and collected shall only be used for public facilities that are impacted by a particular development project; however, the fees may be used in the general area of the project.

Patron - Herring

SB519 Board of zoning appeals decisions; costs and fees. Allows the petitioner to be awarded reasonable attorney fees and court costs in a successful action against the board of zoning appeals.

Patron - Watkins

SB530 Failure to provide adequate crowd control. Expands existing authority to bring a civil action against a person who negligently fails to provide adequate security or crowd control at events that draw large crowds to include all cities and towns.

Patron - Houck

SB656 Annexation. Extends the current annexation moratorium to 2018.

Patron - Newman

SB711 Plastic carryout bags. Authorizes a locality to provide that a retail merchant located within its jurisdiction shall not provide to any of its customers at the point of sale any plastic carryout bag in which a product or products purchased by any such customer from such store is placed unless such plastic carryout bag is a durable plastic bag, with handles, that is at least 2.25 mils thick and is specifically designed and manufactured for multiple reuse.

Patron - Quayle

SB737 Public schools; financing. Creates the Virginia School Construction Revolving Fund for financing elementary, secondary, or vocational education school projects.

Patron - Barker

SB751 Water and sewer rates of certain towns. Prohibits towns from charging rates for water and sewer service provided to residents of an adjacent county that unreasonably discriminate between customers on the basis of whether services are provided to customers located within or outside the limits of the town, or that provide a cross-subsidy for in-town customers. A town may charge rates for out-of-town customers that are higher than the rates for in-town customers, provided the difference does not exceed 50 percent. Upon receipt of a petition from five percent of the customers who receive service in the county, the Commission on Local Government is authorized to conduct an investigation and analyze the rates, fees and charges. If the Commission determines that the rates, fees and charges assessed by a town do not comply with these requirements, it will notify the county and the town. The county may then petition for the appointment of a special court to set rates for such services.

Patron - Herring

SB766 Demolition of historic structures and areas; civil penalty. Authorizes a civil penalty for the demolition of a building or structure designated as an historic area, cemetery or grave without the approval of the architectural review board or the governing body of the county. The bill also includes in the amount of the civil penalty the value of a plan for data recovery that has been approved by the Department of Historic Resources. The bill defines "plan for data recovery" as a strategy for retrieving and documenting historical information from an archaeological or architectural resource or resources, a landscape, or a cemetery.

Patron - Colgan

SB767 Richmond Metropolitan Authority; composition of Board; revenue authority. Revises the composition of the Board of Directors of the Richmond Metropolitan Authority (RMA) and provides an opportunity for additional localities to join the Authority. The RMA is also granted additional revenue authority. However, the fees and taxes authorized by this Act by the Authority shall only be imposed or assessed by the Authority if (i) the member localities approve the restructuring of the Board of Directors of the Authority as proposed by this Act and (ii) a majority of Authority members that include at least 51 percent of the population of the localities embraced by the Authority pass a duly adopted resolution stating its approval of such power of the Authority.

Patron - Watkins

SB768 Conditional zoning; impact fees. Replaces the current cash proffer system with a system of impact fees. This

bill was continued to the 2009 Session of the General Assembly.

Patron - Watkins

SB777 Sewage and water systems. Provides that the governing body of any county or town that has adopted a master plan for a sewage system is authorized to deny an application for a sewage system if such proposed sewage system does not conform to the comprehensive plan for the county or town. In addition, the governing body of any county notified of the proposed establishment of a water system or of the extension of any existing water system may disapprove the same if it finds that such water system (i) does not conform to the county's comprehensive plan or (ii) is not in the best interests of the inhabitants of the county.

Patron - Hurt

SB780 Public schools; financing. Creates the Virginia School Construction Revolving Fund for financing elementary, secondary, or vocational education school projects.

Patron - Blevins

SB783 Tax rates. Requires each locality to fix tax rates for an ensuing year at least 30 days prior to approval of the budget for the ensuing year, with separate public notices and separate public hearings. The bill also requires each locality to lower its real estate tax rate for the forthcoming tax year to produce no more than the previous year's real property tax levies when any annual assessment, biennial assessment, or general reassessment of real property by the locality would result in an increase in the total real property tax levied. The locality may increase the rate above the reduced rate after a public hearing held no sooner than 30 days after the rate reduction. The bill has a delayed effective date of January 1, 2009.

Patron - Martin

Courts Not of Record

Passed

HB105 Appointment of designees by chairmen of Courts of Justice Committees. Allows the chairmen of the Courts of Justice committees to designate another member of the committee to sit in their stead on certain commissions, etc.

Patron - Albo

HB282 Parentage proceedings; jurisdiction. Provides that circuit courts and juvenile and domestic relations district courts have concurrent original jurisdiction over proceedings to determine parentage only when the parentage of a child is at issue in any matter otherwise before the circuit court. In all other cases, the juvenile and domestic relations district court has exclusive original jurisdiction over parentage proceedings. As introduced, this bill was a recommendation of the Committee on District Courts and the Judicial Council. This bill is identical to SB 46.

Patron - Toscano

HB400 Parental admission of minors for inpatient treatment; minors incapable of making an informed decision. Provides that minors 14 years of age or older who are incapable of making an informed decision may be admitted to inpatient treatment upon the application of a parent. The bill also defines the term "incapable of making an informed decision." This bill is identical to SB 67.

Patron - Hamilton

HB402 Involuntary commitment petition; minors; withdrawal. Provides that a petition for the involuntary commitment of a minor shall be served upon the minor and the minor's parents unless the petition has been withdrawn or dismissed. Current law only provides that such petition need not be served if the petition has been dismissed. This bill is identical to SB 68.

Patron - Hamilton

HB527 Retention of juvenile fingerprints; deferred disposition. Requires that fingerprints of a juvenile whose criminal charges are deferred and dismissed for an offense that would be a felony if committed by an adult, be sent to and retained by the Central Criminal Records Exchange. Currently such fingerprints are retained only upon a finding of delinquency or guilt.

Patron - Pogge

HB582 Psychiatric inpatient treatment of minors; timing of petition and hearing. Increases from 72 hours to 96 hours the length of time (i) to hold a hearing for the involuntary commitment of a minor or the emergency admission of a minor for inpatient treatment, and (ii) that a minor may be admitted by his parents to a facility over his objections. The bill also provides that the time to hold the involuntary commitment hearing runs from the issuance of the temporary detention order or the filing of the petition for such hearing, whichever occurs later. The bill provides further that a petition for judicial approval of the admission of a minor by his parents over his objections shall be filed no sooner than 24 hours and no later than 96 hours after his admission. This bill is identical to SB 276.

Patron - Marsden

HB753 Protective orders; expiration; Virginia Criminal Information Network. Provides that when a protective order is issued, the district court must forthwith, but no later than the end of the business day on which the order was issued, enter and transfer identifying information to the Virginia Criminal Information Network (VCIN) system. If the order is issued by the circuit court, the primary law-enforcement agency to whom the order was forwarded by the clerk of the court must enter the name of the person subject to the order and other appropriate information into VCIN. Upon entry of the order, a copy of the order and an addendum containing identifying information must be forwarded forthwith to the primary law-enforcement agency responsible for service. Upon effecting service, the agency must enter the date and time of service into VCIN. If an entering agency determines that any identifying information is incorrect, it must enter the corrected information into VCIN. The bill also establishes the precise time when protective orders expire so that they can automatically be cleared from VCIN. The bill also requires, with some exceptions, that clerks make electronic reports of certain proceedings or adjudications to the Central Criminal Records Exchange and defines the term "electronic report." This bill incorporates HB 974. This bill is identical to SB 540.

Patron - Peace

HB1254 Juvenile crime; reports. Provides that a juvenile intake officer must report to the Bureau of Immigration and Customs Enforcement of the United States Department of Homeland Security a juvenile who has been detained in a secure facility based on an allegation that he committed a violent juvenile felony, if the intake officer has probable cause to believe that the juvenile is in the U.S. illegally.

Patron - Marsden

HB1258 Expungement of juvenile records. Requires that when a clerk destroys records pursuant to a juvenile record expungement, he shall destroy all records, including electronic records.

Patron - Marsden

HB1489 Foster care plan. Eliminates the requirement that a foster care plan for a child placed out of his home be filed by a public agency, other than a local board of social services, designated by a community policy and management team. Currently, such agencies must file a foster care plan when placing a child through an agreement with the child's parents or guardians where legal custody remains with the parents or guardians.

Patron - Fralin

HB1542 Local salary supplements for district court employees. Removes the restriction on local salary supplements paid to local district court employees. This bill is identical to SB 112.

Patron - Janis

SB46 Parentage proceedings; jurisdiction. Provides that circuit courts and juvenile and domestic relations district courts have concurrent original jurisdiction over proceedings to determine parentage only when the parentage of a child is at issue in any matter otherwise before the circuit court. In all other cases, the juvenile and domestic relations district court has exclusive original jurisdiction over parentage proceedings. As introduced, this bill was a recommendation of the Committee on District Courts and the Judicial Council. This bill is identical to HB 282.

Patron - Puller

SB67 Parental admission of minors for inpatient treatment; minors incapable of making an informed decision. Provides that minors 14 years of age or older who are incapable of making an informed decision may be admitted to inpatient treatment upon the application of a parent. The bill also defines the term "incapable of making an informed decision." This bill is identical to HB 400.

Patron - Howell

SB68 Involuntary commitment petition; minors; withdrawal. Provides that a petition for the involuntary commitment of a minor shall be served upon the minor and the minor's parents unless the petition has been withdrawn or dismissed. Current law only provides that such petition need not be served if the petition has been dismissed. This bill is identical to HB 402.

Patron - Howell

SB112 Local salary supplements for district court employees. Removes the restriction on local salary supplements paid to local district court employees. This bill is identical to HB 1542.

Patron - McDougle

SB173 Domestic violence; retention of records. Provides that records in cases involving misdemeanor convictions for (i) assault and battery against a family or household member, or (ii) violating a protective order shall be retained for 20 years. A third conviction for these crimes within 20 years is a felony, however, currently, such records are only required to be retained for 10 years.

Patron - Blevins

SB247 Commitment of minors; appointment of counsel and guardians ad litem. Provides that a court shall

appoint a guardian ad litem and counsel for a minor for involuntary commitment hearings and proceedings for the judicial approval of the admission for inpatient treatment of a minor 14 years of age or older over his objections.

Patron - Howell

SB276 Psychiatric inpatient treatment of minors; timing of petition and hearing. Increases from 72 hours to 96 hours the length of time (i) to hold a hearing for the involuntary commitment of a minor or the emergency admission of a minor for inpatient treatment, and (ii) that a minor may be admitted by his parents to a facility over his objections. The bill also provides that the time to hold the involuntary commitment hearing runs from the issuance of the temporary detention order or the filing of the petition for such hearing, whichever occurs later. The bill provides further that a petition for judicial approval of the admission of a minor by his parents over his objections shall be filed no sooner than 24 hours and no later than 96 hours after his admission. This bill incorporates SB 245. This bill is identical to HB 582.

Patron - Cuccinelli

SB540 Protective orders; expiration; Virginia Criminal Information Network. Provides that when a protective order is issued, the district court shall forthwith, but no later than the end of the business day on which the order was issued, enter and transfer identifying information to the Virginia Criminal Information Network (VCIN) system. If the order is issued by the circuit court, the primary law-enforcement agency to whom the order was forwarded by the clerk of the court shall enter the name of the person subject to the order and other appropriate information into VCIN. A copy of such order and an addendum containing any such identifying information shall be forwarded forthwith to the primary law-enforcement agency responsible for service and entry of such orders for service on the person who is the subject of the order. Upon effecting service, the agency shall enter the date and time of service into VCIN. The bill also provides that if any agency determines that any identifying information is incorrect, it shall enter the corrected information into VCIN. The bill also establishes the precise time when protective orders expire so that they can automatically be cleared from VCIN. The bill also requires that clerks make electronic reports of certain proceedings or adjudications to the Central Criminal Records Exchange and defines the term "electronic report." This bill is identical to HB 753.

Patron - Obenshain

SB566 Withdrawal of appeals from district courts; civil proceedings. Establishes procedures for parties who appeal decisions from district courts in civil actions to withdraw such appeals. Currently there are only procedures for the withdrawal of appeals from district courts in certain criminal cases. As introduced, this bill was a recommendation of the Boyd-Graves Conference.

Patron - Obenshain

Failed

HB95 Deferral of proceedings for traffic infractions. Provides that persons who have not (i) previously been convicted of any traffic offense, including any traffic infraction; (ii) previously been referred to a traffic school or driver improvement clinic in lieu of a conviction; or (iii) previously had proceedings against them for a traffic infraction dismissed pursuant to this section, may be placed on probation instead of being adjudicated guilty of a traffic infraction. Probation is conditioned on the person not being found guilty of another traffic offense that was committed within six months of the

deferral. If this condition is fulfilled, the proceedings against the person shall be dismissed.

Patron - Purkey

HB274 Termination of parental rights; appeal. Allows a person whose parental rights have been terminated by a ruling of the juvenile and domestic relations district court to appeal the matter directly to the court of appeals as opposed to appealing the matter to the circuit court.

Patron - Toscano

HB493 Protective order information sent to VCIN. Requires that, when a court exercises its discretion and transfers information surrounding a protective order to VCIN, the information shall be complete and accurate and as required by the State Police.

Patron - Cosgrove

HB573 Supervised visitation. States that any time supervised visitation is ordered, it shall be done in compliance with the following definition of supervised visitation:

"Supervised visitation" means contact between a parent and a child that occurs in the immediate presence of a supervising person approved by the court and under conditions designed to prevent any physical, emotional, or sexual abuse, threats, intimidation, abduction, or humiliation of either the child or the child's custodial parent or guardian. The supervising person shall not be any family or household member as that term is defined in clauses (i), (ii), (iv), (v), and (vi) under the definition of "family or household member" in § 16.1-228, nor in anyway financially affiliated with the parent subject to the supervised visitation. However, if the court orders supervised visitation pursuant to a finding that a child was or is being abused or neglected pursuant to subdivision 4 under the "abused and neglected" definition in § 16.1-228, the supervising person shall not be a family or household member as that term is defined in its entirety in § 16.1-228.

Patron - Watts

HB591 Advisement of right to counsel; determination of indigency; probation officers. Removes probation officers and other court services staff from the list of persons who are permitted to advise a child of his right to counsel in cases in which the child is alleged to be in need of services, in need of supervision, or delinquent and from the list of persons who are permitted to advise a parent or guardian of his right to counsel in cases in which a child is alleged to be abused or neglected or at risk of abuse or neglect or in which a parent could be subjected to the loss of residual parental rights. The bill also provides that probation officers and other court services staff are not responsible for determining whether or not parties who request court-appointed counsel are indigent.

Patron - Marsden

HB606 Recording of interrogations of juveniles. Requires that statements made by a juvenile criminal defendant accused of committing a violent juvenile felony are to be electronically recorded and that failure to record such statements shall be a factor to be considered by the court re admissibility.

Patron - Eisenberg

HB750 Termination of parental rights; juvenile court as court of record. Establishes that a juvenile and domestic relations district court functions as a court of record in cases involving termination of residual parental rights. The bill further provides that juvenile court decisions in such cases are appealed directly to the Court of Appeals.

Patron - Toscano

HB814 Information in protective orders. Provides that protective orders of all types shall include information on whether or not the respondent possesses a firearm.

Patron - Ward

HB817 Number of district court judges. Increases by one the number of general district court judges in the following districts: 2nd (Virginia Beach); 11th (Petersburg, Dinwiddie, Nottoway, Amelia, Powhatan); 15th (Fredericksburg, Caroline, Essex, Hanover, King George, Lancaster, Northumberland, Richmond, Spotsylvania, Stafford, Westmoreland); and 26th (Harrisonburg, Winchester, Clarke, Frederick, Page, Rockingham, Shenandoah, Warren); and increases by one the number of juvenile and domestic relations district court judges in the following districts: 1st (Chesapeake); 11th (Petersburg, Dinwiddie, Nottoway, Amelia, Powhatan); 15th (Fredericksburg, Caroline, Essex, Hanover, King George, Lancaster, Northumberland, Richmond, Spotsylvania, Stafford, Westmoreland); 16th (Charlottesville, Madison, Greene, Albemarle, Fluvanna, Goochland, Louisa, Orange, Culpeper); 28th (Bristol, Smyth, Washington); and 29th (Tazewell, Buchanan, Russell, Dickenson). This bill is a recommendation of the Committee on District Courts.

Patron - Albo

HB968 Withdrawal of appeals from district courts; civil proceedings. Establishes procedures for parties who appeal decisions from district courts in civil actions to withdraw such appeals. Currently there are only procedures for the withdrawal of appeals from district courts in certain criminal cases. This bill is a recommendation of the Committee on District Courts and the Judicial Council.

Patron - Shannon

HB970 Protective orders; probation violation. Provides that courts may, whenever a permanent protective order is issued, place the subject of the protective order on active probation making the violation of the protective order a probation violation.

Patron - Shannon

HB974 Protective orders; expiration; Virginia Criminal Information Network. Provides that when a protective order is issued, a court shall immediately enter and transfer information to the Virginia Criminal Information Network (VCIN) system. A copy of such order shall also be delivered immediately to the primary law-enforcement agency responsible for service and entry of such orders for service on the person who is the subject of the order. The bill also establishes the precise time when protective orders expire so that they can automatically be cleared from VCIN. The bill also requires that clerks make electronic reports of certain proceedings or adjudications to the Central Criminal Records Exchange and defines the term "electronic report." This bill has been incorporated into HB 753.

Patron - Shannon

HB1255 Venue; transfer of jurisdiction of a juvenile. Provides that a child released to a legal residence in a court services unit jurisdiction other than the committing jurisdiction shall be the responsibility of the court services unit in the jurisdiction of the legal residence.

Patron - Marsden

HB1327 Custody and visitation; ex parte orders. Limits when an ex parte order establishing or modifying custody or visitation to situations where the child would be (i) subjected to an imminent threat to life or health to the extent that severe or irreparable injury would be likely to result, or (ii) in

cases to establish custody or visitation, removed from the court's jurisdiction to the child's immediate detriment. The party applying for an ex parte order must show that he has made a good faith attempt to give notice to the other party or that giving such notice would compound the threat to the child. If an ex parte order is entered, a preliminary hearing must be held within five business days where the party applying for the ex parte order must present his application de novo.

Patron - Peace

HB1381 Closely held corporations; pro se representation. Allows a closely held corporation to be represented by an officer or an employee pro se before the general district courts if the amount in controversy is \$4,500 or less.

Patron - Janis

HB1519 Juveniles; ages 11 through 13; released to detention home. Provides that a juvenile between the ages of 11 and 13 who would ordinarily be punished for certain offenses in a correctional facility, may be released to a detention home or other juvenile facility if the operator of such facility notifies the court that they are capable and willing to accept juveniles between those ages.

Patron - Marsden

HB1568 Transfer of juveniles to circuit court; appeal. Clarifies that when a decision to transfer a juvenile from a court not of record to a court of record is made, the court shall consider after-discovered evidence on the issue of transfer, that was not discovered, introduced, and considered during the initial transfer hearing.

Patron - Morrissey

SB100 Protective orders; custody and visitation; access to child. Requires a court, when entering an order on behalf of another petitioner, to independently determine whether such order should prohibit contacts between a child and the person subject to a protective order, who is the parent or other custodian of the child. The court shall determine whether prohibiting such contacts in the protective order is necessary to protect the health and safety of the child and that there are no less drastic alternatives available. If the court determines that such contacts should not be prohibited, the court shall include in the protective order how such contacts will be maintained without violating the terms of the order.

Patron - Cuccinelli

SB245 Psychiatric inpatient treatment of minors; timing of petition and hearing. Increases from 72 hours to 96 hours the length of time (i) to hold a hearing for the involuntary commitment of a minor or the emergency admission of a minor for inpatient treatment, and (ii) that a minor may be admitted by his parents to a facility over his objections. The bill also provides that the time to hold the involuntary commitment hearing runs from the filing of the petition for such hearing. The bill provides further that a petition for judicial approval of the admission of a minor by his parents over his objections shall be filed no sooner than 24 hours and no later than 96 hours after his admission. This bill has been incorporated into SB 276.

Patron - Howell

SB337 Recording courtroom proceedings. Provides that proceedings in general and juvenile and domestic relations district courts may be recorded verbatim by a court reporter or by mechanical or electronic devices. The bill also provides that the proceedings in misdemeanor cases may be recorded in the same manner. The bill also imposes a fee of \$50 upon any party who uses mechanical or electronic devices provided by the court to make a verbatim recording of the evidence and

incidents of a trial or proceeding in both circuit and district courts. The fee shall be retained locally and paid into a special fund for the purpose of repairing, replacing, or supplementing such devices or to pay for the purchase price of such devices or for renovations to the courtroom necessary for the use of such devices.

Patron - Cuccinelli

FSB518 Custody and visitation; ex parte orders. Limits when an ex parte order establishing or modifying custody or visitation to situations where the child would be (i) subjected to an imminent threat to life or health to the extent that severe or irreparable injury would be likely to result, or (ii) in cases to establish custody or visitation, removed from the court's jurisdiction to the child's immediate detriment. The party applying for an ex parte order must show that he has made a good faith attempt to give notice to the other party or that giving such notice would compound the threat to the child. If an ex parte order is entered, a preliminary hearing must be held within five business days where the party applying for the ex parte order must present his application de novo.

Patron - Quayle

FSB564 Appeal bonds; support cases. Provides that a party may elect to appeal only the portions of a juvenile and domestic relations district court judgment (i) establishing or modifying support, or (ii) convicting him or holding him in contempt for failure to support, without appealing any portion of the judgment establishing a support arrearage. If such an election is made, the portion of the judgment establishing an arrearage remains in full force and effect and is not subject to appeal. The bill also clarifies that only parties who appeal the portion of a judgment establishing a support arrearage, either alone or in conjunction with an appeal of a support order, have to post an appeal bond. This bill is a recommendation of the Boyd-Graves Conference.

Patron - Obenshain

Carried Over

CHB323 Prepayable traffic infractions; payment of costs. Eliminates the payment of costs where the fine for an offense or infraction is prepaid.

Patron - Saxman

CHB1252 Court ordered investigations; child custody. Clarifies that child custody investigations shall only be conducted by local department of social services.

Patron - Marsden

CHB1321 Foster care plan for children 16 years of age or older; opt out option. Clarifies that a foster care plan can provide, for children 16 years and older, no substitute parental supervision and allows for, under the same plan, educational or vocational training to help the child transition out of the foster care system. Also delineates the procedure by which any person 18 to 21 years of age who is in the independent living system may choose to opt out of the independent living system and the procedure for disqualification from independent living system.

Patron - Toscano

CHB1426 Recording courtroom proceedings; juvenile and domestic relations district court. Provides that proceedings in juvenile and domestic relations district courts may be recorded verbatim by a court reporter or by mechanical or electronic devices.

Patron - Griffith

CHB1518 Emergency protective orders; pilot program. Directs the Office of the Executive Secretary of the Supreme Court to allow magistrates in Accomack County not to use emergency custody orders but to instead use preliminary protective orders.

Patron - Marsden

CHB1550 Service of process. Provides that if a plaintiff requesting the reissuance of service of process on a defendant where service was not had, the plaintiff must pay the requisite fee for each subsequent reissuance of process requested after two attempts have been made. Currently, the law provides that process may be reissued once if service is not had after the initial request and that no fee is charged for this reissuance, but it is silent on subsequent requests for reissuances. The bill also eliminates the exception that requests for reissuance of a notice of motion for judgment are not governed by the reissuance provision. The bill further clarifies that in civil actions in the general district courts, service of process is considered timely if (i) it is made within 12 months of the commencement of an action, or (ii) if made more than 12 months after an action is commenced, the court finds that the plaintiff exercised due diligence to have timely service made on the defendant.

Patron - Peace

CSB179 Number of district court judges. Increases by one the number of general district court judges in the following districts: 2nd (Virginia Beach); 11th (Petersburg, Dinwiddie, Nottoway, Amelia, Powhatan); 15th (Fredericksburg, Caroline, Essex, Hanover, King George, Lancaster, Northumberland, Richmond, Spotsylvania, Stafford, Westmoreland); and 26th (Harrisonburg, Winchester, Clarke, Frederick, Page, Rockingham, Shenandoah, Warren); and increases by one the number of juvenile and domestic relations district court judges in the following districts: 1st (Chesapeake); 11th (Petersburg, Dinwiddie, Nottoway, Amelia, Powhatan); 15th (Fredericksburg, Caroline, Essex, Hanover, King George, Lancaster, Northumberland, Richmond, Spotsylvania, Stafford, Westmoreland); 16th (Charlottesville, Madison, Greene, Albemarle, Fluvanna, Goochland, Louisa, Orange, Culpeper); 28th (Bristol, Smyth, Washington); and 29th (Tazewell, Buchanan, Russell, Dickenson). This bill is a recommendation of the Committee on District Courts.

Patron - Marsh

CSB394 Termination of parental rights; juvenile court as court of record. Establishes that a juvenile and domestic relations district court functions as a court of record in cases involving termination of residual parental rights. The bill further provides that juvenile court decisions in such cases are appealed directly to the Court of Appeals.

Patron - Edwards

CSB492 Real ID; alternative verification system. Requires the Department of Health's Office of Vital Records, along with the Department of Motor Vehicles and other appropriate state and local agencies, to develop and implement a plan to provide Virginia resident verification, as an alternative to the requirements of the federal Real ID Act of 2005. The measure specifies that Virginia shall not comply with the unfunded mandates of the Real ID Act.

Patron - Hanger