

corresponding to the calling party information for each telephone station, and to update the information as soon as practicable for new MLTS installation or within one business day of record completion of the actual changes for previously installed systems. Currently, such providers are required to ensure that emergency calls provide either ALI and ANI or an alternative method of providing call location information.

*Patron - Nixon*

**HB627 PPTA.** Requires, for projects undertaken under the Public-Private Transportation Act of 1995 (PPTA) that have an estimated construction cost in excess of \$50 million, the responsible private entity to pay the costs for an independent audit of any and all traffic and cost estimates associated with the private entity's proposal, as well as a review of all public costs and potential liabilities to which taxpayers could be exposed. This independent audit must be conducted by an independent consultant selected by the responsible public entity, and all information from the review must be fully disclosed.

*Patron - May*

**HB677 Public-Private Education Facilities and Infrastructure Act of 2002; public hearing prior to interim or comprehensive agreement.** Provides that at least 30 days prior to entering into an interim or comprehensive agreement under the Public-Private Education Facilities and Infrastructure Act, a responsible public entity must hold a public hearing on the proposals. Currently a responsible public entity is required to provide an opportunity for public comment, which may include a public hearing at the sole discretion of the responsible public entity.

*Patron - Plum*

**HB955 Public-Private Education Facilities and Infrastructure Act of 2002; technology projects; gain sharing.** Adds to the categories of "qualifying project" under the Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA) any services designed to increase productivity or efficiency through the direct or indirect use of technology. The bill also adds technology applications to the types of technology infrastructure projects that may be carried out under the PPEA. This bill is identical to Senate Bill 352.

*Patron - Nixon*

**HB1140 Virginia Highway Corporation Act; authority of SCC.** Directs the State Corporation Commission (SCC), in setting tolls under the Virginia Highway Corporation Act of 1988 during the period January 1, 2013, through January 1, 2013, to approve requests to increase toll rates by a percentage that (i) is equal to the increase in the consumer price index from the date the Commission law approved a toll increase, plus one percent, (ii) is equal to the increase in the real gross domestic product from the date the Commission last approved a toll increase, or (iii) 2.8 percent, whichever is greatest. In addition, the SCC shall allow the operator to include, in its tolls, the amount by which its local property taxes paid in the immediately preceding calendar year increased by more than the annual percentage increase above such payments for the previous calendar year. The SCC may allow a greater increase in the tolls if the operator provides an independent grade traffic and revenue study and a finding by the operator that (a) the toll rates will not be sufficient to permit the operator to maintain the minimum coverage ratio set forth in the rate covenant provisions of its bond indenture or similar credit agreement, (b) such greater proposed tolls are reasonable to the user in relation to the benefit obtained and will not materially discourage use of the roadway by the public, and (c) the greater proposed tolls provide the operator no more than a reasonable rate of return; however, the Commission shall not approve an increase

that exceeds the percentage increase necessary to permit the operator to maintain the minimum coverage ratio, and such request shall not be made as a result of a change in control of the operator or the project roadway. Other provisions (i) direct the SCC, in determining whether the operator's costs are improper or excessive, to consider the contractual relationships associated or affiliated with the operator to assure that the terms on such contractual relationships are no less favorable or unfavorable to the operator than what it could obtain in an arm's-length transaction; (ii) require the operator to provide a verified copy of its annual audited financial statements; (iii) require the SCC, when there is a change in the ownership of an operator, to ensure in any subsequent toll rate proceeding that the price paid in connection with the change in ownership or control, and any costs and other factors attributable to or resulting from the change in ownership or control, if they would contribute to an increase in the level of the toll, are excluded from the Commission's determination of the operator's reasonable return; and (iv) direct that the proceeds and funding provided to the operator from any future bond indenture or similar credit agreement must be used for certain purposes related to the roadway property, unless otherwise authorized by the SCC. SB 778 is identical.

*Patron - May*

**HB1228 Electric utilities; notice of renewable power options.** Requires each investor-owned electric utility in the Commonwealth, effective January 1, 2009, to include in its customer's bills, at least once each quarter, a notice directing customers to a toll-free telephone number or Internet website that will provide information on options to purchase electric energy provided from renewable energy sources. The notice shall include instructions for purchasing electric energy from renewable sources from the utility or other licensed supplier of electric energy. Such utilities are also required to feature available options for purchasing electricity from renewable sources prominently on their Internet sites.

*Patron - Vanderhuy*

**HB1319 Underground transmission lines; pilot program.** Establishes a pilot program for the placement of four new transmission lines of 230 kilovolts or less to be placed underground, either in whole or in part. The bill establishes criteria for the State Corporation Commission to consider and procedures for the Commission to follow in selecting the projects. One of the projects shall be for a transmission line that has received Commission approval prior to the effective date of the act. If a qualifying project provides radial rather than networked electric service, a presumption of need is created in applications for transmission lines that will complete the network.

*Patron - May*

**HB1413 Public utilities; competitive bidding.** Requires public utilities that are subject to annual review provisions of Title 56 to use competitive bidding in purchasing and construction practices. Currently, only utilities subject to the biennial review provisions of Title 56 are subject to the competitive bidding requirement.

*Patron - Plum*

**HB1523 Electric utility planning.** Requires electric utilities to submit, by September 1, 2009, an integrated resource plan (IRP) that provides a forecast of its load obligations and a plan to meet those obligations by supply side and demand side resources over the ensuing 15 years to provide reasonable prices, reliable service, energy independence, and environmental responsibility. Updated IRPs will be filed every

two years thereafter. The 2009 IRPs shall include an assessment of programs to assist low income residential consumers.

*Patron - Orrock*

**SB145 Natural gas utilities; recovery of capital costs.** Establishes a mechanism for a natural gas utility that places a strategic natural gas facility into service on or after July 1, 2008, to recover the entire prudently incurred costs of the facility from the time construction is completed and the asset is placed in service until the State Corporation Commission establishes new rates. Recovery of these costs, which include an allowance for funds used during construction, shall be permitted by allowing the costs to be recorded in the utility's plant accounts and included in rate base for purposes of cost recovery in new rate schedules, in a rate base using the cost of service methodology, or in a performance-based regulation plan. Recovery shall be subject to Commission determination that the costs were prudently incurred. The measure neither authorizes nor denies the recovery of costs submitted to the Commission prior to January 1, 2008, where such costs were the subject of a final order that determined whether the costs were prudently incurred and provided for their accounting and rate-making treatment.

*Patron - Stosch*

**SB311 Electric utility planning.** Requires electric utilities to submit, by September 1, 2009, an integrated resource plan (IRP) that provides a forecast of their load obligations and a plan to meet those obligations by supply side and demand side resources over the ensuing 15 years to provide reasonable prices, reliable service, energy independence, and environmental responsibility. Updated IRPs will be filed every two years thereafter. The 2009 IRPs shall include an assessment of programs to assist low income residential consumers. The bill also deletes an inconsistent existing requirement that utilities file plans for their projected generation and transmission requirements to serve native load for the next 10 years.

*Patron - Reynolds*

**SB322 Renewable energy source.** Defines municipal solid waste as a source of renewable energy under the Virginia Electric Utility Restructuring Act.

*Patron - Wagner*

**SB352 Public Private Education Facilities and Infrastructure Act of 2002; technology projects; gain sharing.** Adds to the categories of "qualifying project" under the Public Private Education Facilities and Infrastructure Act of 2002 (PPEA) any services designed to increase productivity or efficiency through the direct or indirect use of technology. The bill also adds technology applications to the types of technology infrastructure projects that may be carried out under the PPEA. This bill is identical to HB 955.

*Patron - Stosch*

**SB596 Commission on Electric Utility Regulation.** Continues the Commission on Electric Utility Restructuring as the Commission on Electric Utility Regulation and extends its scheduled expiration from July 1, 2008, until July 1, 2010. The Electric Utility Restructuring Act is renamed the Electric Utility Regulation Act, and provisions of the Act that address the transition to retail competition are revised to address provisions of 2007 legislation that curtailed many aspects of the scheduled re-regulation of electric generation services. SB 575 is incorporated into this bill.

*Patron - Norment*

**SB778 Virginia Highway Corporation Act; authority of SCC.** Directs the State Corporation Commission (SCC), in setting tolls under the Virginia Highway Corporation Act of

1988 during the period January 1, 2013, through January 1, 2013, to approve requests to increase toll rates by a percentage that (i) is equal to the increase in the consumer price index from the date the Commission law approved a toll increase, plus one percent, (ii) is equal to the increase in the real gross domestic product from the date the Commission last approved a toll increase, or (iii) 2.8 percent, whichever is greatest. In addition, the SCC shall allow the operator to include, in its tolls, the amount by which its local property taxes paid in the immediately preceding calendar year increased by more than the annual percentage increase above such payments for the previous calendar year. The SCC may allow a greater increase in the tolls if the operator provides an independent grade traffic and revenue study and a finding by the operator that (a) the toll rates will not be sufficient to permit the operator to maintain the minimum coverage ratio set forth in the rate covenant provisions of its bond indenture or similar credit agreement, (b) such greater proposed tolls are reasonable to the user in relation to the benefit obtained and will not materially discourage use of the roadway by the public, and (c) the greater proposed tolls provide the operator no more than a reasonable rate of return; however, the Commission shall not approve an increase that exceeds the percentage increase necessary to permit the operator to maintain the minimum coverage ratio, and such request shall not be made as a result of a change in control of the operator or the project roadway. Other provisions (i) direct the SCC, in determining whether the operator's costs are improper or excessive, to consider the contractual relationships between the operator and individuals or entities that are closely associated or affiliated with the operator to assure that the terms on such contractual relationships are no less favorable or unfavorable to the operator than what it could obtain in an arm's-length transaction; (ii) require the operator to provide a verified copy of its annual audited financial statements; (iii) require the SCC, when there is a change in the ownership of an operator, to ensure in any subsequent toll rate proceeding that the price paid in connection with the change in ownership or control, and any costs and other factors attributable to or resulting from the change in ownership or control, if they would contribute to an increase in the level of the toll, are excluded from the Commission's determination of the operator's reasonable return; and (iv) direct that the proceeds and funding provided to the operator from any future bond indenture or similar credit agreement must be used for certain purposes related to the roadway property, unless otherwise authorized by the SCC. HB 1140 is identical.

*Patron - Herring*

## Failed

**HB106 Utility Transfers Act; telephone companies.** Eliminates the requirement that the State Corporation Commission approve the acquisition or disposal of the assets or of control of a telephone company. The measure will not apply to transactions for which applications seeking Commission approval were filed prior to July 1, 2008.

*Patron - Kilgore*

**HB153 Solar water heating system pay-as-you-save pilot program.** Directs the State Corporation Commission to analyze, and if appropriate, to establish, a pilot program whereby residential customers who install a solar water heating system will be able to pay for the system as an item on their monthly electricity bill. Participation in the pilot program would be voluntary. Participating electric utilities will be required to submit proposed tariffs to provide for their recovery of the costs of the systems over a term not to exceed 75 percent of the expected life of the system, in monthly amounts that are less than the expected reductions in the consumer's elec-

tricity bill expected to result from the installation of the system.

*Patron - Poisson*

**HB646 Electrical transmission lines; State Corporation Commission review.** Requires the State Corporation Commission, when verifying the applicant's load flow modeling, contingency analyses, and reliability needs presented to justify a new electrical transmission line, to assume (i) participation in the renewable portfolio standard program and achievement of its goals, (ii) the maximum effective conservation of energy used by public utilities, and (iii) full compliance with the energy consumption requirements for federal buildings. The measure also requires the applicant to provide the Commission with such information as it requires to make the verification.

*Patron - Hogan*

**HB665 Utility Transfers Act; cooperatives to be held harmless.** Requires the State Corporation Commission to find, prior to approving a distribution cooperative's application for approval of the acquisition of another utility, that the acquisition will not cause the rates of another distribution cooperative to increase. However, the Commission may approve the application if the petitioning cooperative agrees to hold harmless the other cooperatives from any increase in rates. In addition, the measure authorizes the Commission to adjust the rates of a distribution cooperative that received approval of an acquisition between July 1, 2007, and July 1, 2008, to provide for the collection of contributions sufficient to hold the other distribution cooperatives harmless for cost increases resulting from the approval of the application.

*Patron - Marshall, R.G.*

**HB666 Utility Transfers Act; investor-owned electric utilities.** Prohibits the State Corporation Commission from approving an application by an investor-owned electric utility that was, as of July 1, 1999, bound by a rate case settlement adopted by the Commission that extended in its application beyond January 1, 2002, for authority to acquire assets or securities of an electric utility that divested its generation assets with approval of the Commission pursuant to § 56-590 prior to January 1, 2002, if the acquisition is likely to result in an increase in the rates of any investor-owned electric utility.

*Patron - Marshall, R.G.*

**HB1153 Electric utilities; notice of rate increase.** Requires electric utilities to give 90 days' written notice of any rate increase.

*Patron - Phillips*

**HB1287 State Corporation Commission; energy conservation.** Directs the State Corporation Commission to conduct a proceeding in which it shall consider the establishment of electric energy conservation goals that provide for increasing efficiency for electric energy usage and reducing the rate of growth of the consumption of electric energy while sustaining economic growth in the Commonwealth.

*Patron - Athey*

**HB1412 Railroad corporations; foreign control.** Prohibits a foreign person or group of persons from acquiring or attempting to acquire control of any railroad that is a public service corporation, or of any person controlling a railroad that is a public service corporation, without the approval of the State Corporation Commission. The Commission shall approve the application if it determines that, after the change in control, the railroad can reasonably be expected to discharge its public service responsibilities and that the change of control would

not be inconsistent with the public interest served by the railroad.

*Patron - Kilgore*

**HB1515 Public-Private Transportation Act; tolls on Interstate 81.** Provides that a private entity may not impose tolls under the Public-Private Transportation Act on passenger cars, pickup or panel trucks, and motorcycles if the qualified transportation facility is Interstate Route 81. This bill was incorporated into HB 1516.

*Patron - Gilbert*

**HB1531 Liability for injury to employee.** Establishes duties of railroad operators with respect to members of an operating crew involved in an accident resulting in loss of life or serious bodily injury.

*Patron - Ebbin*

**SB21 Electric utility rates; margins from off-system sales.** Eliminates the requirement that 75 percent of the total annual margins from an electric utility's off-system sales of power be credited against the utility's fuel factor expenses, in the absence of a finding by clear and convincing evidence that a smaller percentage is in the public interest. The measure provides that the State Corporation Commission shall determine the percentage of such margins to be credited against fuel factor expenses that is in the public interest.

*Patron - Reynolds*

**SB91 Electricity rates; adjustment clauses.** Provides the State Corporation Commission with authority to review the recovery by electric utilities of certain expenses that will be recoverable under current law through rate adjustment clauses. The utility expenses will instead be subject to review as part of the biennial rate review of the utility's total revenues and expenses. Items that are scheduled to be recoverable through rate adjustment clauses include (i) costs for transmission services; (ii) deferred environmental and reliability costs; (iii) costs of providing incentives for the utility to design and operate fair and effective demand-management, conservation, energy efficiency, and load management programs; (iv) costs of participation in the renewable energy portfolio standard program; (v) costs of projects that the SCC finds to be necessary to comply with state or federal environmental laws or regulations applicable to generation facilities used to serve the utility's native load obligations, and (vi) costs of certain generation projects, including Dominion's proposed coal-fired plant in Southwest Virginia. Provisions that limit the SCC's discretion regarding any incentive return for new generation facilities are repealed.

*Patron - Reynolds*

**SB93 Electric utility restructuring.** Repeals provisions of the Electric Utility Restructuring Act that established parameters for the rate of return to be earned by certain electric utilities, recovery of certain expenses, and incentives for constructing new generation facilities and meeting voluntary renewable energy targets. The measure reinstates traditional cost-of-service ratemaking principles for such utilities, effective January 1, 2009.

*Patron - Reynolds*

**SB420 Locally operated telephone utilities; cable service.** Provides that a county, city, or town that has obtained a certificate to operate a telephone utility and that installed a cable television headend prior to December 31, 2002, is authorized to operate a cable television system or other multi-channel video programming service throughout the area in which it is authorized to operate telephone service. Currently, such localities are permitted to provide such services, but the areas

wherein such services may be provided by the locality is not defined.

*Patron - Puckett*

**ESB431 Underground location of transmission lines.** Requires a utility seeking State Corporation Commission approval for an extension of an existing electrical transmission line or the construction of a new line to submit to the Commission a plan to install the line underground. Hearings on the application would be held after the Commission has reviewed the plan. The Commission shall condition its approval of an application upon the utility's agreement to install the line underground if underground installation is technologically feasible.

*Patron - Vogel*

**ESB432 Electrical transmission lines; damages to adjoining landowners.** Entitles owners of lands located adjacent to lands that are acquired by an electric utility for the route of certain electrical transmission lines to be compensated for any damage to their property, including any diminution in its value resulting from the construction and operation of the transmission line.

*Patron - Vogel*

**ESB446 Clean energy future.** Requires that by the year commencing July 1, 2020, and in subsequent years, 20% of the electric energy sold by each supplier to retail customers in the Commonwealth be generated from renewable generation energy sources, and that each supplier achieve reductions in the consumption of electric energy by its retail customers, through the supplier's implementation of energy efficiency programs, in an amount equal to 10% of the amount of electric energy consumed by its retail customers in 2007. The requirements are phased in over a period commencing July 1, 2008. The 20% requirement for renewable generation energy sources is comprised of three categories of renewable energy sources, each of which has separate percentage requirements. Generators of renewable energy receive renewable energy credits for power generated through eligible renewable sources or conserved through energy efficiency programs. Suppliers who do not comply with the minimum percentage requirements are required to make alternative compliance payments into a new Virginia Sustainable Energy Fund. Distributors are authorized to recover incremental costs of compliance under the procedure for recovery of the costs of purchased power. Electric cooperatives and municipal electric utilities are exempted from the measure. Generators of eligible renewable energy using certain components manufactured within the Commonwealth receive double the amount of renewable energy credits. The Secretary of Commerce and Trade is directed to develop incentives for renewable energy manufacturing in the coalfield region of Virginia. The measure also (i) creates a Clean Energy Fund and (ii) establishes a commercial in-state production tax credit of 0.06 cents per kWh for solar photovoltaic energy and 0.03 cents per kWh for wind energy. Finally, Secretary of Commerce and Trade is directed to develop a Green Jobs program that will provide training for workers in new industries relating to the field of alternative energies, including the manufacture and operation of products used to generate electricity and other forms of energy from alternative sources.

*Patron - Petersen*

**ESB541 Electrical transmission lines; State Corporation Commission review.** Requires the State Corporation Commission, when verifying the applicant's load flow modeling, contingency analyses, and reliability needs presented to justify a new electrical transmission line, to assume (i) participation in the renewable portfolio standard program and achievement of its goals, (ii) the maximum effective conserva-

tion of energy used by public utilities, and (iii) full compliance with the energy consumption requirements for federal buildings. The measure also requires the applicant to provide the Commission with such information as it requires to make the verification.

*Patron - Obenshain*

**ESB572 Utility Transfers Act; telephone companies.** Eliminates the requirement that the State Corporation Commission approve the acquisition or disposal of the assets or of control of a telephone company. The measure will not apply to transactions for which applications seeking Commission approval were filed prior to July 1, 2008.

*Patron - Saslaw*

**ESB575 Commission on Electric Utility Regulation.** Renames the Commission on Electric Utility Restructuring as the Commission on Electric Utility Regulation, extends its scheduled expiration from July 1, 2008, until July 1, 2010, and states that its purposes is to work collaboratively with the State Corporation Commission in conjunction with the implementation of the Virginia Electric Utility Restructuring Act. This bill is incorporated into SB 596.

*Patron - Saslaw*

**ESB666 Utility Transfers Act.** Provides that a person shall not acquire or dispose of control of a public utility, or all of its assets, or a telephone company, in whole or in part, without prior approval of the State Corporation Commission.

*Patron - Edwards*

**ESB753 Public-Private Transportation Act; tolls on Interstate 81.** Provides that a private entity may not impose tolls under the Public-Private Transportation Act on passenger cars, pickup or panel trucks, and motorcycles if the qualified transportation facility is Interstate Route 81.

*Patron - Obenshain*

## Carried Over

**CHB545 Alternatives to regulation of telephone service.** Declares that all telephone services, other than lifeline and E-911 services, offered by a telephone company are competitive. Increases in monthly charges for residential dialtone telephone service are capped at \$1.50 per 12-month period through July 1, 2011, though the State Corporation Commission may extend this cap for up to an additional 24 months if the Commission finds that competition or the potential for competition in the market place cannot be an effective regulator of its price. The Commission is required to establish rules to permit any telephone company to detariff telephone services offered to (i) business customers, other than E-911 services, beginning no later January 1, 2009, and (ii) residential customers, other than lifeline services, beginning no later than January 1, 2010. Prior to detariffing its telephone services, a telephone company may offer promotional rates, terms, or conditions and individual customer pricing for its telephone services in accordance with the Commission's rules for competitive local exchange carriers. Lifeline or E-911 services may be detariffed when the Commission determines that their tariffing is no longer required to protect the public interest. Telephone companies offering competitive telephone services under these provisions are exempted from Commission oversight of their issuance of securities and affiliate transactions.

*Patron - Nixon*

**CHB1310 Provisional certification of gas distributors.** Authorizes the State Corporation Commission to grant a provisional certificate of public convenience and necessity that

allows an entity to distribute natural gas, propane, propane-air mixtures, or other gas service in a designated area, within the certificated service territory of a natural gas utility, where natural gas distribution service is not currently offered.

*Patron - Morgan*

**HB1409 Electric utility rates; incentives for the use of alternatives and distributed generation.** Directs the State Corporation Commission to promulgate regulations requiring electric utilities to offer electric service to nonresidential customers under a tariff that encourages the use of alternative energy sources or supplies and distributed generation. Permissible incentives may include permitting the customer to recover investments in alternative energy sources or supplies and distributed generation, and that by allow the customer and utility to avoid peak prices, demand charges and congestion charges during periods of high system demand.

*Patron - Poindexter*

**SB324 Utility Facilities Act; renewable energy facilities.** Excludes from the definition of a public utility any company if it is not organized as a public service company and if it generates and distributes renewable electric energy from a small generation facility of not more than 50 megawatts. The measure exempts such companies from the requirements of the Utility Facilities Act.

*Patron - Wagner*

**SB449 PPTA; competitive bidding.** Requires that all facets of any project having an aggregate value in excess of \$1 billion undertaken pursuant to the Public-Private Transportation Act of 1995 (PPTA) will be subject to all the laws of the Commonwealth requiring competitive bidding.

*Patron - Petersen*

**SB571 Alternatives to regulation of telephone service.** Declares that all telephone services, other than lifeline and E-911 services, offered by a telephone company are competitive. Increases in monthly charges for residential dialtone telephone service are capped at \$1.50 per 12-month period through July 1, 2011, though the State Corporation Commission may extend this cap for up to an additional 24 months if the Commission finds that competition or the potential for competition in the market place cannot be an effective regulator of its price. The Commission is required to establish rules to permit any telephone company to detariff telephone services offered to (i) business customers, other than E-911 services, beginning no later January 1, 2009, and (ii) residential customers, other than lifeline services, beginning no later than January 1, 2010. Prior to detariffing its telephone services, a telephone company may offer promotional rates, terms, or conditions and individual customer pricing for its telephone services in accordance with the Commission's rules for competitive local exchange carriers. Lifeline or E-911 services may be detariffed when the Commission determines that their tariffing is no longer required to protect the public interest. Telephone companies offering competitive telephone services under these provisions are exempted from Commission oversight of their issuance of securities and affiliate transactions.

*Patron - Saslaw*

**SB719 Railroad corporations; foreign control.** Prohibits a foreign person or group of persons from acquiring or attempting to acquire control of any railroad that is a public service corporation, or of any person controlling a railroad that is a public service corporation, without the approval of the State Corporation Commission. The Commission shall approve the application if it determines that, after the change in control, the railroad can reasonably be expected to discharge its public service responsibilities and that the change of control would

not be inconsistent with the public interest served by the railroad.

*Patron - Puller*

## Religious and Charitable Matters; Cemeteries

### Passed

**HB1422 Cemeteries; access to cemeteries and graves located on private property; injunctive relief.** Allows the court to award reasonable attorney fees and costs to a petitioner who was wrongly denied access to a cemetery.

*Patron - Alexander*

### Failed

**HB1423 Cemeteries; purchases of property containing a private cemetery; responsibilities of purchaser; penalty.** Provides that any purchase of property on which a private cemetery is located is purchased subject to the restriction that no marked grave within such cemetery shall be moved, relocated, or otherwise disturbed. The bill also provides that if the property is acquired for the purpose of developing or changing the use of such property, then the entity acquiring the property is required to plan and implement such development or use so that any private cemetery located on such property and all marked graves within such private cemetery are preserved and protected. Under the bill, any person who knowingly violates any provisions of this section shall be guilty of a Class 1 misdemeanor and an additional fine of not more than \$5,000 for each grave disturbed.

*Patron - Alexander*

## State Corporation Commission

### Failed

**HB62 State Corporation Commission; introduction of evidence.** Requires the State Corporation Commission to establish rules that will allow an individual who has been certified as an expert to introduce evidence in a proceeding that involves either the rates of a public utility or the siting of an electric transmission line.

*Patron - Marshall, R.G.*

## Taxation

### Passed

**HB139 Income tax; biodiesel and green diesel fuels producers income tax credit.** Allows an income tax credit to biodiesel and green diesel fuels producers in Virginia who produce up to two million gallons of biodiesel or green diesel fuels a year. The amount of the credit is \$0.01 per gallon but no more than \$5,000 annually for taxable years beginning on and after January 1, 2008. Includes HB's 647 and 1539.

*Patron - Peace*

**HB163 Real estate tax exemption or deferral; elderly and handicapped.** Permits localities to grant a real estate tax exemption or deferral to elderly and handicapped persons based upon projected income and financial worth for the current year under certain circumstances. Under current law, the previous year's income and financial worth is used.

*Patron - Sherwood*

**HB220 Admissions tax; Scott County.** Authorizes Scott County to impose a tax on admissions to any off-track horse race wagering facility in the amount of \$0.25 for each patron admitted.

*Patron - Kilgore*

**HB238 Income tax exemption for launch services and payload.** Grants an income tax exemption for income resulting from the sale of launch services to space flight participants or launch services intended to provide individuals the training or experience of a launch, without performing an actual launch. The bill also grants an income tax exemption for any gain recognized as a result of resupply services contracts for delivering payload entered into with the Commercial Orbital Transportation Services division of the National Aeronautics and Space Administration or other space flight entity. Includes HB's 170, 351, 874 and 1151. This bill is also identical to SB 286.

*Patron - Cosgrove*

**HB239 Classification of real property; energy-efficient buildings.** Expands energy-efficient buildings that may be classified as a separate class of real property for tax purposes to include buildings that meet performance guidelines or standards under the Green Globes Building Rating System of the Green Building Initiative, Leadership in Energy and Environmental Design (LEED) Green Building Rating System, EarthCraft House program, or Energy Star program.

*Patron - Cosgrove*

**HB314 Department of Taxation; qualifications of assessors and appraisers.** Provides for the Department of Taxation to establish a certification program for all supervisors, assessors, and appraisers contracted to perform assessments or general reassessments of real property. The certification requirements include (i) minimum education, training, and experience and combinations thereof, and (ii) standards of conduct and practice. Under the bill, supervisors, assessors and appraisers must be certified by the Department prior to being able to contract to perform assessment and reassessment services.

*Patron - Morgan*

**HB361 Real of sales and use tax on motor vehicle repairs in certain localities.** Repeals the sales and use tax on charges for motor vehicle repair services in the localities embraced by the Hampton Roads Transportation Authority and the Northern Virginia Transportation Authority.

*Patron - Purkey*

**HB487 Communications sales and use tax distribution.** Allows Bath County to receive a set percentage of the communication sales and use tax revenues apportioned and distributed monthly to localities, beginning July 1, 2008. This bill is identical to SB 262.

*Patron - Shuler*

**HB579 Repeal of sales and use tax on motor vehicle repairs in certain localities.** Repeals the sales and use tax on charges for motor vehicle repair services in the localities

embraced by the Hampton Roads Transportation Authority and the Northern Virginia Transportation Authority.

*Patron - Cosgrove*

**HB625 Personal property tax; classification.** Extends the sunset date from June 30, 2009, to June 30, 2019, for a separate classification for personal property tax rate purposes, for personal property used in manufacturing, testing, or operating satellites within a Multicounty Transportation Improvement District.

*Patron - May*

**HB662 Confidentiality of taxpayer information.** Includes as a confidential tax document any document that is required to be filed with the Department of Conservation and Recreation under the land preservation tax credit program.

*Patron - Lewis*

**HB678 Income tax; filing of tax returns.** Requires large income tax return preparers to file returns electronically unless the return includes attachments or schedules that cannot be accepted through electronic means. Currently, large income tax preparers have the option of filing returns electronically or using 2D barcoded paper returns. This bill would not change a provision in current law that would allow the Tax Commissioner to waive the requirement to file electronically.

*Patron - Hull*

**HB680 Neighborhood Assistance Act tax credit.** Moves the Neighborhood Assistance Act Tax Credit program from Title 63.2 [Welfare (Social Services)] to Title 58.1 (Taxation) and provides a cross-reference to the tax credit program in Title 63.2 (§ 63.2-2002).

The bill also provides that in all cases the value of a donated motor vehicle for purposes of computing the neighborhood assistance tax credit shall be such value as determined under federal income tax laws. This would replace, in part, a current regulation that provides that the value for merchandise donated to a neighborhood organization that is not used by the organization but is sold, auctioned, or raffled by the organization, shall be the lesser of the value determined for federal tax purposes or the actual proceeds received by the neighborhood organization (22VAC40-41-40). The bill includes language that has been in the budget bill the last two years that (i) reduces the tax credit from 45 percent to 40 percent of the value of a donation, and (ii) removes the prohibition from taking the credit if a federal income tax deduction is also taken for the donation.

*Patron - Hull*

**HB698 Real estate tax exemption for the elderly and handicapped.** Adds the cities of Newport News and Hampton, and the counties of Hanover and Powhatan to the list of localities that may provide real estate tax exemptions to elderly and handicapped persons whose income and net worth do not exceed limitations that are higher than the income and net worth limitations that apply in general to counties, cities, and towns. The bill also increases the income limitation from \$62,000 to \$67,000 for the cities of Charlottesville, Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, Richmond, Suffolk, Virginia Beach, and the counties of Chesterfield, Goochland, Hanover, Henrico, and Powhatan. The bill incorporates HB 1428.

*Patron - BaCote*

**HB711 Sales and use tax exemption; audio and video works.** Changes the sunset from July 1, 2009, to July 1, 2019, for the sales and use tax exemptions for audio and video works.

*Patron - Janis*

**HB787 Transient occupancy tax; Arlington County.** Extends the sunset date from January 1, 2009, to January 1, 2012, for Arlington County's additional transient occupancy tax of one-fourth of one percent. Under current law, revenues from the tax are required to be used by the county for promoting tourism and business travel in the county.

*Patron - Brink*

**HB827 State Lottery Department; powers of the Director and the Board.** Authorizes the Director of the State Lottery Department to establish temporary bonus or incentive programs for payments to licensed sales agents that he determines will be cost effective and support increased sales of lottery products. The bill further provides that the Lottery Board not be required to approve the temporary bonus or incentive programs.

*Patron - Gear*

**HB849 Income tax; land preservation tax credits.** Specifies when a taxpayer is deemed to give consent regarding certain tax information when a tax credit or other tax attribute has been transferred. The legislation also addresses the statute of limitations, waiver of same, notice requirements, and participation in administrative and judicial remedies regarding any tax attributable to pass-through entity items.

*Patron - Ware, R.L.*

**HB869 Delinquent local taxes; lists by Treasurer.** Adds uncollected balances of personal property taxes on certain vehicles to the list of delinquent taxes maintained by the Treasurer that must be furnished to the local governing body on request, and for which the Treasurer shall be given credit for the amount of such taxes.

*Patron - Johnson*

**HB912 Income tax; conformity with IRC.** Advances the date as of which Virginia's system of taxation conforms with the Internal Revenue Code (IRC) from December 31, 2006, to December 31, 2007. Identical to SB 582.

*Patron - Purkey*

**HB1000 Income tax refund checkoff for Community Foundations established by the Council on Foundations and the Virginia Foundation for Community College Education.** Adds to the list of recipients of refund checkoffs community foundations established by the Council on Foundations and the Virginia Foundation for Community College Education.

*Patron - Bell*

**HB1123 Property tax; public service corporations, and electric suppliers.** Provides that the additional real property tax authorized to be imposed on commercial property by the localities in the Hampton Roads Transportation Authority shall not be imposed on property of a public service corporation or electric supplier unless a final certificate of occupancy for a commercial or industrial use has been issued and remains in effect.

*Patron - Jones, S.C.*

**HB1229 Sales and use tax; energy and water conservation products tax holiday.** Adds water-efficient products to the products sales tax holiday held during a four-day period in the month of October. The bill incorporates HB 795.

*Patron - Vanderhuy*

**HB1261 Individual income tax withholding.** Repeals provisions that have never been implemented allowing additional withholding exemptions.

*Patron - Hall*

**HB1309 Income tax; riparian waterway tax credit.** Adds an "individual's grantor trust" to the definition of "individual" and changes the term "taxpayer" to individual. This will allow an individual's grantor trust to benefit from the tax credit when the property is held in the trust's name.

*Patron - Morgan*

**HB1388 Retail sales and use tax; exemption for certain computer equipment.** Creates an exemption from the retail sales and use tax for computer equipment used in data centers that (i) are located in a Virginia locality having an unemployment rate above 4.9 percent for the calendar quarter ending November 2007 and (ii) that meet certain investment and job creation criteria. The investment in the computer equipment would be made in accordance with a memorandum of understanding entered into or amended between January 1, 2008, and December 31, 2008.

*Patron - Wright*

**HB1398 Tire recycling fee.** Extends, until July 1, 2011, the \$1.00 recycling fee imposed on each new tire sold; thereafter, the fee is reduced to 50 cents. Under current law the fee is to be reduced to 50 cents on July 1, 2008. This bill is identical to SB 665

*Patron - Oder*

**HB1453 Transient occupancy tax.** Allows all 34 counties listed in the statute to impose up to a five percent transient occupancy tax with any excess over two percent to be designated and spent solely for tourism and travel, marketing of tourism, or initiatives that, as determined after consulting the local tourism industry organizations, attract travelers to the locality. Under current law, 15 of the counties were not required to consult with local tourism industry organizations.

*Patron - Nutter*

**HB1479 Real estate tax relief for the elderly and handicapped.** Includes the income of nonrelatives living in the dwelling of the owner seeking tax relief, except for bona fide tenants and bona fide paid caregivers, in computing the maximum income limits to be eligible for the tax relief. Under current law, only the income of relatives living in the dwelling are included with that of the owner's in determining eligibility.

*Patron - Lewis*

**HB1503 Real property tax exemptions for the elderly and handicapped.** Raises the maximum income eligibility restriction from \$62,000 to \$67,000 in the Cities of Charlottesville, Chesapeake, Norfolk, Portsmouth, Richmond, Suffolk, and Virginia Beach and the Counties of Chesterfield, Goochland, and Henrico. The bill incorporates HB's 270 and 1274.

*Patron - Loupassi*

**HB1578 Refund of certain fees and taxes imposed by the Northern Virginia Transportation Authority.** Declares null and void, and refunds the fees and taxes imposed by the Northern Virginia Transportation Authority that were ruled as unconstitutional by the Supreme Court of Virginia.

*Patron - May*

**SB5 Sales and use tax exemption; printed materials.** Extends the sunset date from July 1, 2008, to July 1, 2012, for the exemption from sales and use tax for the purchase of print-

ing by advertising businesses when the printed material is distributed outside the Commonwealth.

*Patron - Stosch*

**SB174 Classification of real property; energy-efficient buildings.** Expands the definition of energy-efficient buildings that localities may treat as a separate class of property for tax rate purposes.

*Patron - Blevins*

**SB192 Personal property tax; classification.** Extends the sunset date from June 30, 2009, to June 30, 2019, for a separate classification for personal property tax rate purposes, for personal property used in manufacturing, testing, or operating satellites within a Multicounty Transportation Improvement District.

*Patron - Herring*

**SB195 Tangible personal property; separate classification for low-speed vehicles.** Creates a separate classification for local taxation purposes for low-speed vehicles, which are defined as four-wheeled electrically powered vehicles with a maximum speed greater than 20 miles per hour but not greater than 25 miles per hour that comply with federal safety standards.

*Patron - Herring*

**SB203 Real estate tax relief; elderly and permanently and totally disabled.** Increases from \$62,000 to \$67,000 the income limit in certain cities and counties for eligibility for elderly and permanently and totally disabled real estate tax relief programs.

*Patron - Quayle*

**SB240 Martin Luther King, Jr. Living History and Public Policy Center.** Clarifies that voluntary contributions from state tax refunds shall be paid to the Board of Trustees of the Martin Luther King, Jr. Living History and Public Policy Center, a tax-exempt 501(c)(3) organization under IRS rules.

*Patron - Locke*

**SB262 Communications sales and use tax distribution.** Allows Bath County to receive a set percentage of the communication sales and use tax revenues apportioned and distributed monthly to localities, beginning July 1, 2008. Identical to HB 487.

*Patron - Deeds*

**SB283 Elderly and permanently and totally disabled real estate tax relief.** Adds the Cities of Newport News and Hampton, and the Counties of Hanover and Powhatan to the list of localities that may provide real estate tax exemptions to elderly and handicapped persons whose income and net worth do not exceed limitations that are higher than the income and net worth limitations that apply in general to counties, cities, and towns. The bill also increases the income limitation from \$62,000 to \$67,000 for the Cities of Charlottesville, Chesapeake, Hampton, Newport News, Norfolk, Portsmouth, Richmond, Suffolk, Virginia Beach, and the Counties of Chesterfield, Goochland, Hanover, Henrico, and Powhatan. The bill incorporates HB 1428.

*Patron - Miller, J.C.*

**SB286 Income tax exemption for launch services and payload.** Grants an income tax exemption for income resulting from the sale of launch services to space flight participants or launch services intended to provide individuals the training or experience of a launch, without performing an actual launch. The bill also grants an income tax exemption for any gain recognized as a result of resupply services contracts for delivering

payload entered into with the Commercial Orbital Transportation Services division of the National Aeronautics and Space Administration or other space flight entity. This bill incorporates SB 401 and is identical to HB 238.

*Patron - Wampler*

**SB392 Sales and use tax exemption; school textbooks.** Extends the current sales and use tax exemption on sales of school textbooks to students attending nonprofit colleges and other institutions of learning to students attending for-profit institutions of learning. The bill has a delayed enactment clause of July 1, 2010.

*Patron - Martin*

**SB462 Transient occupancy tax; Arlington County.** Extends the sunset date from January 1, 2009, to January 1, 2012, for Arlington County's additional transient occupancy tax of one-fourth of one percent. Under current law, revenues from the tax are required to be used by the county for promoting tourism and business travel in the county.

*Patron - Whipple*

**SB561 Voluntary contributions of tax refunds; new organizations.** Adds community foundations to the list of organizations that may receive contributions of taxpayer refunds. The foundations will be added to the bottom of the list of other organizations waiting to appear on the income tax return. A "community foundation" is any institution that meets the membership requirements for a community foundation established by the Council on Foundations.

*Patron - Obenshain*

**SB582 Income tax; conformity with IRC.** Advances the date as of which Virginia conforms with the Internal Revenue Code (IRC) from December 31, 2006, to December 31, 2007. Identical to HB 912.

*Patron - Colgan*

**SB591 Local tourism zones.** Increases from 10 to 20 the number of years in which tax incentives may be provided in a local tourism zone.

*Patron - Norment*

**SB665 Tire recycling fee.** Extends, until July 1, 2011, the \$1.00 recycling fee imposed on each new tire sold; thereafter, the fee is reduced to 50 cents. Identical to HB 1398.

*Patron - Whipple*

**SB668 Retail sales and use tax; exemption for certain computer equipment.** Creates an exemption from the retail sales and use tax for computer equipment used in data centers that (i) are located in a Virginia locality having an unemployment rate above 4.9 percent for the calendar quarter ending November 2007 and (ii) that meet certain investment and job creation criteria. The investment in the computer equipment would be made in accordance with a memorandum of understanding entered into or amended between January 1, 2008, and December 31, 2008.

*Patron - Ruff*

**SB700 Neighborhood Assistance Act tax credits.** Changes the Neighborhood Assistance Act tax credit program by allowing individuals to receive tax credits for donations of marketable securities.

*Patron - Miller, J.C.*

**SB770 Transient occupancy tax for the Historic Triangle area.** Makes changes to the Williamsburg Area Destination Marketing Committee, which is responsible for administering the local transient occupancy tax for the Historic

Triangle area. The bill also would provide for the Greater Williamsburg Chamber and Tourism Alliance to serve as the fiscal agent for the Committee.

*Patron - Norment*

## Failed

**HB41 Motor fuels tax.** Modifies the rates of taxation on motor fuels to be the greater of (i) the current specific cents-per-gallon rates or (ii) percentage rates, 7.7 percent for gasoline and gasohol, and 6.8 percent for diesel. The percentage rates would be applied against the average price per gallon of the fuel, less federal and state taxes, as determined by the Commissioner of the Division of Motor Vehicles over rolling six-month periods.

*Patron - Scott, J.M.*

**HB56 Sales and use tax exemption; certain energy-efficient products.** Expands the time frame for the sales and use tax exemption for certain energy-efficient products to include a four-day period in April, in addition to the current four-day period in October. The bill has a sunset date of July 1, 2012.

*Patron - Lingamfelter*

**HB57 Sales and use tax exemption; computers and computer-related equipment.** Adds computers and computer-related equipment with a sales price of \$1,500 or less to the school supplies and clothing that are exempt from sales and use tax during a three-day period in August. The bill incorporates HB's 758, 442, and 263.

*Patron - Lingamfelter*

**HB74 Real estate tax rates.** 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 - Purkey*

**HB102 Real estate tax; limitation on tax rate.** Provides that the total tax revenue in a locality may not exceed 105% of the total tax revenue in the locality in the immediately prior year unless approved by at least a two-thirds majority vote of the local governing body. The bill applies for tax years beginning on or after January 1, 2009.

*Patron - Albo*

**HB125 Nanotechnology subordinated debt and equity investment tax credit.** Provides a tax credit, beginning January 1, 2009, in an amount equal to 50% of the taxpayer's cash investments in the form of equity or subordinated debt in certain qualified nanotechnology businesses. A qualified business must be domiciled in the Commonwealth, be engaged in business primarily or do substantially all of its production in the Commonwealth, and primarily engaged in the research, development, or commercialization of nanotechnology with applications in (i) energy, conservation, and the environment, (ii) microelectronics, or (iii) lifespan biology and medicine. The credit shall not exceed the lesser of the tax imposed on the taxpayer for the taxable year in which the credit is sought or \$50,000. Any unused credit may be carried over for 15 years. Total credits available for any calendar year shall be \$15 million. If such investments are not held for at least three years,

the taxpayer must forfeit used and unused credits, plus penalty, to the Department of Taxation. Includes HB's 1092 and 1194.

*Patron - Purkey*

**HB162 Income tax; Certified EarthCraft House tax credit.** Provides a one-time income tax credit in the amount of \$750 for taxable years beginning on January 1, 2008, and ending December 31, 2012, to taxpayers who purchase and reside in a newly constructed home that meets the EarthCraft House requirements as an environmentally friendly home and has been awarded an EarthCraft House Certificate.

*Patron - Toscano*

**HB170 Corporate tax subtraction and sales tax exemption for space flight entities.** Provides a corporate income tax subtraction for any gain recognized as a result of (i) passenger ticket sales on a suborbital spaceflight and (ii) resupply services contracts entered with NASA. It also extends the current sales and use tax exemption to include the sale of spaceflight services or activities to spaceflight participants and it extends the sunset date for the exemption to July 1, 2015. HB 170 is rolled into HB 238.

*Patron - Kilgore*

**HB183 Real property tax exemption for elderly and handicapped persons.** Requires that persons seeking exemptions under current law demonstrate that they have a right to be legally present in the United States to be eligible.

*Patron - Marshall, R.G.*

**HB184 Real property tax relief for certain rehabilitated, renovated, or replacement real property.** Requires that a person seeking partial tax exemptions or credits on real property taxes for certain rehabilitated, renovated, or replacement property demonstrate that he has the right to be legally present in the United States.

*Patron - Marshall, R.G.*

**HB194 Sales and use tax; absorption and payment by seller.** Permits any seller not to collect sales and use tax from the purchaser, and to absorb such tax himself. A dealer electing to absorb such taxes shall be liable for payment of such taxes to the Tax Commissioner in the same manner as he is for tax collected from a purchaser.

*Patron - Orrock*

**HB197 State recordation tax; refinances.** Provides that in any case in which a debt is refinanced, the state recordation tax shall only apply to the principal amount of the new debt which is in addition to the original debt. Under current law, only in cases in which a debt is refinanced with the same lender is there an exemption from the tax on the principal amount of the original debt. The bill also would provide refunds to certain persons who refinanced a debt between January 1, 2007, and June 30, 2008, and paid a state recordation tax on the total principal amount of the new debt. The refund would equal that portion of the state recordation tax that relates to the principal amount of the original debt.

*Patron - Marshall, R.G.*

**HB213 Income tax; TRICARE physicians tax credit.** Provides a one-time credit in the amount of \$2,500 to physicians who enter into a TRICARE contract to provide health care services to patients covered by the TRICARE military health care system, for taxable years beginning on and after January 1, 2008. An additional annual credit of \$1,000 is allowed to those physicians who contract to provide health care services to TRICARE patients and do so for at least 100 TRICARE patients each year.

*Patron - Cole*

**HB219 Sales and use tax; Energy Star products tax holiday.** Adds a second four-day period when certain Energy Star products are exempt from the sales and use tax. Currently, the Energy Star products tax holiday is during the month of October and this legislation places the second one in April.

*Patron - Kilgore*

**HB263 Sales and use tax; school supplies sales tax holiday.** Adds computers and related equipment costing no more than \$1,500 to the list of property exempt from tax during the school supplies sales and use tax holiday, beginning in 2008. This bill was incorporated into HB 57.

*Patron - Ware, O.*

**HB270 Real property tax exemptions for the elderly and handicapped.** Raises the maximum income eligibility restriction from \$62,000 to \$65,000 in the Cities of Charlottesville, Chesapeake, Norfolk, Portsmouth, Richmond, Suffolk, and Virginia Beach and the Counties of Chesterfield, Goochland, and Henrico. This bill was incorporated into HB 1503.

*Patron - Miller, P.J.*

**HB275 Motor fuel tax; rate increase.** Increases the tax on gasoline, diesel fuel, and alternative fuel by \$0.10 per gallon; increases the motor carrier road tax by an equivalent of \$0.10 per gallon of fuel used in the Commonwealth. All motor fuels taxes will be indexed every two years beginning July 1, 2009, by an amount equal to the percentage change in the U.S. Department of Labor's Producer Price Index for Highway and Street Construction. The revenue generated is used for transportation purposes as required by existing law.

*Patron - Watts*

**HB292 State Lottery; privatization of the administration of the lottery.** Requires the State Lottery Board, on or before December 1, 2008, to complete an implementation study for the privatization of the administration of the state lottery. The bill also requires that by December 15, 2008, the State Lottery Board report to the Governor and the chairmen of the House Committee on Appropriations and the Senate Committee on Finance the results of its implementation study and makes its recommendations to achieve the privatization of the administration of the state lottery. The bill requires that the administration of the lottery be privatized on or before July 1, 2010. The bill contains an emergency clause.

*Patron - Poisson*

**HB316 Neighborhood Assistance Act.** Permits a neighborhood organization to make available to donors any remaining balance of its fiscal year 2006-2007 allocation of tax credits, if the organization was ineligible to participate under the Neighborhood Assistance Act in fiscal year 2007-2008 solely because the organization submitted its proposal for tax credits after the due date. The neighborhood organization would be allowed to make the tax credits available for donations made between July 1, 2007, and December 31, 2007, to a program conducted by the organization, which program otherwise would have been eligible for an allocation of tax credits had the organization's proposal been submitted by the due date.

*Patron - Morgan*

**HB333 Installation of automatic sprinkler systems; tax credit for initial installation.** Requires that all buildings that (i) are more than 75 feet high or more than six stories high, (ii) are being used to house individuals or to provide guest rooms for occupancy, and (iii) are not equipped with an automatic sprinkler system would be equipped with an automatic sprinkler system by December 31, 2017. The Board of Housing and Community Development would be required to promul-

gate regulations establishing standards for the automatic sprinkler system. The bill also would make available to the owners of such building an income tax credit equal to 45% of the total amount paid by the owner for the initial installation of the sprinkler system. The tax credit could be carried forward for 10 years.

*Patron - McClellan*

**HB351 Income tax exemption for launch services and payload.** Grants an income tax exemption for income resulting from the sale of launch services to space flight participants or launch services intended to provide individuals the training or experience of a launch, without performing an actual launch. The bill also grants an income tax exemption for any gain recognized as a result of resupply services contracts for delivering payload entered into with the Commercial Orbital Transportation Services division of the National Aeronautics and Space Administration or other space flight entity. HB 351 is rolled into HB 238.

*Patron - Cole*

**HB414 Income tax; deduction for naturalization fees.** Provides a deduction when calculating taxable income for fees and costs paid to a governmental entity for the purpose of becoming a naturalized U.S. citizen, for taxable years beginning on and after January 1, 2008.

*Patron - Griffith*

**HB420 Income tax; qualifying educational expenses tax credit.** Provides a tax credit for certain qualifying educational expenses paid for public and private elementary and secondary schools and home schooling, for taxable years beginning on and after January 1, 2008. The credit amount allowed to be claimed is the lesser of the amount actually paid or (i) \$2,000 for home schooling, and (ii) \$3,000 for public and private elementary and secondary schools.

*Patron - Marshall, R.G.*

**HB442 Sales and use tax exemption; computers and computer-related equipment.** Adds computers and computer-related equipment with a sales price of \$1,500 or less to the school supplies and clothing that are exempt from sales and use tax during a three-day period in August. This bill was incorporated into HB 57.

*Patron - Rust*

**HB450 Vehicle repair services; Northern Virginia and Hampton Roads.** Prohibits any entity that is a party to an insurance policy or agreement, an extended service agreement, a vehicle maintenance agreement, or other written indemnification agreement under which it has agreed or agrees to pay for vehicle repair services for a vehicle that is registered in a county or city embraced by the Hampton Roads Transportation Authority or the Northern Virginia Transportation Authority to require or recommend that the vehicle owner utilize a repair facility in a city or county that is not embraced by the Hampton Roads Transportation Authority or the Northern Virginia Transportation Authority, unless it provides the vehicle owner the option of utilizing a repair facility in a city or county that is embraced within the area of the Hampton Roads Transportation Authority or the Northern Virginia Transportation Authority.

*Patron - Rust*

**HB472 Local piggyback income tax and personal property tax.** Allows localities to impose a local income tax at a rate of either 0.50 percent or one percent upon the Virginia taxable income of individuals, trusts, estates, and corporations provided the personal property tax rate does not exceed \$0.01 per \$100 of value on personally owned motor vehicles. The

Tax Commissioner collects the tax and returns it to localities based on taxpayers' residences. A new classification for personal property tax purposes is created for motor vehicles used for nonbusiness purposes. The provisions of the act will take effect January 1, 2009.

*Patron - Watts*

**HB490 Transportation funding; motor fuels tax and abusive driver fees.** Repeals certain abusive driver fees and increases the motor fuels tax rate by \$0.015 per gallon from \$0.175 to \$0.19. The bill further provides for a refund of any abusive driver fees paid, with interest.

*Patron - Amundson*

**HB602 Real estate assessments; burden of proof on appeal.** Provides that when any assessment of real property is 20% greater than the previous assessment, in any appeal of the assessment to a board of equalization or circuit court, the burden of proof is on the commissioner of revenue or other local assessing official to show that the assessment was accurately computed according to generally accepted appraisal practices.

*Patron - O'Bannon*

**HB612 Income tax; toll payment tax credit.** Provides a tax credit against individual income tax for taxpayers making electronic toll collection payments, such as Smart Tag, in an amount equal to 10% of the total amount paid annually for tolls on Virginia highways, for taxable years beginning on or after January 1, 2008.

*Patron - Poisson*

**HB620 Setoff Debt Collection Act; setoff against federal tax refunds for local tax debt.** Allows local governments, with the Department of Taxation's assistance, to collect past due local taxes from federal income tax returns. The provisions of the act will take effect on the effective date of federal legislation enacted by the United States Congress allowing such debt to be offset against federal income tax refunds.

*Patron - Brink*

**HB647 Renewable and alternative energy production tax credit.** Provides a tax credit for taxable years beginning on or after January 1, 2009, to the owners of a commercial facility in Virginia in the amount of \$0.001 per kWh, or its equivalent, of renewable or alternative energy produced in a taxable year. This bill was incorporated into HB 139.

*Patron - Hogan*

**HB681 Real property tax exemptions and deferrals for certain residential or farm property.** Authorizes local governing bodies to exempt, partially exempt, or defer the taxation of real property of up to 20 percent of the fair market value of real property that is residential or farm property designed for continuous habitation and occupied as the primary dwelling of the individual owners. The bill is contingent on a constitutional amendment authorizing the exemption. This bill is identical to SB 10.

*Patron - Miller, P.J.*

**HB683 Reports by owners of income-producing property.** Requires the owners of certain income-producing property to submit the current year's federal tax return related to the property or a certified income and expense statement for the current year to each locality's duly authorized real estate assessor, board of assessors, or department of real estate assessments.

*Patron - Miller, P.J.*

**HB686 Sales and use tax exemption; compact fluorescent light bulbs.** Exempts from sales and use tax Energy

Star-rated fluorescent light bulbs. The bill sunsets on July 1, 2013.

*Patron - Englin*

**HB702 Secrecy of tax information; local commissioners of the revenue and treasurers.** Allows local commissioners of the revenue and treasurers to provide access to their databases to their local police and fire departments for investigative purposes when there is no other means of acquiring such information.

*Patron - BaCote*

**HB727 Natural resources funding.** Allocates annually to natural resources funding a percentage of the revenue generated by a one percent sales and use tax. The allocations would be as follows: (i) 5 percent of the revenue generated by a one percent sales and use tax for the 2008-2009 fiscal year; (ii) 7.5 percent for the 2009-2010 fiscal year; (iii) 10 percent for the 2010-2011 fiscal year; and (iv) 12.5 percent for the month of July 2011 and for each month thereafter but ending for the month of June 2018. The allocation for any fiscal year would not exceed \$175 million. Of the sales tax allocation, one-third would be used to provide matching grants to the local purchase of development rights programs and two-thirds 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 - Scott, E.T.*

**HB732 Income tax; energy-efficient equipment tax credit.** Grants an income tax credit for taxable years beginning on or after January 1, 2008, to taxpayers (individuals and corporations) who purchase energy-efficient equipment for heating, cooling, and electricity generation for their commercial property used in a business. The amount of the credit equals 25% of such equipment expenditures, but may not be more than \$7,500 total.

*Patron - Caputo*

**HB743 Income tax; qualified adoption expenses tax credit.** Provides a tax credit for individuals with qualified adoption expenses, in an amount up to \$4,000, for taxable years beginning on or after January 1, 2008.

*Patron - Caputo*

**HB744 Income tax; energy-efficient equipment deduction.** Provides an income tax deduction for taxable years beginning on or after January 1, 2008, to individuals who purchase energy-efficient equipment used for heating, cooling, and providing electricity to their residences. The amount of the deduction equals 50% of such equipment expenditures, but not more than \$7,500 total.

*Patron - Caputo*

**HB758 Sales and use tax; school supplies sales tax holiday.** Adds computers and related equipment to the list of property exempt from tax during the school supplies sales and use tax holiday, beginning in 2008. This bill was incorporated into HB 57.

*Patron - Poindexter*

**HB795 Sales and use tax; Energy Star sales tax holiday.** Adds WaterSense qualified products to the items that qualify for the exemption provided during the Energy Star sales tax holiday. This bill was incorporated into HB 1229.

*Patron - Englin*

**HB868 Setoff Debt Collection Act; setoff against federal tax refunds for local tax debt.** Allows local governments, with the Department of Taxation's assistance, to collect past due local taxes from federal income tax returns. The provisions of the act will take effect on the effective date of federal legislation enacted by the United States Congress allowing such debt to be offset against federal income tax refunds.

*Patron - Johnson*

**HB874 Income tax exemption for launch services and payload.** Grants an income tax exemption for income resulting from the sale of launch services to space flight participants or launch services intended to provide individuals the training or experience of a launch, without performing an actual launch. The bill also grants an income tax exemption for any gain recognized as a result of resupply services contracts for delivering payload entered into with the Commercial Orbital Transportation Services division of the National Aeronautics and Space Administration or other space flight entity. HB 874 is rolled into HB 238.

*Patron - Johnson*

**HB898 Local sales and use tax; additional one-half percent authorized.** Permits any locality to impose an additional one-half percent sales and use tax provided that all revenue generated from the additional tax is used solely for public educational purposes.

*Patron - Scott, J.M.*

**HB911 Classification of certain items as intangible personal property.** Classifies as intangible personal property idle equipment, hardware or software, of a research and development or technology, high technology, or nanotechnology business.

*Patron - Purkey*

**HB927 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 - Nixon*

**HB975 Corporate income tax; Real Estate Investment Trusts.** Includes certain dividend income in calculating the Virginia taxable income of "Captive REITs" to be certain their shareholders/owners are taxed in the same manner as any other corporation's shareholders/owners.

*Patron - Shannon*

**HB985 Income tax; teacher expenses tax credit.** Provides an income tax credit of up to \$250 for costs incurred by teachers for materials they use teaching children in grades kindergarten through 12 or to fulfill the education mission of the school division, for taxable years beginning on or after January 1, 2008.

*Patron - Nutter*

**HB986 Income tax; tax credit for health insurance premiums paid by small business employers.** Provides a tax credit for taxable years beginning on or after January 1, 2008, to employers who pay at least one-half of the annual health insurance premium per employee. The amount of the credit is the lesser of \$500 or the amount paid per employee. The total amount of credits available to each employer annually is limited to \$25,000. The credits are available to employers with 50 or fewer full-time employees.

*Patron - Nutter*

**HB1031 Income tax; telework expenses tax credit.** Provides a tax credit to employers for expenses incurred in allowing employees to telework pursuant to a signed telework agreement. An employer would be eligible for a credit of up to \$1,200 per teleworking employee, depending on the number of days per month an employee will telework and whether the employer's primary place of business is located in a nonattainment area under the federal Clean Air Act. There is also a 100 percent tax credit for costs the employer incurs for conducting a telework assessment in the year prior to implementing a formal telework program. This assessment credit is capped at \$20,000 per employer. The aggregate amount of tax credits that will be issued is capped at \$1 million annually for taxable years 2009 and 2010. This bill is supported by the joint subcommittee studying telework opportunities in the Commonwealth (HJ 144, 2006).

*Patron - Frederick*

**HB1045 Real property tax exemptions and deferrals for certain residential or farm property.** Authorizes local governing bodies to exempt, partially exempt, or defer the taxation of real property of up to 20 percent of the fair market value of up to one acre of real property that is residential or farm property designed for continuous habitation and occupied as the primary dwelling of the individual owners. The maximum amount of the exemption must be the same for all such properties within the locality, and the maximum dollar amount of the exemption shall not exceed 20 percent of the median price for such properties within the locality. The bill is contingent on passage of a constitutional amendment authorizing the exemption.

*Patron - Watts*

**HB1050 Income tax; in-home health care tax credit.** Provides an income tax credit for every individual taxpayer who pays medical and in-home care expenses for family members living with the taxpayer for taxable years beginning on or after January 1, 2008. The amount of the credit is equal to the amount paid and not reimbursed for such expenses. The credit will be reduced \$1 for every \$2 that the taxpayer's federal adjusted gross income exceeds \$50,000 for single taxpayers and \$75,000 for married taxpayers.

*Patron - Watts*

**HB1080 Income tax credits for the care, protection, and adoption of certain animals.** Allows a nonrefundable credit for taxable years beginning on or after January 1, 2008, to (i) veterinarians of \$50 for any medical procedure performed at no cost on animals from public pounds and 501(c)(3) shelters, and (ii) individuals of an amount equal to the lesser of \$50

or the fees and charges paid to a public pound or 501(c)(3) shelter for adopting any animal held in a public pound or shelter.

*Patron - Suit*

**HB1092 Virginia Biotechnology Investment Tax Credit.** Creates a research and development tax credit, not to exceed 50 percent of the tax liability due and not to exceed \$500,000, for biotechnology companies in Virginia and permits the credit to be carried over for up to 10 years, for taxable years beginning on and after January 1, 2008. This tax credit, not to exceed 15 percent of the qualified investment, can be claimed for each of the five tax years beginning on and after January 1, 2008. In no event will more than \$5 million in either of the credits be allowed annually. This bill was incorporated into HB 125.

*Patron - Sickles*

**HB1111 Income tax; historic rehabilitation tax credit.** Changes the definition of "material rehabilitation" for the cost of rehabilitation expenses for owner-occupied buildings from 25 percent of the assessed value of the building for local real estate tax purposes to a flat \$10,000 for taxable years beginning on and after January 1, 2008.

*Patron - Cole*

**HB1118 Real property tax exemptions and deferrals for certain residential or farm property.** Authorizes local governing bodies to exempt, partially exempt, or defer the taxation of real property of up to 20 percent of the assessed value or the assessment for real property that is residential or farm property designed for continuous habitation and occupied as the primary dwelling of the individual owners. The bill is contingent on a constitutional amendment authorizing the exemption. This bill is identical to SB 496.

*Patron - Miller, P.J.*

**HB1120 Sales and use tax; compensation to dealers.** Modifies the current formula that compensates dealers with a percentage of the sales and use tax they collect by including the local sales and use tax collected in the Northern Virginia Transportation District and the Hampton Roads Transportation District on motor vehicle repair services. This bill was incorporated into HB 579.

*Patron - Purkey*

**HB1145 Sales and use tax exemption; certain works of art.** Exempts from sales and use tax works of art created in a locality and sold for less than \$500 in an art district designated by and located within the locality.

*Patron - Fralin*

**HB1151 Corporate tax subtraction and sales tax exemption for space flight entities.** Provides a corporate income tax subtraction for any gain recognized as a result of (i) passenger ticket sales on a suborbital spaceflight and (ii) resupply services contracts entered with NASA. It also extends the current sales and use tax exemption to include the sale of spaceflight services or activities to spaceflight participants and it extends the sunset date for the exemption to July 1, 2015. HB 1151 is rolled into HB 238.

*Patron - Phillips*

**HB1155 Income tax; Habitat for Humanity tax credit.** Allows an income tax credit to business firms that make contributions to Habitat for Humanity of Virginia in the form of financial assistance, labor, materials, or technical advice. The credit amount is equal to 50 percent of the value of the

contribution but no more than \$5,000 annually for taxable years beginning on and after January 1, 2008.

*Patron - Phillips*

**HB1161 Income tax exemption; education outreach programs.** Grants an income tax exemption for the amount of expenses incurred as part of an education outreach program in any elementary or secondary school in the Commonwealth. To qualify for the deduction the expenses shall be directly attributable to the development or operation of an education outreach program in a science-, math-, or technology-related field that involves a live presentation by the resident, or employee of the resident, claiming the deduction. The maximum amount of the collective deduction claimed by residents or business entities in the Commonwealth is \$500,000.

*Patron - Saxman*

**HB1164 Income tax; Public/Private Education Investment tax credit.** Creates income tax credits for business entities and individual taxpayers who make contributions to eligible public school foundations and eligible scholarship foundations. For individual taxpayers, the amount of the annual credit is 100 percent of the contribution but may not exceed \$800 for individual taxpayers and \$1,200 for married taxpayers filing jointly. The amount of the annual credit for business entities is 90 percent of the contribution with no limit on the dollar amount. The public school foundations are required to disburse annually 90 percent of the contributions for capital improvement projects approved by the local school board and for extracurricular activities. The scholarship foundations are required to disburse 90 percent of the contributions for qualified educational expenses through scholarships. There is a \$20 million cap on total tax credits awarded annually, with \$10 million allocated for contributions made to public school foundations and \$10 million allocated for contributions made to scholarship foundations. The credit would be effective for taxable years beginning on and after January 1, 2010. No tax credit shall be approved until teacher salaries meet the national average and until the Commonwealth attains the standards of quality for public education.

*Patron - Saxman*

**HB1191 Income tax; tax credit for long-term care insurance premiums paid by small business employers.** Provides a tax credit for taxable years beginning on or after January 1, 2008, to employers who pay the annual long-term care insurance premium for each employee. The amount of the credit is the 20 percent of the amount paid per employee. The credits are available to employers with 50 or fewer full-time employees and are refundable.

*Patron - Moran*

**HB1194 Corporate income tax; higher education research and development tax credit.** Allows corporations that invest in research and development programs in Virginia's institutions of higher education a tax credit in the amount of 20 percent of such investments, effective for taxable years beginning on or after January 1, 2009. The annual total credit per taxpayer is limited to \$100,000, and the total amount of credits that may be granted annually by the Department of Taxation is \$20 million. This bill was incorporated into HB 125.

*Patron - Moran*

**HB1246 Sales and use tax; taxability of certain transactions by government contractors.** Codifies a provision in the current appropriations act that requires the true object test to apply to each separate work order, statement of work, and task order, rather than the true object of the underlying contract between a government entity and a contractor.

*Patron - Hugo*

**HB1247 Income tax; indexing rates, filing thresholds, personal exemptions, and standard deductions.** Indexes to the rate of inflation the amount in the income tax brackets for tax rates, filing thresholds, personal exemptions, and standard deductions, for taxable years beginning on and after January 1, 2009.

*Patron - Hugo*

**HB1266 Motor fuel tax; increase.** Increases the tax on gasoline, diesel fuel, and alternative fuel by \$0.055 per gallon; increases the motor carrier road tax by an equivalent of \$0.055 per gallon of fuel used in the Commonwealth; and increases the alternative use fee for certain motor carriers from \$100 to \$150 (the fee is an alternative to paying the motor carrier road tax). The revenue generated is used for transportation purposes as required by existing law.

*Patron - Hull*

**HB1267 Income tax credit; veterinarian pro bono services tax credit and companion animal adoption tax credit.** Allows a nonrefundable credit to (i) veterinarians of \$50 for each spaying, neutering or euthanasia procedure or other routine service performed at no cost on animals from public pounds and 501 (c) (3) shelters, and (ii) individuals for \$100 who adopt animals from pounds or nonprofit shelters. The veterinarian services tax credit amount may not exceed \$2,500 annually per veterinarian.

*Patron - Hull*

**HB1274 Real property tax exemptions for the elderly and handicapped.** Raises the maximum income eligibility restriction from \$62,000 to \$67,000 in the Cities of Charlottesville, Chesapeake, Norfolk, Portsmouth, Richmond, Suffolk, and Virginia Beach and the Counties of Chesterfield, Goochland, and Henrico. This bill was incorporated into HB 1503.

*Patron - Spruill*

**HB1283 Land preservation tax credit; elimination of verification of conservation value.** Eliminates Department of Conservation and Recreation verification of conservation value of land donations that will result in \$1 million or more in land preservation tax credits. Currently, as a condition of the issuance of a land preservation tax credit, the Department must verify the conservation value of donations that will result in \$1 million or more in tax credits. The bill also would establish a review and administrative appeal process in which proposed conveyances of donations would be reviewed by the Department of Taxation for purposes of determining whether the proposed donation would qualify for a land preservation tax credit. The review process would eliminate the current requirement that the taxpayer execute or record the land donation prior to applying for a land preservation tax credit.

*Patron - Athey*

**HB1347 Local cigarette tax; counties.** Authorizes any county to impose a local cigarette tax at a rate not to exceed \$0.05 per pack or the amount levied under state law, whichever is greater.

*Patron - Barlow*

**HB1365 Income tax credit; animal adoption fee tax credit.** Allows a nonrefundable credit to individuals who adopt animals from pounds or nonprofit shelters, for taxable years beginning on and after January 1, 2008. The credit amount shall equal the adoption fee or \$100, whichever is less, and may only be taken by the taxpayer for the taxable year in which the animal is adopted.

*Patron - Cline*

**HB1411 Income tax; age deduction income indexing.** Requires the \$50,000 and \$75,000 adjusted federal adjusted gross income amounts related to the age deduction to be indexed according to the CPI-U, for taxable years beginning on and after January 1, 2009.

*Patron - Ingram*

**HB1428 Real property tax; exemptions for elderly and handicapped.** Adds Powhatan County to the list of localities that may use higher income limits (\$62,000 rather than \$50,000) and net worth limits (\$350,000 rather than \$200,000) in determining eligibility for real property tax exemptions for the elderly and handicapped. This bill was incorporated into HB 698.

*Patron - Ware, R.L.*

**HB1433 Sales and use tax exemption; telecommunications companies.** Provides a sales and use tax exemption for telecommunication companies.

*Patron - Hugo*

**HB1434 Sales and use tax exemption; energy-efficient light bulbs.** Exempts from sales and use tax Energy Star-rated light bulbs.

*Patron - Hugo*

**HB1450 County food and beverages tax.** Allows any county to impose a levy on food and beverages provided there is a public hearing and the local governing body passes an ordinance that dedicates the revenues raised by the tax to public school construction and renovation in the county.

*Patron - Bowling*

**HB1539 Income tax; biodiesel fuels producers income tax credit.** Allows an income tax credit to biodiesel fuels producers in Virginia who produce at least one million gallons of biodiesel fuels a year. The amount of the credit is \$0.01 per gallon annually for taxable years beginning on January 1, 2008, and ending December 31, 2015. Any unused credit may be transferred for use by another taxpayer. This bill was incorporated into HB 139.

*Patron - Moran*

**HB1553 Motor fuel sales tax collection in certain transportation districts; compromise and settlement.** Prohibits the Tax Commissioner from compromising and settling motor fuels taxes imposed in certain transportation districts without the consent of the transportation commission of the applicable transportation district.

*Patron - Lingamfelter*

**HB1560 Real estate taxes; deferral.** Requires localities to permit real property owners to defer that portion of real estate taxes that exceed 105 percent of the previous year's tax. This bill was incorporated into HB 1009.

*Patron - Lingamfelter*

**HB1561 Local license tax; exemption for new businesses.** Permits any locality to provide an exemption from local license taxes, to any business that has not previously been licensed in the locality, for the first five years that the business operates in the locality.

*Patron - Lingamfelter*

**SB10 Real property tax exemptions and deferrals for certain residential or farm property.** Authorizes local governing bodies to exempt, partially exempt, or defer the taxation of real property of up to 20 percent of the fair market value of real property that is residential or farm property designed for

continuous habitation and occupied as the primary dwelling of the individual owners. The bill is contingent on a constitutional amendment authorizing the exemption. This bill is identical to HB 681.

*Patron - Northam*

**SB83 Political candidate contribution tax credit.** Increases the maximum amount of the annual tax credit for contributions to state and local candidates for office from \$25 to \$50 for individuals and from \$50 to \$100 for joint filers.

*Patron - Cuccinelli*

**SB117 Income tax and sales and use tax; credit and exemption for certain telecommunications service providers.** Creates an income tax credit and sales and use tax exemption for wireless and broadband equipment purchased by telecommunications providers for use within rural areas of the Commonwealth. For taxable years beginning on and after January 1, 2008, the income tax credit is equal to 30% of all expenditures for wireless and broadband equipment used in providing telecommunications services in the rural areas of the Commonwealth. There is a \$10 million cap on the total amount of income tax credits that may be allowed in any tax year. The sales and use tax exemption is phased in beginning January 1, 2009, with 25% of the purchase price being exempt and increasing to 100% by 2011.

*Patron - Edwards*

**SB168 Individual income tax; volunteer firefighters and emergency medical services personnel tax credit.** Provides an income tax credit for individuals who volunteer as firefighters or emergency medical services personnel and are in good standing in an amount ranging from \$500 to \$3,000 annually, depending on length of service and satisfaction of certain training requirements.

*Patron - Stuart*

**SB193 Income tax; telework expenses tax credit.** Provides a tax credit to employers for expenses incurred in allowing employees to telework pursuant to a signed telework agreement. An employer would be eligible for a credit of up to \$1,200 per teleworking employee, depending on the number of days per month an employee will telework and whether the employer's primary place of business is located in a nonattainment area under the federal Clean Air Act. There is also a 100 percent tax credit for costs the employer incurs for conducting a telework assessment in the year prior to implementing a formal telework program. This assessment credit is capped at \$20,000 per employer. The aggregate amount of tax credits that will be issued is capped at \$1 million annually for taxable years 2009 and 2010. This bill is supported by the joint subcommittee studying telework opportunities in the Commonwealth (HJ 144, 2006).

*Patron - Herring*

**SB194 Income tax; toll payment tax credit.** Provides a tax credit against individual income tax for taxpayers making electronic toll collection payments, such as Smart Tag, in an amount equal to 10% of the total amount paid annually for tolls on Virginia highways, for taxable years beginning on or after January 1, 2008.

*Patron - Herring*

**SB239 Taxpayer information; access.** Allows local officials to provide direct access, including direct computer access, to taxpayer information for use by fire, rescue, or police personnel for official actions in the line of duty. In order to provide direct access, the local official would be required to enter into an agreement with the director of the local emergency services department. The agreement would provide for

the implementation of information systems security measures and other security measures relating to taxpayer information for purposes of ensuring that direct access is limited to use by fire, rescue, or police personnel for official actions.

*Patron - Locke*

**SB280 Sales and use tax exemption; energy-efficient light bulbs.** Exempts from sales and use tax Energy Star-rated light bulbs.

*Patron - Miller, J.C.*

**SB289 Local real estate tax deferral programs.** Authorizes localities to allow homeowners at least 65 years old to defer 100 percent of the real estate tax imposed upon the property owned by the taxpayer, for any property that is covered under the locality's deferral program.

*Patron - Barker*

**SB293 Individual income tax; subtraction for military pay of members of the National Guard or Reserves.** Provides an individual income tax subtraction for the military pay and allowances of members of the National Guard or Reserves on extended active duty for periods in excess of 90 days in areas outside the United States that are not combat zones or qualified hazardous duty areas.

*Patron - Puller*

**SB317 Income tax; Certified EarthCraft House tax credit.** Provides a one-time income tax credit in the amount of \$500 for taxable years beginning on and after January 1, 2008, to taxpayers who purchase and reside in a newly constructed home that meets the EarthCraft House requirements as an environmentally friendly home and has been awarded an EarthCraft House Certificate. The credit will expire on July 1, 2010.

*Patron - Wagner*

**SB334 Property tax bills; notice.** Requires localities to include with all property tax bills, comparative information regarding tax rates, assessed values, and tax amounts owed for the current year and the previous year, as well as information indicating how the revenue derived from the amount of the taxpayer's bill is apportioned among the various services and governmental functions provided by the locality, including debt service.

*Patron - Cuccinelli*

**SB385 Business, professional and occupational license tax requirements; illegal workers.** Requires applicants seeking a local business license to certify that they do not employ persons who cannot provide legal documents proving they are legally eligible to work in the United States.

*Patron - Martin*

**SB401 Income tax exemption for launch services and payload.** Grants an income tax exemption for income resulting from the sale of launch services to space flight participants or launch services intended to provide individuals the training or experience of a launch, without performing an actual launch. The bill also grants an income tax exemption for any gain recognized as a result of resupply services contracts for delivering payload entered into with the Commercial Orbital Transportation Services division of the National Aeronautics and Space Administration or other space flight entity. This bill is incorporated into SB 286.

*Patron - Puckett*

**SB424 Real property tax relief for certain new or rehabilitated, renovated, or replacement real property.** Authorizes local governing bodies to require that a person seeking partial tax exemptions or credits on real property taxes

for certain new or rehabilitated, renovated, or replacement property demonstrate that he has the right to be legally present in the United States.

*Patron - Barker*

**FSB425 Real property tax exemptions and deferrals; individuals.** Authorizes counties, cities, and towns to require that persons seeking real estate tax exemptions and deferrals under current law demonstrate that they have the legal right to be present in the United States in order to be eligible.

*Patron - Barker*

**FSB444 Funding for transportation and transportation-related alternatives.** Repeals certain abusive driver fees and increases the state motor fuels tax rate by \$0.02 per gallon with (i) one-half of the revenues deposited into the Biofuels Production Fund to fund grants for biofuels production and (ii) one-half of the revenues deposited into the Highway Maintenance and Operating Fund. This bill was incorporated into SB 1.

*Patron - Petersen*

**FSB459 Sales and use tax exemptions; nonprofit entities.** Adds organizations exempt from federal income taxes under § 501 (c) (19) to those nonprofit entities that may be eligible for a sales and use tax exemption on their purchases of tangible personal property. In general, § 501 (c) (19) organizations include posts or organizations of past or present members of the armed forces of the United States.

*Patron - Ruff*

**FSB468 Sales tax exemption, 4-H Clubs.** Exempts 4-H Clubs from having to collect sales tax on sales made by the Club in fundraising.

*Patron - Hanger*

**FSB469 Transportation funding.** Repeals certain abusive driver fees, increases the state motor fuels tax rate by \$0.02 per gallon, and repeals the sales tax on charges for labor or services in automobile repairs. The bill further provides for a refund of any abusive driver fees paid, with interest. This bill was incorporated into SB 1.

*Patron - Hanger*

**FSB496 Real property tax exemptions and deferrals for certain residential or farm property.** Authorizes local governing bodies to exempt, partially exempt, or defer the taxation of parcels of real property not to exceed 20 percent of the value of the parcel provided that the parcel is residential or farm property designed for continuous habitation and occupied as the primary dwelling of the individual owners. The bill provides that any such tax relief for residential or farm property shall not curtail or reduce local tax relief programs for the elderly or permanently and totally disabled. The bill is contingent on a constitutional amendment authorizing the exemption. This bill is identical to HB 1118.

*Patron - Northam*

**FSB502 Individual income tax; subtraction for National Guard/Reserve personnel pay.** Allows a subtraction when calculating Virginia taxable income for National Guard and Reserve personnel military pay when they serve, outside the United States, on extended active duty for periods of 90 days or longer.

*Patron - Northam*

**FSB686 Duty to file lists of tenants, renters, or members with commissioner of revenue.** Adds the owners and operators of storage facilities to the list of entities that are required to provide the name and address of renters or tenants

to the local commissioner of revenue upon his request. The bill also would require property owners' associations, condominium unit owners' associations, and proprietary lessees' associations to provide a list of owners of the properties administered by such associations to the extent that such list is maintained to the commissioner upon his request.

*Patron - McDougle*

**FSB713 Motor fuels taxes.** Increases the state motor fuels tax rate by \$0.05 per gallon in increments of \$0.01 per gallon in each of the next five fiscal years with the revenues deposited to the Highway Maintenance and Operating Fund.

*Patron - Saslaw*

**FSB729 Northern Virginia Transportation Authority; revenues of the Authority.** Authorizes the Authority to impose a 0.50 percent retail sales and use tax in the counties and cities embraced by the Authority with the revenues therefrom dedicated to the Authority. Any such tax imposed by the Authority shall not apply to "food purchased for human consumption. The bill provides that if the Authority imposes the retail sales and use tax, then, beginning at such time that the tax is first imposed, the Authority shall no longer be authorized to impose the (i) additional, one-time vehicle registration fee of one percent of the value of the vehicle for vehicles registered in a county or city embraced by the Authority; (ii) five percent sales tax on labor or services charged in the repair of motor vehicles occurring within a county or city embraced by the Authority; or (iii) additional annual \$10 vehicle inspection fee for vehicles inspected in a county or city embraced by the Authority.

*Patron - Saslaw*

**FSB774 Notice of change in property value assessments.** Provides that, in Campbell County, notice of change in assessment other than one in which the change arises solely from the construction or addition of new improvements to the real estate need only include where the date, time, and other information regarding the public hearing may be obtained if the tax rate that will apply to the newly assessed value has not been established for the county.

*Patron - Hurt*

**FSB798 Revenues for the Hampton Roads Transportation Authority.** Establishes certain state taxes and fees with the revenues therefrom to be used by the Hampton Roads Transportation Authority for transportation purposes.

*Patron - Wagner*

**FSB800 State lottery revenues.** Requires that net lottery revenues be transferred on a biweekly basis to the Lottery Proceeds Fund for payment to counties, cities, and towns, and the school divisions thereof, by check issued by the State Treasurer. Moneys in the Lottery Proceeds Fund would not be commingled with any other fund or asset.

*Patron - Obenshain*

## Carried Over

**CHB58 The Keep Our Promise Act of 2008.** Reinstates the Personal Property Tax Relief Act of 1998 at 100% reimbursement for qualifying vehicles effective January 1, 2009.

*Patron - Frederick*

**CHB59 Income tax; tax credit for health insurance premiums paid by small business employers.** Provides a tax credit for taxable years beginning on or after January 1, 2009, to employers who pay at least one-half of the annual health insurance premium per employee. The amount of the credit is

the lesser of \$500 or the amount paid per employee. The total amount of credits available to each employer annually is limited to \$25,000. The credits are available to employers with 50 or fewer full-time employees.

*Patron - Frederick*

**☐HB76 Recordation taxes; basis.** Changes the basis on which recordation taxes are calculated on the transfer of real estate to the stated consideration for the real estate. Under current law the basis is the consideration for the real estate or the value of the real estate, whichever is greater.

*Patron - Toscano*

**☐HB77 Recordation tax exemption.** Expands the recordation tax exemption for certain nonprofit providers of affordable housing by removing the restriction under current law that it is only applicable in Amherst County and the City of Lynchburg.

*Patron - Toscano*

**☐HB124 Machinery and tools taxation.** Exempts certified pollution control equipment and facilities, placed in service on or after January 1, 2010, from state and local taxation pursuant to Article X, Section 6 (d) of the Constitution of Virginia. The measure also provides that certain machinery and tools placed in service on or after January 1, 2010, are taxable as intangible personal property, thereby excluding such property from local taxation.

*Patron - Purkey*

**☐HB215 Classification of taxable real property.** Permits localities to tax residential property at a lower tax rate than that imposed on the general class of real property by creating a separate classification for taxation purposes. If a locality imposes a lower tax rate on residential property, then thereafter the locality shall not increase the rate of taxation on the general class of real property.

*Patron - Alexander*

**☐HB230 Sales and use tax; public schools.** Exempts from sales and use tax tangible personal property purchased by a contractor when such property will be used in the construction or repair of a public elementary or secondary school that is owned by a locality or a local school board.

*Patron - Cosgrove*

**☐HB331 Real property assessments; damaged or destroyed buildings.** Removes certain blighted property, derelict property, and property on which drug blight exists from the categories of real property that have been damaged or destroyed that must be given a lower assessment before the usual next assessment date.

*Patron - McClellan*

**☐HB406 BPOL tax; proof of state licensure for contractors.** Requires certain contractors to provide proof of valid state licensure before being issued a local business license.

*Patron - Oder*

**☐HB465 Real property tax exemptions for certain elderly and disabled persons; income limits.** Provides a local option formula for determining net combined financial worth that allows individuals who depend on investment income rather than pension income to qualify for real estate tax relief.

*Patron - Watts*

**☐HB473 Individual income tax; subtraction for National Guard/Reserve personnel pay.** Allows a subtraction when calculating Virginia taxable income for National Guard and Reserve personnel military pay when they serve outside

the United States on extended active duty for periods of 90 days or longer.

*Patron - Watts*

**☐HB699 Real property tax rates; classifications.** Permits localities to (i) tax single family dwellings, (ii) multifamily dwellings, and (iii) commercial property at different rates from each other and from all other real property.

*Patron - BaCote*

**☐HB794 Sales and use tax; Energy Star sales tax holiday.** Removes the "purchased for noncommercial home or personal use" limitation from the Energy Star sales tax holiday beginning in 2008.

*Patron - Englin*

**☐HB924 Income tax and sales and use tax; credit and exemption for certain telecommunications service providers.** Creates an income tax credit and sales and use tax exemption for wireless and broadband equipment purchased by telecommunications providers for use within rural areas of the Commonwealth. For taxable years beginning on and after January 1, 2008, the income tax credit is equal to 30% of all expenditures for wireless and broadband equipment used in providing telecommunications services in the rural areas of the Commonwealth. There is a \$10 million cap on the total amount of income tax credits that may be allowed in any tax year. The sales and use tax exemption is phased in beginning January 1, 2009, with 25% of the purchase price being exempt and increasing to 100% by 2011.

*Patron - Byron*

**☐HB994 Motor fuels tax; exemption for certain alternative fuel.** Exempts from the motor fuels tax waste vegetable oil that has been collected and purified by a person solely for use in his own diesel powered vehicle and such vehicle is used for non-business purposes.

*Patron - Bell*

**☐HB1009 Property taxes; assessments, bills, and deferral.** Requires localities (i) to include the tax rate that will apply to reassessed real property in the notice to taxpayers regarding the reassessment, (ii) to attach to each property tax bill the tax rate that will apply, the assessed value of the property, the total amount of the new tax levy, the total amount of the prior year's tax levy, and the percentage change in the new tax levy from the immediately prior year's tax levy, and (iii) to permit taxpayers to defer a portion of the increase in real property taxes on the primary dwelling owned and occupied by the taxpayer until the property is transferred or until the taxpayer's death. The bill has a delayed effective date of January 1, 2009. The bill incorporates HB 1560.

*Patron - Hugo*

**☐HB1049 Income tax; deduction for licensed medical caregivers.** Grants an income tax deduction, for taxable years beginning on or after January 1, 2008, in the amount of \$10,000 for licensed medical caregivers who provide medical-related services to individuals in their homes. The deduction is reduced \$1 for every \$2 the taxpayer's federal adjusted gross income exceeds \$40,000.

*Patron - Watts*

**☐HB1204 Sales and use tax exemption; custom structural metal fabrication in an economically distressed area.** Provides a sales and use tax exemption for tangible personal property purchased by a contractor and used by the contractor in custom structural metal fabrication in an economically dis-

tressed area, pursuant to a real property contract to be performed outside of Virginia by the contractor.

*Patron - Melvin*

**☐HB1275 Real property tax; exemption for elderly and disabled.** Allows localities to grant higher percentages of tax relief to the elderly based on increasing age, especially for those who are 75 years of age and older.

*Patron - Spruill*

**☐HB1284 Sales and use tax exemption; nonprofit schools.** Exempts any non-profit school that is accredited by an entity approved by the Department of Education and any school licensed by the Department of Education as a school for students with disabilities from the requirement to submit an audit to the Department of Taxation to obtain a sales and use tax exemption, if the school submits a federal 990 tax form.

*Patron - Athey*

**☐HB1326 Sales and use tax exemption; school textbooks.** Extends the current sales and use tax exemption on sales of school textbooks to student attending nonprofit colleges and other institutions of learning to students attending for-profit colleges and institutions of learning.

*Patron - Peace*

**☐HB1348 Local consumer utility tax; tax rate.** Provides that the local consumer utility tax shall not exceed \$3 in any month for residential customers. Currently, the local consumer utility tax may be imposed at a rate not to exceed 20 percent, and up to the first \$15 charged in each month by the utility for residential customers. This results in a cap of \$3 per month for residential customers. The bill would not change the monthly cap but would allow the tax rate to apply to amounts billed in excess of \$15 while maintaining the \$3 per month cap.

*Patron - Barlow*

**☐HB1364 Individual income tax; subtraction for National Guard/Reserve personnel pay.** Allows a subtraction when calculating Virginia taxable income for National Guard and Reserve personnel military pay when they serve, outside the United States, on extended active duty for periods of 90 days or longer.

*Patron - Cline*

**☐HB1393 Income, retail sales and use, and motor vehicle sales and use taxes; motion picture production company tax incentives.** Provides for and expands a series of tax incentives for motion picture production companies that make films and episodic television series in the Commonwealth. The tax incentives include refundable income tax credits, retail sales and use tax exemptions, and motor vehicle sales tax exemptions.

*Patron - Miller, J.H.*

**☐HB1394 Recordation taxes; basis.** Changes the basis on which recordation taxes are calculated on the transfer of real estate to the stated consideration for the real estate. Under current law the basis is the consideration for the real estate or the value of the real estate, whichever is greater.

*Patron - Miller, J.H.*

**☐HB1513 Income tax; deduction for donations to health care sharing organizations.** Provides an income tax deduction for individuals who make donations to tax-exempt, nonprofit health care sharing organizations that oversee the collection and distributions of funds for medical expenses of their members, for taxable years beginning on and after January 1, 2008.

*Patron - Byron*

**☐HB1514 Corporate income tax; apportionment for manufacturers.** Allows manufacturers to elect an apportionment formula of multiplying their income by the sales factor or using the formula prescribed for other businesses, whether the manufacturers have a sales factor or not. The provisions of the bill would be effective July 1, 2010.

*Patron - Byron*

**☐SB2 Retail sales and use tax on fuels.** Extends the retail sales and use tax to fuels sales. The revenue generated by the four percent state retail sales tax on fuels would be deposited into the Transportation Trust Fund. The revenue generated by the one percent local retail sales tax on fuels would be used by the respective county or city solely for transportation purposes.

*Patron - Puller*

**☐SB89 Sales and use tax exemption; custom structural metal fabrication in an economically distressed area.** Provides a sales and use tax exemption for tangible personal property purchased by a contractor and used by the contractor in custom structural metal fabrication in an economically distressed area, pursuant to a real property contract to be performed outside of Virginia by the contractor.

*Patron - Lucas*

**☐SB147 Sales and use tax; absorption and payment by seller.** Permits any seller not to collect sales and use tax from the purchaser, and to absorb such tax himself. A dealer electing to absorb such taxes shall be liable for payment of such taxes to the Tax Commissioner in the same manner as he is for tax collected from a purchaser.

*Patron - Stosch*

**☐SB259 Land preservation tax credit; elimination of verification of conservation value.** Eliminates Department of Conservation and Recreation verification of conservation value of land donations resulting in \$1 million or more in tax credits if the grantee for the donation is the Virginia Outdoors Foundation. Currently, as a condition of the issuance of a land preservation tax credit, the Department must verify the conservation value of donations that will result in \$1 million or more in tax credits.

*Patron - Deeds*

**☐SB299 Real property taxes; affordable rental housing.** Classifies as affordable rental housing (i) real property operated as affordable rental housing for each of the 12 months of the most recently ended tax year in accordance with the definition of or criteria for affordable rental housing established by the locality, provided that during such year all building code violations have been abated or remedied, or (ii) real property with one or more of such units designated by the locality as committed for affordable rental housing. Under current law, rent restrictions and restrictions on conveyances of affordable rental housing are taken into consideration in determining fair market value.

*Patron - Whipple*

**☐SB445 Funding for transportation and transportation-related alternatives.** Increases the state motor fuels tax rate by \$0.01 per gallon with the revenues deposited into the Biofuels Production Fund to fund grants for biofuels production.

*Patron - Petersen*

**☐SB471 Short-term real property rental businesses; taxation.** Clarifies that the short-term rental of dwellings to transients for less than 30 consecutive days is subject to state and local retail sales and use taxes and local license and tran-

sient occupancy taxes. Short-term rentals are rentals for which advertising has been used or for which the dwelling has been rented on numerous occasions during the calendar year as set forth in the bill.

*Patron - Hanger*

**CSB543 Sales and use tax exemption; nonprofit schools.** Exempts any non-profit school that is accredited by an entity approved by the Department of Education and any school licensed by the Department of Education as a school for students with disabilities from the requirement to submit an audit to the Department of Taxation to obtain a sales and use tax exemption, if the school files a federal 990 tax form with the Internal Revenue Service and provides a copy to the Department of Taxation.

*Patron - Obenshain*

**CSB551 Recordation taxes; basis.** Changes the basis on which recordation taxes are calculated on the transfer of real estate to the stated consideration for the real estate. Under current law the basis is the consideration for the real estate or the value of the real estate, whichever is greater.

*Patron - Hurt*

**CSB641 Land preservation tax credit; conveyance for public parks, recreational areas, or trails.** Provides that the land preservation tax credit would equal 60 percent of the fair market value of any land that is conveyed for the purpose of a public park, public recreational facility, or public trail access easement. The board of supervisors of the county or the council of the city in which such land is located would be required to pass a duly adopted resolution that states (i) its approval of the conveyance, and (ii) that the conveyance is in accordance with the comprehensive plan in effect for the county or city.

*Patron - Ticer*

**CSB650 Tax credit for waste motor oil equipment.** Repeals the provision that provides a tax credit in an amount equal to 50 percent of the purchase price paid for equipment used exclusively for burning waste motor oil at a business facility.

*Patron - Ticer*

**CSB667 Income, retail sales and use, and motor vehicle sales and use taxes; motion picture production company tax incentives.** Provides for and expands a series of tax incentives for motion picture production companies that make films and episodic television series in the Commonwealth. The tax incentives include refundable income tax credits, retail sales and use tax exemptions, and motor vehicle sales tax exemptions.

*Patron - Lucas*

**CSB744 Land preservation tax credit.** Establishes a process by which properties are to be registered with the Department of Taxation prior to any tax credit being allowed for a donation. The registration process requires a written certification by a licensed reviewer certifying that the property, or interest therein, is in compliance with pre-registration standards established by the Department. The pre-registration standards would include standards for the public benefit derived from the donation and standards for the use of the property by the donee. The Department would be authorized to license qualified applicants to perform the review for certification. The Department would be allowed to levy and collect fees for licensure to cover the direct expenses for the administration of the registration program. The Department would be required to implement a limited appeals process by which prospective credit claimants could seek to register with the Department

notwithstanding the lack of a written certification from a licensed reviewer.

*Patron - Hanger*

**CSB779 Property taxes; assessments, bills, and deferral.** Requires localities (i) to include the tax rate that will apply to reassessed real property in the notice to taxpayers regarding the reassessment, (ii) to attach to each property tax bill the tax rate that will apply, the assessed value of the property, the total amount of the new tax levy, the total amount of the prior year's tax levy, and the percentage change in the new tax levy from the immediately prior year's tax levy, and (iii) to permit taxpayers to defer a portion of the increase in real property taxes on the primary dwelling owned and occupied by the taxpayer until the property is transferred or until the taxpayer's death. The bill has a delayed effective date of January 1, 2009.

*Patron - Smith*

**CSB789 Real estate assessments; burden of proof on appeal.** Provides that when any assessment of real property is 20% greater than the previous assessment, in any appeal of the assessment to a board of equalization or circuit court, the burden of proof is on the commissioner of revenue or other local assessing official to show that the assessment was accurately computed according to generally accepted appraisal practices.

*Patron - Quayle*

## Trade and Commerce

### Passed

**P HB228 Fire-safe cigarettes; civil penalties.** Prohibits the manufacture, sale, or offer for sale of cigarettes within the Commonwealth, or to persons located in the Commonwealth, unless the cigarettes have been tested to determine that they meet a performance standard for fire safety. The test predicts the likelihood that a cigarette will ignite material with which it comes in contact. Cigarette manufacturers are required to file a certification with the Commissioner of Agriculture and Consumer Services that their cigarettes meet the mandated performance standard as measured by the prescribed test. Cigarette packages are required to be marked so that compliant cigarettes may be distinguished from those not certified as compliant. The specific mark is determined by the manufacturer, subject to Commissioner approval. This measure provides that cigarettes compliant with similar New York regulations will be compliant with these requirements and that manufacturers may use the same package markings they use in that state. The requirements do not apply to cigarettes sold in North Carolina or South Carolina, or packaged for sale outside the United States. Manufacturers are assessed a fee of \$250 per brand, the proceeds from which are divided between the Commissioner of Agriculture and Consumer Services and the State Fire Marshal. Violators are subject to civil penalties. Fees assessed on manufacturers and civil penalties collected from violators are deposited in a Cigarette Fire Safety Standard and Firefighter Protection Act Fund, to be split between implementation of this measure and use by the State Fire Marshal in carrying out the Statewide Fire Prevention Code. The measure will become effective 13 months after its enactment, and will expire on the effective date of any federal reduced cigarette ignition propensity standard that preempts the measure. SB 208 is identical. HB 1072 is incorporated into this bill.

*Patron - Cosgrove*

**P HB408 Foreclosure rescue; prohibition; penalties.** Makes persons participating in or servicing foreclosure rescues

for profit with the intent to defraud a consumer a violation of the Virginia Consumer Protection Act. HB 947 is incorporated into this bill.

*Patron - Oder*

**HB633 Personal Information Privacy Act; social security numbers.** Prohibits the dissemination of another person's social security number, regardless of whether such number is obtained from a public or private record. Currently, the prohibition against dissemination only applies to social security numbers obtained from private sources. This bill is a recommendation of the Freedom of Information Advisory Council and the Joint Commission on Technology and Science. This bill is identical to SB 133.

*Patron - May*

**HB1311 Freezing access to credit reports.** Authorizes any consumer to freeze access to his credit report. If a consumer has placed a freeze on his credit report, a consumer reporting agency is prohibited from releasing the credit report, or any information in it, without the consumer's express authorization. The measure provides a means by which a consumer can release his report, permanently, temporarily, or to a specific third party. Certain disclosures are exempt from the freeze. A fee of up to \$10 may be charged for establishing a freeze, except identity theft victims are not required to pay a fee. A person who willfully fails to comply with the requirements is liable to a consumer for actual damages of between \$100 and \$1,000, punitive damages, and reasonable attorney fees. A person who negligently fails to comply with the requirements is liable to a consumer for actual damages and reasonable attorney fees. The Attorney General is authorized to take enforcement actions. SB 576 is identical. HB 1339, HB 785, HB 607, HB 897, HB 1307, HB 35, HB 345, HB 4, HB 175, and HB 16 are incorporated in this bill.

*Patron - Byron*

**HB1330 Economic development grants; aerospace engine manufacturing.** Establishes three grant programs relating to aerospace engine manufacturing. Grants would be paid to manufacturers of aerospace engines who (i) make a capital investment of at least \$500 million in real and personal property and (ii) create in excess of 540 jobs relating to aerospace engine manufacturing or activities ancillary or supportive of such manufacturing. Under this grant program, a maximum of \$35 million in grants would be paid beginning in the 2013-2014 fiscal year and ending in the 2022-2023 fiscal year. A second grant program would provide training grants in the amount of \$9,000 for each new job created by a manufacturer of aerospace engines or an affiliate thereof. Training grants would not exceed \$5,778,000 in total. In addition, a supplemental training grant in the amount of \$3 million would be paid to an aerospace engine manufacturer who has invested at least \$153.9 million in real and personal property and has hired at least 176 new employees. A final grant program would provide up to \$5 million in grants to an aerospace engine manufacturer who attracts certain suppliers to locate or expand operations in the Commonwealth. Under this grant program, in order for the aerospace engine manufacturer to be paid the full \$5 million in grants, such suppliers would be required to create at least 300 jobs and make a capital investment of at least \$50 million.

*Patron - Ingram*

**HB1363 Trademarks and service marks; penalties.** Expands the scope of laws protecting trademarks and service marks to include such marks registered with the federal government and makes it unlawful to reproduce, counterfeit, or colorably imitate a registered mark and apply it to patches, fabric, stickers, badges, emblems, medallions, charms, boxes, con-

tainers, cans, cases, handbags, documentation, packaging, or other components in connection with the sale distribution or advertising of such goods or services. The penalties for violations are increased. Violations are punishable as a Class 1 misdemeanor unless the offense involves possession of 100 or more identical counterfeit registered marks or such items valued at \$200 or more, in which case it is a Class 6 felony. This bill is identical to SB 577.

*Patron - Cline*

**HB1508 Extended service contracts.** Revises the definition of an extended service contract to mean a contract or agreement for a specific duration, in return for a segregated charge by the purchaser, to perform the repair or replacement of any consumer product, including a motor vehicle, or for indemnification for repair or replacement, for the operational or structural failure of any consumer product, including a motor vehicle, due to a defect in materials, workmanship, inherent defect, or normal wear and tear, with or without additional provisions for incidental payment of indemnity under limited circumstances, including, but not limited to, towing, rental, and emergency road service and road hazard protection. The measure provides that extended service contracts may provide for the repair or replacement of any consumer product for damage resulting from power surges or interruption or accidental damage from handling. The measure further declares that extended service contracts are not insurance in the Commonwealth or otherwise regulated under Title 38.2.

*Patron - Sickles*

**SB133 Personal Information Privacy Act; social security numbers.** Prohibits the dissemination of another person's social security number, regardless of whether such number is obtained from a public or private record. Currently, the prohibition against dissemination only applies to social security numbers obtained from private sources. This bill is a recommendation of the Freedom of Information Advisory Council and the Joint Commission on Technology and Science. This bill is identical to HB 633.

*Patron - Houck*

**SB208 Reduced cigarette ignition propensity; civil penalties.** Prohibits the manufacture, sale, or offer for sale of cigarettes within the Commonwealth, or to persons located in the Commonwealth, unless the cigarettes have been tested to determine that they meet a performance standard for fire safety. The test predicts the likelihood that a cigarette will ignite material with which it comes in contact. Cigarette manufacturers are required to file a certification with the Commissioner of Agriculture and Consumer Services that their cigarettes meet the mandated performance standard as measured by the prescribed test. Cigarette packages are required to be marked so that compliant cigarettes may be distinguished from those not certified as compliant. The specific mark is determined by the manufacturer, subject to Commissioner approval. This measure provides that cigarettes compliant with similar New York regulations will be compliant with these requirements and that manufacturers may use the same package markings they use in that state. The requirements do not apply to cigarettes sold in North Carolina or South Carolina, or packaged for sale outside the United States. Violators are subject to civil penalties. Fees assessed on manufacturers and civil penalties collected from violators are deposited in a Cigarette Fire Safety Standard and Firefighter Protection Act Fund, to be split between implementation of this measure and use by the State Fire Marshal in carrying out the Statewide Fire Prevention Code. The measure will become effective on January 1, 2010, except that a provision prohibiting localities from enacting or enforcing conflicting provisions becomes effective July 1, 2008. The measure will expire on the effective date of any federal reduced ciga-

rette ignition propensity standard that preempts the measure. HB 228 is identical.

*Patron - Stosch*

**SB576 Freezing access to credit reports.** Authorizes any consumer to freeze access to his credit report. If a consumer has placed a freeze on his credit report, a consumer reporting agency is prohibited from releasing the credit report, or any information in it, without the consumer's express authorization. The measure provides a means by which a consumer can release his report, permanently, temporarily, or to a specific third party. Certain disclosures are exempt from the freeze. A fee of up to \$10 may be charged for establishing a freeze, except identity theft victims are not required to pay a fee. A person who willfully fails to comply with the requirements is liable to a consumer for actual damages of between \$100 and \$1,000, punitive damages, and reasonable attorney fees. A person who negligently fails to comply with the requirements is liable to a consumer for actual damages and reasonable attorney fees. The Attorney General is authorized to take enforcement actions. HB 1311 is identical. SB 325 and SB 461 are incorporated in this bill.

*Patron - Saslaw*

**SB577 Trademarks and service marks; penalties.** Expands the scope of laws protecting trademarks and service marks to include such marks registered with the federal government and makes it unlawful to reproduce, counterfeit, or colorably imitate a registered mark and apply it to patches, fabric, stickers, badges, emblems, medallions, charms, boxes, containers, cans, cases, handbags, documentation, packaging, or other components in connection with the sale distribution or advertising of such goods or services. The penalties for violations are increased. Violations are punishable as a Class 1 misdemeanor unless the offense involves possession of 100 or more identical counterfeit registered marks or such items valued at \$200 or more, in which case it is a Class 6 felony. This bill is identical to HB 1363.

*Patron - Saslaw*

**SB651 Economic development grants; aerospace engine manufacturing.** Establishes three grant programs relating to aerospace engine manufacturing. Grants would be paid to manufacturers of aerospace engines who (i) make a capital investment of at least \$500 million in real and personal property and (ii) create in excess of 540 jobs relating to aerospace engine manufacturing or activities ancillary or supportive of such manufacturing. Under this grant program, a maximum of \$35 million in grants would be paid beginning in the 2013-2014 fiscal year and ending in the 2022-2023 fiscal year. A second grant program would provide training grants in the amount of \$9,000 for each new job created by a manufacturer of aerospace engines or an affiliate thereof. Training grants would not exceed \$5,778,000 in total. In addition, a supplemental training grant in the amount of \$3 million would be paid to an aerospace engine manufacturer who has invested at least \$153.9 million in real and personal property and has hired at least 176 new employees. A final grant program would provide up to \$5 million in grants to an aerospace engine manufacturer who attracts certain suppliers to locate or expand operations in the Commonwealth. Under this grant program, in order for the aerospace engine manufacturer to be paid the full \$5 million in grants, such suppliers would be required to create at least 300 jobs and make a capital investment of at least \$50 million.

*Patron - Quayle*

**SB714 Petroleum products franchises; rights of dealers upon sale of franchise.** Provides that when any franchise between a dealer and a refiner located in Planning District 8 is

sold or assigned to a third party, the acquiring third party is required to comply with the provisions of the Virginia Petroleum Products Franchise Act that are required of or enforceable against the assigning refiner-franchisor. However, the 1.5-mile divorcement requirement will apply only to a franchise location sold or assigned on or after January 1, 2008.

*Patron - Howell*

## Failed

**HB4 Freezing access to credit reports; penalty.** Authorizes any consumer to freeze access to his credit report. If a consumer has placed a freeze on his credit report, a consumer reporting agency is prohibited from releasing the credit report, or any information in it, without the consumer's express authorization. The measure provides a means by which a consumer can release his report, permanently, temporarily, or to a specific third party. Certain disclosures are exempt from the freeze. A violation is a prohibited practice under the Consumer Protection Act. This bill is incorporated into HB 1311.

*Patron - Tata*

**HB16 Credit report security freeze; penalties.** Authorizes an individual to freeze access to his credit report. If a consumer has placed a freeze on his credit report, a consumer reporting agency is prohibited from releasing the credit report, or any information in it, without the consumer's express authorization. The measure provides a means by which a consumer can release his report, permanently, temporarily, or to a specific third party. Certain disclosures are exempt from the freeze. A consumer reporting agency may charge a fee of no more than \$5 for establishing a freeze, removing a freeze, or temporarily lifting a freeze. Violations are a prohibited practice under the Consumer Protection Act. This bill is incorporated into HB 1311.

*Patron - Ware, R.L.*

**HB35 Security freezes on credit reports; penalty.** Authorizes any consumer to freeze access to his credit report. If a consumer has placed a freeze on his credit report, a consumer reporting agency is prohibited from releasing the credit report or any information in it without the consumer's express authorization. The measure provides a means by which a consumer may release his report, permanently, temporarily, or to a specific third party. Consumer reporting agencies may charge a consumer up to \$5 for each freeze, removal of the freeze, or temporary lift of the freeze; however, no charge shall be assessed to victims of identity theft or to consumers age 65 or older. A violation is a prohibited practice under the Consumer Protection Act. This bill is incorporated into HB 1311.

*Patron - Oder*

**HB101 Telephone solicitations; charitable organizations for law-enforcement officers.** Requires a person associated with a criminal justice agency who makes a telephone call for the purpose of soliciting contributions for a charitable organization comprised of members who are current or retired law-enforcement officers to state that he is not calling on behalf of the criminal justice agency or in the course of the criminal justice agency's official duties, and that the charitable organization on whose behalf the telephone call is being made is comprised of members who are current or retired law-enforcement officers. These disclosures are in addition to the identifying disclosures required when telephone solicitation calls are made for commercial purposes.

*Patron - Albo*

**HB175 Credit reports; military personnel and their spouses.** Authorizes Virginia domiciled members of the armed

services and their spouses to freeze access to their credit reports. If a consumer has placed a freeze on his credit report, a consumer reporting agency is prohibited from releasing the credit report, or any information in it, without the consumer's express authorization. The measure provides a means by which the service member or spouse can release his report. A consumer reporting agency may charge a fee of no more than \$5 for establishing a freeze, removing a freeze, or temporarily lifting a freeze. The measure also prohibits a credit account from being opened in the name of such a consumer who has a security freeze in effect without his express prior written authorization. Violations are prohibited practices under the Virginia Consumer Protection Act. This bill is incorporated into HB 1311.

*Patron - Ware, O.*

**HB345 Credit reports; freezing access.** Authorizes an individual to freeze access to his credit report. If a consumer has placed a freeze on his credit report, a consumer reporting agency is prohibited from releasing the credit report, or any information in it, without the consumer's express authorization. The measure provides a means by which a consumer can release his report, permanently, temporarily, or to a specific third party. Certain disclosures are exempt from the freeze. Violations are a prohibited practice under the Consumer Protection Act. This bill is incorporated into HB 1311.

*Patron - Plum*

**HB607 Freezing access to credit reports.** Authorizes any consumer to freeze access to his credit report. If a consumer has placed a freeze on his credit report, a consumer reporting agency is prohibited from releasing the credit report, or any information in it, without the consumer's express authorization. The measure provides a means by which a consumer can release his report, permanently, temporarily, or to a specific third party. Certain disclosures are exempt from the freeze. A consumer reporting agency may charge a fee of no more than \$5 for establishing a freeze, removing a freeze, or temporarily lifting a freeze; however, victims of identity theft shall not be charged a fee. Violations are a prohibited practice under the Consumer Protection Act. This bill is incorporated into HB 1311.

*Patron - Eisenberg*

**HB670 Regulation of abortion provider businesses; penalties.** Provides that an abortion provider business shall be permitted to operate only in any location at which applicable zoning and land use regulations permit the operation of a hospital; however, the operation of an abortion provider business is prohibited if the location is within 1,500 feet of a church, synagogue, regular place of religious worship, public or private elementary or secondary school, licensed day-care center, public park, residential district, or child or family entertainment business. If an abortion provider business is operating on July 1, 2008, in violation of these location restrictions, it is a nonconforming use, which may continue for a maximum of two years, after which time the continued operation of the nonconforming business shall be unlawful. The measure makes it a Class 1 misdemeanor to own, operate, or manage an abortion provider business in violation of these location restrictions, unless its operation is permitted as a nonconforming use. It is also a Class 1 misdemeanor to operate an abortion provider business if an owner, operator, manager, or employee (i) has been convicted of a criminal activity or is awaiting trial on pending charges of a felony or misdemeanor, (ii) has had a previous license under any health care statute or regulation or abortion provider business statute from any state or locality denied, suspended, or revoked, (iii) has any unsatisfied judgments for indebtedness or damages incurred as a result of the provision of health care or the conduct of an abortion provider

business, (iv) has falsely answered a question or request for information on any health care or business licensing form, (v) is under the age of 18 years, (vi) has had a health care license or certification revoked or suspended by any licensing or regulatory authority within the preceding 10 years, (vii) uses an alias or any name other than his legal name by which to identify himself to persons using the services of the abortion provider business, (viii) has operated or performed services in an abortion provider business while intoxicated by the use of alcoholic beverages or controlled substances, (ix) refused to allow prompt inspection of the business by state or local government inspectors, (x) had patient contact when not licensed by the appropriate health care agency for that level of patient contact, (xi) permitted any person to have patient contact who is not licensed by the appropriate health care agency for that level of patient contact, (xii) permitted the possession, use, or sale of controlled substances on the premises other than as prescribed by a physician, (xiii) permitted the sale, use, or consumption of alcoholic beverages on the premises, (xiv) permitted the illegal dissemination of prescription drugs on the premises, (xv) permitted the performance of abortions on a minor without the parents' or court's permission, or (xvi) permitted the performance of abortions with the assistance of any person who is not licensed by the appropriate health care agency for that level of patient contact. The measure further makes it a Class 1 misdemeanor (a) to own, operate, or manage an abortion provider business at a premises that has not been approved by its jurisdiction's health department, fire department, and the building department as being in compliance with all applicable local, state, and federal laws, regulations, and statutes governing outpatient surgical facilities, (b) to allow a person under age 18 to enter or be on the premises of an open abortion provider business without the permission of the minor's parents or the approval of a court, (c) for the operator of an abortion provider business to fail to ensure that an attendant is stationed at each public entrance to the abortion provider business at all times during such abortion provider business's regular business hours, and (d) for an attendant to fail to prevent any person under the age of 18 years from entering the abortion provider business without the permission of the minor's parents or approval of a court. Courts are authorized to enjoin violations. Persons injured by violations may recover treble damages, including consequential damages, emotional damages, and loss of consortium, and litigation expenses.

*Patron - Marshall, R.G.*

**HB733 Restroom Access Act; created; civil penalty.** Requires a retail establishment that has a toilet facility for its employees to allow a customer to use that facility during normal business hours if the following conditions are met: (1) the customer requesting the use of the employee toilet facility suffers from an eligible medical condition or utilizes an ostomy device; (2) three or more employees of the retail establishment are working at the time the request is made; (3) the retail establishment does not normally make a restroom available to the public; (4) the employee toilet facility is not located in an area where providing access would create an obvious health or safety risk to the customer; and (5) a public restroom is not immediately accessible to the customer. The bill also provides that a retail establishment is not required to make any physical changes to an employee toilet facility. Creates a penalty of not more than \$100 for a violation of the Act.

*Patron - Caputo*

**HB754 Horse racing; local referendum; definition of town.** Specifies that for the purposes of local referenda on pari-mutuel wagering on horse racing by a town with a population of 5,000 or more, population shall be calculated based upon the most recent population estimate by the United State Bureau of the Census or the most recent population update from the Wel-

don Cooper Center for Public Service at the University of Virginia.

*Patron - Peace*

**HB785 Freezing access to credit reports.** Authorizes any consumer to freeze access to his credit report. If a consumer has placed a freeze on his credit report, a consumer reporting agency is prohibited from releasing the credit report, or any information in it, without the consumer's express authorization. The measure provides a means by which a consumer can release his report, permanently, temporarily, or to a specific third party. Certain disclosures are exempt from the freeze. A consumer reporting agency may charge a fee of no more than \$5 for establishing a freeze or removing a freeze; however, victims of identity theft shall not be charged a fee and a fee shall not be charged for temporarily lifting a freeze. A system shall be in place by September 1, 2008, to allow for a security freeze to be removed or lifted within 15 minutes if a request is received through an electronic contact method. Violations are a prohibited practice under the Consumer Protection Act. This bill is incorporated into HB 1311.

*Patron - Brink*

**HB859 Gift certificates.** Prohibits the issuer of a gift certificate from (i) charging, within the 12 months following the date of its issuance, a maintenance fee or inactivity fee on a gift certificate or (ii) issuing a gift certificate that, within the 24 months following the date of its issuance, automatically expires, diminishes in value, or otherwise becomes unredeemable. Merchants issuing gift certificates with a permissible maintenance fee or inactivity fee are required to disclose to the purchaser the terms pertaining to such a fee. If a gift certificate is issued with an expiration date or other time limit on its redemption, the issuer is required to provide a statement thereof. The required disclosures shall be provided prior to the completion of the certificate's purchase. Required information may be imprinted on the packaging material attached to the certificate at the time of sale. The definition of a gift certificate is expanded to include any record that contains a microprocessor chip, magnetic strip, or other storage medium that is prefunded and for which the value is adjusted upon each use.

*Patron - Ebbin*

**HB897 Security freezes on credit reports; penalty.** Authorizes any consumer to freeze access to his credit report. If a consumer has placed a freeze on his credit report, a consumer reporting agency is prohibited from releasing the credit report or any information in it without the consumer's express authorization. The measure provides a means by which a consumer may release his report, permanently, temporarily, or to a specific third party. Consumer reporting agencies may not charge a fee for setting up or lifting a freeze. A violation is a prohibited practice under the Consumer Protection Act. This bill is incorporated into HB 1311.

*Patron - Lohr*

**HB1072 Fire-safe cigarettes; civil penalties.** Prohibits the manufacture, sale, or offer for sale of cigarettes unless the cigarettes have been tested to determine that they meet a performance standard for fire safety. The test predicts the likelihood that a cigarette will ignite material with which it comes in contact. Cigarette manufacturers are required to file a certification with the Commissioner of Agriculture and Consumer Services that their cigarettes meet the mandated performance standard as measured by the prescribed test. Cigarette packages are required to be marked so that compliant cigarettes may be distinguished from those not certified as compliant. The specific mark is determined by the manufacturer, subject to Commissioner approval. This measure provides that cigarettes compliant with similar New York regulations will be compliant

with these requirements and that manufacturers may use the same package markings they use in that state. Violators are subject to civil penalties. The measure will become effective January 1, 2010, and will expire on the effective date of any federal reduced cigarette ignition propensity standard that preempts the measure. This bill is incorporated into HB 228.

*Patron - Caputo*

**HB1307 Credit freeze; fee exemption for military personnel.** Prohibits any credit reporting agency that permits consumers to freeze access to their credit reports from charging a fee for establishing, temporarily lifting, or removing a security freeze to any consumer domiciled in Virginia who is a member of the United States military services or the Virginia National Guard, or the spouse of such a person. This bill is incorporated into HB 1311.

*Patron - Morgan*

**HB1339 Security freezes on credit reports; penalty.** Authorizes any consumer to freeze access to his credit report. If a consumer has placed a freeze on his credit report, a consumer reporting agency is prohibited from releasing the credit report or any information in it without the consumer's express authorization. The measure provides a means by which a consumer may release his report, permanently, temporarily, or to a specific third party. Consumer reporting agencies may charge a consumer up to \$5 for each freeze, removal of the freeze, or temporary lift of the freeze; however, no charge shall be assessed to victims of identity theft. A violation is a prohibited practice under the Consumer Protection Act. This bill is incorporated into HB 1311.

*Patron - Barlow*

**HB1537 Horse racing; definitions; percentage retained.** Redefines simulcast horse racing to include live or pre-recorded horse races. The bill also provides that notwithstanding current allocations of proceeds from pari-mutuel pools, on pari-mutuel pools generated by wagering on pre-recorded simulcast horse racing at each Virginia satellite facility and the racetrack, after payment of all prizes to winning wagers, the Commonwealth Transportation Trust Funds shall receive 51 percent of the pool to be used for highway maintenance and any other purposes determined by law; the licensee shall receive 45 percent of the pool; and the horsemen's purse account shall receive four percent of the pool. Proceeds of pari-mutuel tickets unredeemed 180 days from the date on which the wager was made and the legitimate breakage from this form of simulcast horse racing shall be retained by the licensee.

*Patron - Gear*

**HB1541 Vehicle protection product warranties; penalty.** Establishes requirements regarding the provision of warranties in connection with the sale of vehicle protection products. A vehicle protection product warranty is an agreement providing that if a vehicle protection product, such as an alarm system, body part marking products, steering lock, ignition lock, ignition kill switch, or satellite tracking device, fails to prevent loss or damage to a vehicle from a specific cause, that the warrantor will pay specified incidental costs resulting from such failure. These warranties are exempted from insurance regulation. Persons providing such warranties through the sale of vehicle protection products are required to register with the Commissioner of the Department of Agriculture and Consumer Services. The warrantors are required to disclose that their financial responsibility obligations are either guaranteed under a warranty reimbursement insurance policy or are backed by the full faith and credit of the warrantor. Violations of these requirements are prohibited practices under the Vir-

ginia Consumer Protection Act. A knowing and willful violation of any provision is a Class 3 misdemeanor.

*Patron - Hugo*

**HB1545 Consumer Protection Act; advertising at price after rebate.** Makes it a prohibited practice under the Virginia Consumer Protection Act to advertise goods for sale in a manner that would lead a reasonable person to conclude that the price of the goods is the ultimate price paid by the purchaser after the purchaser redeems the manufacturer's rebate offered for the advertised goods. The practice would not be prohibited if the supplier provides the amount of the manufacturer's rebate to the purchaser at the time of purchase.

*Patron - Alexander*

**SB325 Credit report security freezes for armed services members.** Authorizes Virginia-domiciled members of the armed services who are deployed to another country and their spouses to freeze access to their credit reports. If a consumer has placed a freeze on his credit report, a consumer reporting agency is prohibited from releasing the credit report, or any information in it, without the consumer's express authorization. The measure provides a means by which the service member or spouse can release his report, permanently, temporarily, or to a specific third party. A consumer reporting agency may not charge a fee for establishing a credit freeze, but may charge a fee of no more than \$5 for removing or temporarily lifting a freeze. Violations are a prohibited practice under the Consumer Protection Act. This bill is incorporated into SB 576.

*Patron - Wagner*

**SB461 Credit report security freezes for armed services members.** Authorizes Virginia-domiciled members of the armed services or National Guard and their spouses to freeze access to their credit reports. If a consumer has placed a freeze on his credit report, a consumer reporting agency is prohibited from releasing the credit report, or any information in it, without the consumer's express authorization. The measure provides a means by which the service member or spouse can release his report, permanently, temporarily, or to a specific third party. A consumer reporting agency may charge a fee of no more than \$5 for establishing a freeze, removing a freeze, or temporarily lifting a freeze. Violations are a prohibited practice under the Consumer Protection Act. This bill is incorporated into SB 576.

*Patron - Whipple*

**SB597 Virginia Racing Commission; simulcast horse racing; allocations.** Authorizes wagering on historical horse racing and allocates the proceeds.

*Patron - Norment*

## Carried Over

**HB329 Gift certificates.** Requires each gift certificate that is charged a fee for maintenance, service, or inactivity to include a telephone number or Internet address where the holder of the certificate may obtain information regarding such fees. The measure also requires that any gift certificate that has a limit on the time for redemption, other than an expiration date, to include a telephone number or Internet address where the holder of the certificate may obtain information regarding about such limit.

*Patron - McClellan*

**HB628 Antique, vintage, and collectible items; penalty.** Requires any person, firm, partnership, association, or corporation engaged in the business of buying or selling

antique, vintage, or collectible items to designate such items as being antique, vintage, or collectible when selling or displaying such items for sale. The bill defines "antique" as any item manufactured or produced more than 100 years ago, "vintage" as any item manufactured or produced between 50 and 99 years ago, and "collectible" as any item manufactured or produced less than 50 years ago. The bill provides that a violation of the requirement to properly designate items being sold is a misdemeanor punishable by a fine not to exceed \$500.

*Patron - May*

**HB887 Scrap metal processors.** Requires each seller of scrap metal to provide his driver's license number to the scrap metal processor in connection with each sale, and requires the scrap metal processor to keep a record thereof, in addition to the other identifying information currently required.

*Patron - Lohr*

## Unemployment Compensation

### Passed

**HB96 Unemployment compensation; Indian tribes.** Provides that unemployment compensation benefits based on service in the employ of an Indian tribe are payable to the same extent as benefits payable to other employees covered by the Virginia Unemployment Compensation Act. The measure provides Indian tribes with the option to make reimbursement payments to the unemployment trust fund, in lieu of tax payments, to the same extent currently allowed for local governments. If an Indian tribe fails to make required payments, the tribe will become liable for the FUTA tax and the Virginia Employment Commission may remove tribal services from unemployment coverage. SB 359 is identical.

*Patron - Purkey*

**HB366 Unemployment compensation; testing for controlled substances.** Disqualifies an individual from receiving unemployment compensation benefits if he is discharged from employment as a result of a confirmed positive test for a nonprescribed controlled substance conducted in a United States Department of Transportation-qualified drug screen, conducted in accordance with an employer's bona fide drug policy. Currently, an individual is ineligible for unemployment benefits if he fails a drug test conducted in accordance with scientifically recognized standards by a laboratory accredited by the United States Department of Health and Human Services, or the College of American Pathology, or the American Association for Clinical Chemistry, or the equivalent.

*Patron - Carrico*

**HB547 Unemployment compensation; minimum earnings; maximum weekly benefit.** Increases the wages an employee must have earned in the two highest earnings quarters of his base period in order to be eligible for unemployment benefits from \$2,700 to \$3,000 for claims effective on or after July 5, 2009. The measure also increases the maximum weekly unemployment compensation benefit from \$363 to \$378 for claims effective on or after July 6, 2008.

*Patron - Nixon*

**HB881 Virginia Employment Commission orders.** Authorizes final orders of the Virginia Employment Commission (VEC) with respect to overpayments of unemployment benefits to be recorded, enforced and satisfied as orders or

decrees of a circuit court upon certification of such orders by the Commissioner of the VEC.

*Patron - Loupassi*

**HB925 Virginia Employment Commission; employment stabilization.** Requires the Virginia Employment Commission to provide Virginia State Job Service services, as described in Title 60.2, according to the provisions of the Wagner-Peyser Act (29 U.S.C. 49f), as amended by the Workforce Investment Act. SB 253 is identical.

*Patron - Byron*

**SB253 Virginia Employment Commission; employment stabilization.** Requires the Virginia Employment Commission to provide Virginia State Job Service services, as described in Title 60.2, according to the provisions of the Wagner-Peyser Act (29 U.S.C. 49f), as amended by the Workforce Investment Act. HB 925 is identical.

*Patron - Ruff*

**SB359 Unemployment compensation; Indian tribes.** Provides that unemployment compensation benefits based on service in the employ of an Indian tribe are payable to the same extent as benefits payable to other employees covered by the Virginia Unemployment Compensation Act. The measure provides Indian tribes with the option to make reimbursement payments to the unemployment trust fund, in lieu of tax payments, to the same extent currently allowed for local governments. If an Indian tribe fails to make required payments, the tribe will become liable for the FUTA tax and the Virginia Employment Commission may remove tribal services from unemployment coverage. HB 96 is identical.

*Patron - Watkins*

## Failed

**HB24 Virginia Employment Commission; employment office closures.** Requires the Virginia Employment Commission to close Commonwealth-operated employment offices, if required to close any such offices as a result of reductions in the amount of Federal Unemployment Tax Act revenue distributed to the Commission for administration of the unemployment insurance program, in the order established by its ranking of such offices based on the unemployment rate in the political subdivision or subdivisions served by the office.

*Patron - Marshall, D.W.*

**HB599 Unemployment compensation; services not constituting employment.** Provides that services performed by an individual on a temporary basis in several circumstances do not constitute "employment" for purposes of the Unemployment Compensation Act. The circumstances include situations where (i) the individual is aware prior to commencing the work assignment that its duration is for a specific period of time and acknowledges in writing that he will not be eligible for unemployment benefits with respect to the assignment; (ii) the individual has been released from incarceration within the preceding year or is a socially and economically disadvantaged individual and the temporary assignment is arranged by a staffing agency that cannot readily find continual work for the individual at the end of an initial assignment; (iii) his staffing or employment agency has subcontracted with a second staffing or employment agency that provides temporary workers to a client firm, and the subcontracting agency does not have the ability to supervise or control the performance of the individual's services; (iv) the services are performed for a small business or minority-owned business that is a temporary staffing agency with fewer than 1,000 temporary workers; and (v) the services are performed for a small business or minority-owned

business that is a temporary staffing agency that hires individuals who either have been released from incarceration within the preceding year or are unskilled workers.

*Patron - McClellan*

**HB1223 Virginia Employment Commission; regional offices.** Requires the Virginia Employment Commission to maintain at least one regional office in each planning district in Virginia.

*Patron - Bowling*

**HB1314 Virginia Employment Commission.** Transfers responsibility for collection of employment taxes from the Virginia Employment Commission to the Department of Taxation.

*Patron - Byron*

**HB1349 Unemployment compensation; trailing spouse of clergy.** Provides that good cause for leaving employment exists if an employee voluntarily leaves a job to accompany the employee's spouse to a new location from which the employee's place of employment is not reasonably accessible, when (i) the spouse is a minister, priest, rabbi, or accredited practitioner of any religious organization or denomination usually referred to as a church and (ii) the church has involuntarily reassigned the spouse to serve a congregation in such new location. Benefits paid to qualifying claimants shall be charged against the pool rather than against the claimant's employer.

*Patron - Barlow*

**SB339 Unemployment compensation; not speaking English is misconduct.** Provides that an employee's inability or refusal to speak English at the workplace, in violation of a known policy of the employer, constitutes misconduct. An individual who is found by the Virginia Employment Commission (VEC) to have been discharged for misconduct connected with his work is disqualified from receiving unemployment compensation benefits. The VEC may consider evidence of mitigating circumstances in determining whether misconduct occurred.

*Patron - Cuccinelli*

## Virginia Energy Plan

### Passed

**SB320 Covenants restricting solar energy collection devices.** Provides that a community association shall not prohibit an owner from installing or using any solar energy collection on the owner's property; but such association may establish reasonable restrictions concerning the size, place, and manner of placement of the solar energy collection devices. The bill allows a community association to prohibit or restrict the placement of such devices on the common areas. The bill provides that nothing shall be construed to (i) invalidate any provision of a restrictive covenant that prohibits or restricts the installation or use of any solar collection device if such provision was in effect before July 1, 2008, or (ii) prohibit the amendment of a restrictive covenant on or after July 1, 2008, to prohibit or restrict the installation or use of any solar collection device if such amendment is adopted by the membership of the community association in accordance with such association's governing documents.

*Patron - Wagner*

**SB718 Renewable energy and energy conservation.** Requires investor-owned electric utilities to report annually on

their efforts to conserve energy. The measure also requires the Virginia Energy Plan to be updated by July 1, 2010, and every four years thereafter. Currently, the Energy Plan is required to be updated in July 2012 and every five years thereafter. The measure also requires utilities to report annually on their efforts to meet the renewable portfolio standard goals, renewable generation overall, and relevant advances in renewable energy generation technology.

*Patron - Puller*

## Failed

**HB1421 Renewable Energy Research Grant Program; established.** Establishes the Renewable Energy Research Grant Program and Fund under the Virginia Energy Plan. Moneys in the Fund shall be used for the sole purpose of attracting public and private research funding for institutions of higher education in order to increase renewable energy research capacity and development opportunities in Virginia. The program has four components: (i) a matching funds program to leverage federal and private research dollars; (ii) a strategic enhancement program to upgrade the research capacity of those academic departments that have demonstrated the ability to perform innovative research in renewable energy fields that have strong potential to contribute to economic development in the Commonwealth; (iii) a program to upgrade renewable energy research capacity in key departments of the institutions in order to attract specific companies to locate or expand in Virginia; and (iv) a program to enhance the capability of the institutions of higher education to commercialize renewable energy technologies or applications developed through their research.

*Patron - Caputo*

## Waters of the State, Ports and Harbors

## Passed

**HB171 Virginia Resources Authority financing.** Authorizes the Virginia Resources Authority to finance energy conservation and energy efficiency projects.

*Patron - Kilgore*

**HB211 Virginia Water Protection Permit.** Exempts landowners from the requirement to obtain a Virginia Water Protection permit for impacts to state waters caused by the construction or maintenance of farm stock ponds and impoundments that do not fall under the authority of the Virginia Soil and Water Conservation Board.

*Patron - Cole*

**HB233 Phosphorus prohibition; dishwashing detergents.** Bans the use of phosphorus in detergents for household dishwashing machines. Phosphorus is one of the primary sources of water pollution. The bill contains a delayed effective date of July 1, 2010. This bill incorporates HB 82 and HB 341.

*Patron - Cosgrove*

**HB555 Wetlands banks.** Authorizes localities to establish and operate single-user wetlands and stream mitigation banks so long as the banks are operated in accordance with state and federal law. These single-user banks may only be

used by localities for compensatory mitigation where the locality is the permittee.

*Patron - Pogge*

**HB632 Virginia Resources Authority; broadband services.** Clarifies that the Virginia Resources Authority may be used as a funding mechanism for all projects involving the provision of broadband services, and not just those utilizing wireless broadband technologies.

*Patron - May*

**HB723 Virginia Resources Authority; parks and recreation.** Authorizes the Virginia Resources Authority to finance park and recreation projects. This bill is identical to SB 473.

*Patron - Scott, E.T.*

**HB1206 VPA police.** Allows a Virginia Port Authority (VPA) police officer to provide enhanced supply chain security beyond the locality where VPA property is located. This bill is identical to SB 465.

*Patron - Melvin*

**HB1211 VPA employee retirement benefits.** Enables the Virginia Port Authority to establish a trust to help offset its OPEB (other postemployment benefits) liability. The changes mirror changes made to VRS during the 2007 Session.

*Patron - Melvin*

**HB1212 VPA employee retirement plans.** Encourages employees of the Virginia Port Authority (VPA) to save for retirement. The bill provides VPA the same legislative authority as VRS with regards to automatic enrollment into VPA's deferred compensation plan.

*Patron - Melvin*

**HB1457 Virginia Resources Authority financing.** Authorizes the Virginia Resources Authority to finance the construction of local government buildings.

*Patron - Nichols*

**SB56 Virginia Resources Authority financing.** Authorizes the Virginia Resources Authority to finance the construction of local government buildings.

*Patron - Colgan*

**SB242 Financing of energy conservation projects.** Authorizes the Virginia Resources Authority to finance energy conservation and energy efficiency projects.

*Patron - Locke*

**SB378 Reuse and reclamation of water.** Authorizes the Virginia Soil and Water Conservation Board to adopt regulations that promote the reclamation and reuse of stormwater in order to protect state waters and the public health and to minimize the direct discharge of pollutants into state waters.

*Patron - Stuart*

**SB465 VPA police.** Allows a Virginia Port Authority (VPA) police officer to provide enhanced supply chain security beyond the locality where VPA property is located. This bill is identical to HB 1206.

*Patron - Miller, Y.B.*

**SB466 VPA employee retirement plans.** Encourages employees of the Virginia Port Authority (VPA) to save for retirement. The bill provides VPA the same legislative authority as VRS with regards to automatic enrollment into VPA's deferred compensation plan.

*Patron - Miller, Y.B.*

**PSB467 VPA employee retirement benefits.** Enables the Virginia Port Authority to establish a trust to help offset its OPEB (other postemployment benefits) liability. The changes mirror changes made to VRS during the 2007 Session.

*Patron - Miller, Y.B.*

**PSB473 Virginia Resources Authority; parks and recreation.** Authorizes the Virginia Resources Authority to finance park and recreation projects. This bill is identical to HB 723.

*Patron - Hanger*

## Failed

**FHB341 Phosphorus prohibition; dishwashing detergents.** Bans the use of phosphorus in detergents for household dishwashing machines. Phosphorus is one of the primary sources of water pollution. The bill contains a delayed effective date of July 1, 2010. This bill was incorporated into HB 233 (Delegate Cosgrove).

*Patron - Plum*

**FHB645 Virginia Water Protection Permit.** Requires the State Water Control Board, prior to issuing a Virginia Water Protection Permit, to consider the permitted project as part local or regional water supply plans.

*Patron - Hogan*

**FHB689 Combined Sewer Overflow Fund.** Designates funds to be deposited in the Combined Sewer Overflow Fund for use by the Cities of Lynchburg and Richmond for the completion of their combined sewer overflow projects in certain years when direct general appropriations to the fund are less than \$5 million. Deposits shall neither exceed \$5 million per year nor \$50 million over 10 years. Any funds shall be divided equally between the Cities of Lynchburg and Richmond.

*Patron - Valentine*

**FHB822 Phosphorus prohibition; dishwashing detergents.** Bans the use of phosphorus in detergents in for household dishwashing machines. Phosphorus is one of the primary sources of water pollution. The ban will take effect on January 1, 2010. This bill was incorporated into HB 233.

*Patron - Morgan*

## Carried Over

**CSB361 Stream mitigation banks.** Authorizes Henrico County to establish and operate stream mitigation banks so long as the banks are operated in accordance with state and federal law.

*Patron - Watkins*

## Welfare (Social Services)

### Passed

**PHB3 Screened Family Day Home Provider List.** Requires the Department of Social Services to establish and maintain, on a website created by the Department, the Screened Family Day Home Provider List. This bill provides that the List shall include the names of individuals who wish to offer their services as family day home providers, who are not required to be licensed or regulated, who voluntarily apply for inclusion on the List, and who have been found, after a national

criminal history background check and review of the records maintained by the Child Protective Services registry, to have no convictions for certain offenses or founded complaints of child abuse or neglect. This bill also establishes a Screened Family Day Home Provider Fund to receive application fees and disburse funds for the administration of the List. The provisions of the bill are subject to the appropriation of funds by the 2008 General Assembly.

*Patron - Tata*

**PHB138 Filing of petition for adoption.** Provides that a petition filed while a child is under 18 years of age shall not become invalid because the child reaches 18 years of age prior to the entry of a final order of adoption and that any final order of adoption entered after a child reaches 18 years of age, where the petition was filed prior to the child turning 18 years of age, shall have the same effect as if the child was under 18 years of age at the time the order was entered by the circuit court, provided the court has obtained the consent of the adoptee.

*Patron - Peace*

**PHB149 Independent living services and independent living arrangements.** Defines independent living arrangement as placement of a child at least 16 years of age who is in the custody of a local board or licensed child-placing agency and has been placed by the local board or licensed child placing agency in a living arrangement which does not include daily parental supervision. Defines independent living services to include services and activities provided to a child in foster care who is 16 years of age or older or to a person who was in foster care on his 18th birthday and has not yet reached the age of 21. This bill requires, for children aged 14 years and older that the child's needs and goals in specified areas are included in the written foster care plan for that child. This bill is identical to SB 249.

*Patron - Fralin*

**PHB251 Adult Fatality Review Team.** Establishes the Adult Fatality Review Team to review suspicious deaths of any incapacitated adult aged 18 or older and any adult aged 60 or older (i) who was the subject of an adult protective services investigation, (ii) whose death was due to abuse or neglect or acts that suggest abuse or neglect, or (iii) whose death came under the jurisdiction of the Office of the Chief Medical Examiner pursuant to § 32.1-283. The bill sets forth duties, membership, confidentiality, reporting, and other requirements for the team. The bill also creates a Freedom of Information Act exemption for information and records acquired during a review of any death conducted by a family violence fatality review team or during a review of any adult death conducted by the adult fatality review team to the extent made confidential by state law.

*Patron - O'Bannon*

**PHB285 Consent revocation period for parental placement adoptions.** Provides that consent to an adoption may be revoked by a birth parent for up to seven days after it is executed and that the seven day revocation period may be waived in writing at the time of consent provided that the child is at least 10 days old and the birth parent acknowledges having received independent legal counsel regarding the effect of such waiver. In the case of two consenting birth parents, the waiver by one consenting birth parent shall not affect the right of the second consenting birth parent to retain his seven-day revocation period. This bill eliminates the provision barring revocation of consent after a child is 10 days old.

*Patron - Toscano*

**PHB478 Child Day-Care Council.** Appoints one representative of the YMCA to the Child Day-Care Council and

removes one representative from a nonprofit child day center operator.

*Patron - Cox*

**HB811 TANF; waiver of ineligibility period.** Provides that the 24-month period of ineligibility shall not apply when a child is removed from his parents' home as the result of a child protective services report or complaint as defined in regulations promulgated by the Board and placed with a relative. This bill provides that in such cases, the relative with whom the child is placed shall be eligible for TANF financial assistance immediately and without waiting for the 24-month period to run. This bill incorporates HB 1387.

*Patron - Ward*

**HB825 Foster and adoption workers; minimum training requirements.** Requires the Department of Social Services to establish minimum training requirements and to provide educational programs for foster and adoption workers and their supervisors.

*Patron - BaCote*

**HB850 Foster care; Code of Ethics agreement.** Requires Board of Social Services to approve, in foster care policy, the language of the written agreement to be entered into by local boards and licensed child-placing agencies. This bill also provides that such agreements shall include at a minimum a Code of Ethics and mutual responsibilities for all parties to the agreement. This bill is identical to SB 643.

*Patron - Orrock*

**HB861 Virginia Caregivers Grant Program application; allow physician assistant or nurse practitioner to certify.** Allows that a licensed physician assistant or nurse practitioner may provide certification necessary for the Virginia Caregiver's Grant Program application.

*Patron - Ebbin*

**HB871 Healthy marriages and strong families.** Authorizes the Department of Social Services to establish a program to support educational programs intended to promote healthy marriages and strong families. The bill also authorizes the Department, to the extent authorized by federal law, to allocate up to one percent of all funds received under the federal Temporary Assistance for Needy Families program to support this program.

*Patron - Johnson*

**HB946 Adoption; period of validity of home study.** Provides that any home study conducted for the purpose of parental placement or agency placement shall be valid for a period of 36 months from the date of completion of the study. However, the Board may, by regulation, require an additional state criminal background check before finalizing an adoption if more than 18 months have passed from the completion of the home study.

*Patron - Iaquinto*

**HB1141 Foster care; independent living services.** Provides that any person who was committed or entrusted to a local board or licensed child-placing agency may choose to discontinue receiving independent living services any time before his 21st birthday in accordance with regulations adopted by the Board. The local board or licensed child-placing agency shall restore independent living services at the request of that person provided that (i) the person has not yet reached 21 years of age and (ii) the person has entered into a written agreement, less than 60 days after independent living services have been discontinued, with the local board or licensed child-placing

agency regarding the terms and conditions of his receipt of independent living services. This bill incorporates HB 813.

*Patron - Fralin*

**HB1143 Foster care; visitation rights for birth siblings.** Grants circuit courts and juvenile and domestic relations district courts the authority to grant visitation rights to siblings, in addition to the natural parents and grandparents, of any child entrusted or committed to foster care.

*Patron - Fralin*

**HB1257 Department of Social Services to establish Intensive Case Monitoring pilot programs for child support enforcement.** Authorizes the Department of Social Services to establish Intensive Case Monitoring pilot programs in four judicial districts within the Commonwealth to provide case management and other services to persons referred to the program by the court after failure to pay child support as required by an administrative action. The provisions of this act shall not become effective unless general funds effectuating the purposes of this act are included in the general appropriation act passed by the 2008 Session of the General Assembly, which becomes law.

*Patron - Marsden*

**HB1382 Department of Social Services; petitions.** Authorizes designated nonattorney employees of the Department of Social Services to complete, sign, and file petitions and motions in Department cases relating to the establishment, modification, or enforcement of support on forms approved by the Supreme Court of Virginia. The bill also provides that any orders entered prior to the effective date of this bill are not deemed void or voidable solely because the petitions and motions were signed by nonattorney employees. This bill is identical to SB 788.

*Patron - Iaquinto*

**HB1530 Relating to placement of siblings; visitation.** Requires that all reasonable steps must be taken to place siblings together in the same foster home and requires that, where siblings are placed in separate foster homes, a plan shall be developed to encourage frequent and regular visitation or communication.

*Patron - Nixon*

**SB15 Notice to recipients; earned income tax credit.** Requires the Department of Social Services to provide notice of the federal and state earned income tax credit to all recipients of Temporary Assistance for Needy Families (TANF), food stamps, or certain medical assistance. Notice shall be mailed to recipients annually and shall include information on the qualifying income levels, the amount of credit available, the process for applying for the credit, and the availability of assistance in applying for the credit.

*Patron - Edwards*

**SB171 Adoption by former stepparents.** Allows former step-parents to adopt the child they were a step-parent to, if they stood in loco parentis to the child, as if they were still the step-parent of the child. Also allows parents who adopted a child in a foreign jurisdiction, who then divorced before the child was adopted in Virginia, to adopt or readopt the child.

*Patron - Blevins*

**SB228 Mandatory child abuse reporters; EMS personnel.** Adds emergency medical services personnel certified by the Board of Health to the list of mandatory reporters of child abuse and neglect and requires emergency medical services personnel to report child abuse and neglect to the Department of Social Services, unless such personnel immediately

reports the matter directly to the attending physician at the hospital to which the child is transported, who shall make such report forthwith.

*Patron - McDougle*

**SB249 Foster care; independent living services for children 14 and older.** Requires that every foster care plan for a child 14 years of age or older include an independent living services plan. The bill defines the terms "independent living arrangement" and "independent living services," and replaces the term "independent living placement" with the term "independent living arrangement." The bill mandates children 14 years and older have a foster care plan that describes in writing their needs and goals in the areas of counseling, education, housing, employment, and money management skills. Local departments and licensed child placing agencies may provide independent living services to children over the age of 14 as part of foster care services or to persons between 18 and 21 years of age who are in the process of transitioning from foster care to self-sufficiency. The bill requires for children ages 16 and over, documentation of the services to be provided to assist the child in transitioning to an independent living arrangement. This bill is identical to HB 149.

*Patron - Howell*

**SB251 TANF; waiver of ineligibility period.** Provides that the 24-month period of ineligibility shall not apply to a child who is removed from his parents' home as the result of a child protective services report or complaint as defined in regulations promulgated by the Board and placed with a relative. This bill provides that in such cases, the child shall be eligible for TANF financial assistance immediately and without waiting for the 24-month period to run.

*Patron - Miller, Y.B.*

**SB472 Licensure of group homes and residential facilities for children.** Eliminates the interdepartmental regulation of children's residential facilities and group homes, and provides that the Departments of Mental Health, Mental Retardation and Substance Abuse Services, Social Services, and Juvenile Justice shall regulate and license children's residential facilities and group homes for which they are the primary licensing agency. This bill provides that each licensing agency shall conduct background checks of persons working or volunteering at children's residential facilities and group homes. This bill further provides that the Department of Education shall be the sole entity responsible for licensure of educational programs in children's residential facilities and group homes.

*Patron - Hanger*

**SB493 Foster and adoption workers; minimum training requirements.** Requires the Department of Social Services to establish minimum training requirements and to provide educational programs for foster and adoption workers and their supervisors. Under the bill the costs associated with establishing the training requirements are to be absorbed by the Department within the funds appropriated for training and assistance to local staff.

*Patron - Puller*

**SB637 Required reporting of child abuse; animal control officers.** Adds animal control officers to the list of persons with the duty to report suspected child abuse. Animal control officers already receive training in the recognition of child abuse and neglect and information on how complaints are filed.

*Patron - Ticer*

**SB643 Foster care; Code of Ethics agreement.** Requires the Board of Social Services to approve, in foster care

policy, the language of the written agreement to be entered into by local boards and licensed child-placing agencies. This bill also provides that such agreements shall include at a minimum a Code of Ethics and mutual responsibilities for all parties to the agreement. This bill is identical to HB 850.

*Patron - Ticer*

**SB788 Department of Social Services; petitions.** Authorizes designated nonattorney employees of the Department of Social Services to complete, sign, and file petitions and motions in Department cases relating to the establishment, modification, or enforcement of support on forms approved by the Supreme Court of Virginia. The bill also provides that any orders entered prior to the effective date of this bill are not deemed void or voidable solely because the petitions and motions were signed by nonattorney employees. This bill is identical to HB 1382.

*Patron - Quayle*

## Failed

**HB276 Transitional benefits; TANF noncash benefits.** Requires the Department of Social Services to continue to provide noncash TANF benefits for a period of five months after TANF cash benefits have been terminated.

*Patron - Watts*

**HB286 Notice to recipients; earned income tax credit.** Requires the Department of Social Services to provide notice of the earned income tax credit to all applicants for or recipients of assistance.

*Patron - Toscano*

**HB365 Substance abuse screening and assessment of public assistance applicants and recipients.** Requires local departments of social services to conduct a screening of all VIEW participants. This bill provides that, where a screening indicates reasonable cause to believe an applicant or recipient is using illegal drugs, the participant may be required to submit to drug testing. Where a drug test indicates that the participant is using illegal drugs, the person shall become ineligible for TANF payments for a period of twelve months. The person may reapply for TANF assistance once 12 months have elapsed from the date of initial ineligibility.

*Patron - Carrico*

**HB439 Eligibility of certain aliens for state and local public benefits.** Provides that no state or local funds shall be awarded or otherwise disbursed to any organization when the award or disbursement is made to circumvent the requirement that organizations determine the legal status of applicants before granting assistance. This bill also provides that no organization receiving state or local funds shall use the funds to provide benefits or assistance to persons who are otherwise ineligible for them.

*Patron - Miller, J.H.*

**HB813 Independent living services.** Provides that a person who is otherwise eligible for independent living services from the Department of Social Services shall not become ineligible for services upon refusing services. This bill provides that a person who is otherwise eligible and who refuses services may, following such refusal, request and receive services. This bill was incorporated into HB 1141.

*Patron - Ward*

**HB1387 TANF; waiver of ineligibility period.** Provides that the 24-month period of ineligibility shall not apply to a child who is removed from his parents' home as the result of

a child protective services report or complaint as defined in regulations promulgated by the Board and placed with a relative. This bill provides that in such cases, the child shall be eligible for TANF financial assistance immediately and without waiting for the 24-month period to run. This bill was incorporated into HB 811.

*Patron - Albo*

**HB1401 Administrative support remedies; fees.** Provides that the \$25 annual fee charged by the State Board of Social Services for enforcing child support obligations on behalf of individuals who are not receiving public assistance shall be assessed against the noncustodial parent. Currently, the fee is assessed to the individual seeking enforcement of the support order.

*Patron - Gear*

**HB1461 Exempting certain assisted living facilities from the requirement to have a license.** Provides that an assisted living facility that has not been found to be in violation of licensing requirements during the most recent five-year period shall be exempt from licensing requirements.

*Patron - Spruill*

**SB22 Foster care background checks; fingerprints.** Provides that the requirement that an individual with whom a child in foster care may be placed submit fingerprints for the purpose of obtaining criminal history record information may be waived if an officer of the Department of State Police determines that it is impossible for the individual to submit fingerprints or impossible for him to submit fingerprints that are legible for identification purposes.

*Patron - Reynolds*

**SB27 Social services; time limit on receipt of TANF.** Allows the child of a VIEW participant to continue receiving TANF financial assistance beyond the initial 24-month period if (i) the VIEW-participating parent is no longer the child's legal guardian, (ii) legal custody of the child has been placed with a relative of the child after a complaint of child abuse or neglect filed against the child's parent has been deemed founded or after an order for removal of the child from the child's home has been issued pursuant to § 16.1-251 or 16.1-252, and (iii) the child otherwise meets the eligibility requirements set forth in §§ 63.2-602 through 63.2-607. This bill is contingent upon appropriation of funds.

*Patron - Miller, Y.B.*

**SB250 Foster care; independent living services for persons between the ages of 18 and 21.** Establishes that children who are in foster care when they reach 18 years of age shall receive independent living services from the appropriate local board of social services or licensed child-placing agency until they reach 21 years of age. Currently, the provision of such services to children between the ages of 18 and 21 is discretionary. The bill also defines the terms "independent living services" and "independent living arrangement."

*Patron - Howell*

**SB296 Eligibility for TANF and food stamps; drug-related felonies.** Provides exemption to receive TANF benefits for persons who have been convicted of a felony drug offense pursuant to § 18.2-250 and comply with criminal court orders and treatment programs, as permitted by federal law. This bill incorporates SB 642.

*Patron - Puller*

**SB404 Substance abuse screening and assessment of VIEW applicants and participants.** Requires local departments of social services to conduct a screening of all applicants

and participants of VIEW. This bill provides that where a screening indicates probable cause to believe an applicant or participant is using illegal drugs, the applicant or participant may be required to submit to drug testing. Where a drug test indicates that the applicant or participant is using illegal drugs, the person shall be referred to a treatment program and all TANF payments shall be made to a third party payee for the benefit of members of the applicant's or recipient's household. If a person fails or refuses to participate in a screening, assessment, or required rehabilitation program, that person shall be ineligible for TANF assistance. Persons deemed ineligible for TANF assistance on the basis of failure or refusal to participate in a screening, assessment, or required rehabilitation program, will be ineligible for a period of twelve months but shall have one opportunity to comply and be reinstated once during the twelve month period.

*Patron - Puckett*

**SB482 Data collection; Title IV-E expenditures.** Requires the State Executive Council to oversee the development and implementation of a program for the collection of data on (i) the cost of services purchased through the CSA program, (ii) treatment foster care services and residential services payments made through the Medicaid program, and (iii) child-specific payments made through the Title IV-E foster care program. This bill also requires the Department of Social Services to collect data on child-specific payments made through the Title IV-E foster care program and to report data collected to the Office of Comprehensive Services. This bill has been incorporated into SB 483.

*Patron - Hanger*

**SB497 Definition of abused or neglected child; Abraham's law.** Removes language specifying that a decision by parents or another person with legal authority over a child to refuse a particular medical treatment for a child with a life-threatening condition shall not be deemed a refusal to provide necessary care if (i) such decision is made jointly by the parents or other person with legal authority for the child and the child; (ii) the child has reached 14 years of age and is sufficiently mature to have an informed opinion on the subject of his medical treatment; (iii) the parents or other person with legal authority and the child have considered alternative treatment options; and (iv) the parents or other person with legal authority and the child believe in good faith that such decision is in the child's best interest.

*Patron - Northam*

**SB630 Child support; accrual of interest on debts due.** Provides that interest shall not accrue on child support debts due where an obligor is incarcerated in a state facility, during the period of incarceration.

*Patron - Ticer*

**SB642 Eligibility for TANF and food stamps; drug-related felonies.** Provides exemption to receive TANF benefits for persons who have been convicted of a felony drug offense pursuant to § 18.2-250 and comply with criminal court orders and treatment programs, as permitted by federal law. This bill has been incorporated into SB 296.

*Patron - Ticer*

## Carried Over

**HB1174 Office of Immigrant Assistance; created.** Establishes in the Department of Social Services an Office of Immigrant Assistance, to assist persons lawfully entering the United States and the Commonwealth for the purpose of becoming citizens. The Office shall provide (i) advice and

assistance regarding the citizenship application process, and (ii) assistance with finding and securing employment, housing, and services for which such persons may be eligible.

*Patron - Lingamfelter*

**CSB36 Child support; administrative fees.** Eliminates the \$25 fee that a person not receiving public assistance must pay each year if more than \$500 of child support is collected by the Department of Social Services in order to utilize the support enforcement services of the Department.

*Patron - Deeds*

**CSB387 Guardian ad litem; mandatory reporting of child abuse or neglect.** Requires any guardian ad litem who has been appointed by a court to represent a child to report suspected child abuse or neglect to a local department of social services or to the Department of Social Services' toll-free child abuse and neglect hotline.

*Patron - Martin*

**CSB738 Adult protective services; reports by financial institution employees of financial abuse of elder or dependent persons.** Requires employees of banks and trust companies, savings banks, building and loan associations, savings and loan companies or associations, and credit unions to report the suspected financial abuse of elder or dependent persons, based on information obtained in their professional or official capacity.

*Patron - Edwards*

## Wills and Decedents' Estates

### Passed

**PHB412 Wills and decedents' estates; order in which debts of decedents to be paid.** Increases from \$2,000 to \$3,500 the amount available from the estate to pay funeral expenses when there are insufficient assets for the satisfaction of all demands against the estate. This bill is identical to SB 735.

*Patron - Griffith*

**PSB735 Wills and decedents' estates; order in which debts of decedents to be paid.** Increases from \$2,000 to \$3,500 the amount available from an estate to pay funeral expenses where there are insufficient assets for the satisfaction of all the demands against the estate. This bill is identical to HB 412.

*Patron - Smith*

### Carried Over

**CHB280 Unsupervised probate.** Allows a will to be probated without supervision or intervention of the court if the will requests such probate or all beneficiaries of the will agree to such probate.

*Patron - Watts*

## Workers' Compensation

### Passed

**PSB615 Workers' compensation; Capitol Police.** Expands the definition of law-enforcement officer to include members of the Capitol Police for the purpose of providing that a claim for workers' compensation benefits incurred by such a person while undertaking a law-enforcement or rescue activity in an off-duty capacity or outside an assigned shift or work location is deemed to be in the course of employment.

*Patron - Stolle*

### Failed

**FHB532 Infectious disease presumption; emergency declaration by Governor.** Authorizes the Governor to declare that a communicable, contagious or infectious disease, or any condition that leads to the disease, is a disease or condition that is covered by the existing infectious disease presumption for firefighters, paramedics, emergency medical technicians, and certain law-enforcement officers under the Virginia Workers Compensation Act. The presumption currently exists for hepatitis, meningococcal meningitis, tuberculosis, and HIV. Such a declaration may be made after the Board of Health has issued an order for the purpose of suppressing the outbreak of the disease and the Governor has declared a state of emergency due to an outbreak of the disease that poses a danger to the life and health of the public.

*Patron - Mathieson*

**FHB664 Workers' compensation for court-appointed attorneys.** Provides coverage under workers' compensation laws for court-appointed attorneys who are injured by the indigent client while engaged in activities directly related to the representation of the client.

*Patron - Miller, J.H.*

**FBSB161 Workers' compensation; alternative dispute resolution.** Authorizes an employer primarily engaged in the construction business and a collective bargaining representative of its employees, with which the employer has a signatory agreement, to negotiate a dispute resolution system, which may include mediation and binding arbitration. The agreement may authorize or require the use of an agreed list of health care providers, which shall be the exclusive source of examinations, treatment, and testimony provided under the Workers' Compensation Act. The system would be an alternative to dispute resolution procedures in the Workers' Compensation Act. Such agreements may also address the use of an agreed list of health care providers for treatment and examinations, light duty and return-to-work programs, and vocational rehabilitation or retraining. Settlements must be approved by the Workers' Compensation Commission. Arbitration decisions may be reviewed in the same manner as decisions of deputy commissioners.

*Patron - McEachin*

**FBSB500 Infectious disease presumption; emergency declaration by Governor.** Authorizes the Governor to declare that a communicable, contagious or infectious disease, is a disease that is covered by the existing infectious disease presumption for firefighters, paramedics, emergency medical technicians, and certain law-enforcement officers under the Virginia Workers Compensation Act. The presumption currently exists for hepatitis, meningococcal meningitis, tuberculosis, and HIV. Such a declaration may be made after the Board

of Health has issued an order for the purpose of suppressing the outbreak of the disease and the Governor has declared a state of emergency due to an outbreak of the disease that poses a danger to the life and health of the public.

*Patron - Northam*

## Youth and Family Services

### Failed

**HB585 Juvenile facilities; smoke detectors, etc.** Requires the Board of Juvenile Justice to promulgate regulations requiring smoke detectors, fire suppression systems, and fire-safe construction materials for use in juvenile facilities.

*Patron - Marsden*

## Constitutional Amendments

### Failed

**HB6 Constitutional amendment (voter referendum); property exempt from taxation.** Provides for a referendum at the November 2008 election on approval of a proposed constitutional amendment relating to property tax exemptions. The proposed amendment authorizes the General Assembly to enact legislation that will allow localities by ordinance to exempt or partially exempt from real property taxes, or defer real property taxes on, up to 20 percent of the value of residential or farm property that is the owner-occupant's primary dwelling and lived in continuously. This bill is identical to HB 272 and SB 9. This bill has been incorporated into HB 11.

*Patron - Brink*

**HB272 Constitutional amendment (voter referendum); property exempt from taxation.** Provides for a referendum at the November 2008 election on approval of a proposed constitutional amendment relating to property tax exemptions. The proposed amendment authorizes the General Assembly to enact legislation that will allow localities by ordinance to exempt or partially exempt from real property taxes, or defer real property taxes on, up to 20 percent of the value of residential or farm property that is the owner-occupant's primary dwelling and lived in continuously. This bill is identical to HB 6 and SB 9. This bill has been incorporated into HB 11.

*Patron - Miller, P.J.*

**HJ3 Constitutional amendment (second resolution); property exempt from taxation.** Authorizes the General Assembly to enact legislation that will allow localities by ordinance to exempt from real property taxes, or defer real property taxes on, up to 20 percent of the value of residential or farm property that is the owner-occupant's primary dwelling and lived in continuously. This resolution is identical to HJR 56 and HJR 121. This resolution has been incorporated into HJR 4.

*Patron - Brink*

**HJ56 Constitutional amendment (second resolution); property exempt from taxation.** Authorizes the General Assembly to enact legislation that will allow localities by ordinance to exempt from real property taxes, or defer real property taxes on, up to 20 percent of the value of residential or farm property that is the owner-occupant's primary dwelling and lived in continuously. This resolution is identical to HJR 3

and HJR 121. This resolution has been incorporated into HJR 4.

*Patron - Miller, P.J.*

**HJ121 Constitutional amendment (second resolution); property exempt from taxation.** Authorizes the General Assembly to enact legislation that will allow localities by ordinance to exempt from real property taxes, or defer real property taxes on, up to 20 percent of the value of residential or farm property that is the owner-occupant's primary dwelling and lived in continuously. This resolution is identical to HJR 3 and HJR 56. This resolution has been incorporated into HJR 4.

*Patron - Moran*

**SB9 Constitutional amendment (voter referendum); property exempt from taxation.** Provides for a referendum at the November 2008 election on approval of a proposed constitutional amendment relating to property tax exemptions. The proposed amendment authorizes the General Assembly to enact legislation that will allow localities by ordinance to exempt or partially exempt from real property taxes, or defer real property taxes on, up to 20 percent of the value of residential or farm property that is the owner-occupant's primary dwelling and lived in continuously. This bill is identical to HBs 6 and 272.

*Patron - Whipple*

**JSJ6 Constitutional amendment (second resolution); property exempt from taxation.** Authorizes the General Assembly to enact legislation that will allow localities by ordinance to exempt from real property taxes, or defer real property taxes on, up to 20 percent of the value of residential or farm property that is the owner-occupant's primary dwelling and lived in continuously.

*Patron - Whipple*

### Carried Over

**HB11 Constitutional amendment (voter referendum); property exempt from taxation.** Provides for a referendum at the November 2008 election on approval of a proposed constitutional amendment relating to property tax exemptions. The proposed amendment authorizes the General Assembly to enact legislation that will allow localities by ordinance to exempt or partially exempt from real property taxes, or defer real property taxes on, up to 20 percent of the value of residential or farm property that is the owner-occupant's primary dwelling and lived in continuously. If approved by the voters, the amendment will take effect January 1, 2009. This bill incorporates HBs 6 and 272.

*Patron - Albo*

**HJ4 Constitutional amendment (second resolution); property exempt from taxation.** Authorizes the General Assembly to enact legislation that will allow localities by ordinance to exempt from real property taxes, or defer real property taxes on, up to 20 percent of the value of residential or farm property that is the owner-occupant's primary dwelling and lived in continuously. This resolution incorporates HJR 3, HJR 56, and HJR 121.

*Patron - Albo*

**HJ18 Constitutional amendment (first resolution); property tax exemption for certain veterans.** Directs the General Assembly to exempt from taxation real property that is the principal residence of a veteran (or widow or widower of a veteran) if the veteran has been determined by the United States Department of Veterans Affairs or its successor agency

pursuant to federal law to have a 100 percent combat-related, permanent, and total disability.

*Patron - Lingamfelter*

**☐HJ19 Constitutional amendment (first resolution); assessments of real property and tax rates.** Provides that assessments of real property shall not increase annually by more than one percent plus the percentage increase, if any, in the rate of inflation. Increases in the rate of taxation on real property are limited to one percent per year.

*Patron - Frederick*

**☐HJ20 Constitutional amendment (first resolution); restriction on entities that may impose taxes.** Prohibits any entity from imposing taxes other than the Commonwealth, counties, cities, towns, or regional governments. The resolution grandfathered any such taxes imposed prior to the effective date of the amendment.

*Patron - Marshall, R.G.*

**☐HJ21 Constitutional amendment (first resolution); restriction on entities that may impose taxes.** Prohibits any entity from imposing taxes other than the Commonwealth, counties, cities, towns, or regional governments. The amendment applies to such taxes imposed before the effective date of the amendment but not to any such taxes collected before the effective date of the amendment.

*Patron - Marshall, R.G.*

**☐HJ28 Constitutional amendment (first resolution); Virginia Redistricting Commission.** Establishes the Virginia Redistricting Commission to redraw Congressional and General Assembly district boundaries after each decennial census. Starting in 2010 and every 10 years thereafter, the Virginia Supreme Court chooses four members of the five-member commission from lists of three nominees from the leaders of each of the two political parties having the highest and next-highest membership in the General Assembly; these four select a fifth member who is chairman. The Commission is directed to create an efficient system of representation based on standards that include the current Constitution's standards on population equality, compactness, and contiguity, and additional standards to minimize splits of localities. Commissioners cannot have held public or political party office in the preceding five years.

*Patron - Moran*

**☐HJ29 Constitutional amendment (first resolution); Transportation Funds.** Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, Priority Transportation Fund, and other funds dedicated to transportation by general law. All revenues dedicated to Transportation Funds on January 1, 2009, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan or reduction must be repaid with reasonable interest within three years.

*Patron - Moran*

**☐HJ36 Constitutional amendment (first resolution); Board of Education.** Provides for the appointment of the members of the Board of Education as follows: four members, including a member designated as president, appointed by the

Governor; three members appointed by the House of Delegates; and two members appointed by the Senate, in accordance with the rules of each house. Members are to be appointed for four-year terms. Terms are staggered. No person may be appointed to more than two consecutive full terms. Members in office when the amendment takes effect will serve until their successors are appointed. Presently, the Constitution provides that all nine members are appointed by the Governor.

*Patron - Purkey*

**☐HJ37 Constitutional amendment (first resolution); Governor's term of office.** Permits the Governor to succeed himself in office. The amendment allows two four-year terms (either in succession or not in succession) but prohibits election to a third term. The amendment allows Governors elected in 2009 and thereafter to serve two successive terms. Service for more than two years of a partial term counts as service for one term.

*Patron - Purkey*

**☐HJ38 Constitutional amendment (first resolution); property tax exemption for certain veterans.** Directs the General Assembly to exempt from taxation real property that is the principal residence of a veteran (or widow or widower of a veteran) if the veteran has been determined by the United States Department of Veterans Affairs or its successor agency pursuant to federal law to have a service-connected, permanent, and 100 percent total disability.

*Patron - Ware, O.*

**☐HJ48 Constitutional amendment (first resolution); Transportation Funds.** Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, and Highway Maintenance and Operating Fund. All revenues dedicated to Transportation Funds on January 1, 2009, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan or reduction must be repaid with reasonable interest within four years.

*Patron - Marshall, R.G.*

**☐HJ67 Constitutional amendment (first resolution); payment of sales or use taxes in advance of collections.** Prohibits any law that requires a person to pay to the Commonwealth any funds in anticipation of the collection of sales or use taxes by that person for the Commonwealth.

*Patron - Saxman*

**☐HJ70 Constitutional amendments (first resolution); Virginia Redistricting Commission.** Establishes a 13-member Virginia Redistricting Commission to redraw Congressional and General Assembly district boundaries after each decennial census. Provides procedure for appointment of Commission members and standards to govern redistricting plans including the current Constitution's standards on population equality, compactness, and contiguity and additional standards to minimize splits of localities and to prohibit consideration of incumbency and political data. The amendments also provide for 40 senators and 100 delegates rather than the present ranges of 33 to 40 senators and 90 to 100 delegates.

*Patron - Plum*

**☐HJ120 Constitutional amendment (first resolution); Virginia Redistricting Commission.** Establishes the Virginia Redistricting Commission to redraw Congressional and General Assembly district boundaries after each decennial census. Appointments to the 13-member Commission are to be made in the census year as follows: two each by the President pro tempore of the Senate, Speaker of the House of Delegates, minority leader in each house, and the state chairman of each of the two political parties receiving the most votes in the prior gubernatorial election. The 12 partisan members then select the 13th member by a majority vote, or, if they cannot agree on a selection, they certify the two names receiving the most votes to the Supreme Court, which will name the 13th member. The Commission is directed to certify district plans for the General Assembly within one month of receipt of the new census data or by March 1 of the year following the census, whichever is later, and for the House of Representatives within three months of receipt of the census data or by June 1 of the year following the census, whichever is later. The standards to govern redistricting plans include the current Constitution's standards on population equality, compactness, and contiguity and additional standards to minimize splits of localities and to prohibit consideration of incumbency and political data. This resolution is identical to SJ 5.

*Patron - Amundson*

**☐HJ122 Constitutional amendment (first resolution); real estate tax partial exemption.** Requires localities to compute real estate taxes based on no more than a five percent increase in the assessed value on the primary residence of an owner after he has occupied it for five years. The taxes of any new owner of the dwelling shall be based on fair market value until the new owner has occupied the dwelling for five years.

*Patron - Loupassi*

**☐HJ123 Constitutional amendment (first resolution); due process of law; obligation of contracts; taking of private property; prohibited discrimination; jury trial in civil cases.** Defines the term "public uses" and specifies permitted public uses for which private property may be taken. The definition is the same definition enacted in 2007 and set out in § 1-219.1 of the Code of Virginia.

*Patron - Joannou*

**☐HJ124 Constitutional amendment (first resolution); English as the official language of the Commonwealth.** Provides that English is the official language of Virginia, that the provision is self-executing, and that the General Assembly may pass laws to implement the provision.

*Patron - Joannou*

**☐HJ180 Constitutional amendment (first resolution); Governor's term of office.** Extends the Governor's term to six years, continues the prohibition on successive terms, and provides six-year terms for the lieutenant governor and attorney general since the terms for those offices are set by reference to the term of the governor.

*Patron - Barlow*

**☐HJ181 Constitutional amendment (first resolution); Virginia Redistricting Commission.** Establishes the Virginia Redistricting Commission to redraw congressional and General Assembly district boundaries after each decennial census. Appointments to the 11-member Commission are to be made in the census year by the most recently retired Chief Justice of the Virginia Supreme Court. Appointments are to be made to represent each congressional district. Persons to be appointed to the Commission shall be retired justices or judges of the Supreme Court, Court of Appeals, or circuit courts. The Com-

mission is directed to certify district plans for the General Assembly within thirty days of receipt of the new census data and for the House of Representatives within sixty days of such receipt.

*Patron - Barlow*

**☐HJ182 Constitutional amendment (first resolution); restoration of civil rights.** Authorizes the General Assembly to provide by general law for the restoration of civil rights for persons convicted of felonies who have completed service of their sentence including any period or condition of probation, parole, or suspension of sentence. The present Constitution provides for restoration of rights by the Governor. The amendment retains the right of the Governor to restore civil rights and adds the alternative for restoration of rights pursuant to general law.

*Patron - Hall*

**☐HJ245 Constitutional amendment (first resolution); school boards.** Amends Section 7 of Article VIII to state that the General Assembly may provide by general law or special act that responsibility for supervision of schools may be exercised by a local governing body and the locality's chief administrative officer rather than a school board.

*Patron - Poisson*

**☐SJ5 Constitutional amendment (first resolution); Virginia Redistricting Commission.** Establishes the Virginia Redistricting Commission to redraw Congressional and General Assembly district boundaries after each decennial census. Appointments to the 13-member Commission are to be made in the census year as follows: two each by the President pro tempore of the Senate, Speaker of the House of Delegates, minority leader in each house, and the state chairman of each of the two political parties receiving the most votes in the prior gubernatorial election. The 12 partisan members then select the 13th member by a majority vote, or, if they cannot agree on a selection, they certify the two names receiving the most votes to the Supreme Court, which will name the 13th member. The Commission is directed to certify district plans for the General Assembly within one month of receipt of the new census data or by March 1 of the year following the census, whichever is later, and for the House of Representatives within three months of receipt of the census data or by June 1 of the year following the census, whichever is later. The standards to govern redistricting plans include the current Constitution's standards on population equality, compactness, and contiguity and additional standards to minimize splits of localities and to prohibit consideration of incumbency and political data. This resolution is identical to HJ 120.

*Patron - Deeds*

**☐SJ7 Constitutional amendment (first resolution); restoration of civil rights.** Authorizes the General Assembly to provide by general law for the restoration of civil rights for persons convicted of nonviolent felonies who have completed service of their sentence including any period or condition of probation, parole, or suspension of sentence. The present Constitution provides for restoration of rights by the Governor. The amendment retains the right of the Governor to restore civil rights and adds the alternative for restoration of rights pursuant to general law.

*Patron - Miller Y.B.*

**☐SJ8 Constitutional amendment (first resolution); property tax exemption for certain veterans.** Authorizes the General Assembly to exempt from taxation real property that is the principal residence of a veteran (or widow or widower of a veteran) if the veteran has been determined by the United States Department of Veterans Affairs or its successor agency

pursuant to federal law to have a service-connected, permanent, and 100 percent total disability. This resolution is identical to SJ 10.

*Patron - Puller*

**CSJ10 Constitutional amendment (first resolution); property tax exemption for certain veterans.** Authorizes the General Assembly to exempt from taxation real property that is the principal residence of a veteran (or widow or widower of a veteran) if the veteran has been determined by the United States Department of Veterans Affairs or its successor agency pursuant to federal law to have a service-connected, permanent, and 100 percent total disability. This resolution is identical to SJ 8.

*Patron - Reynolds*

**CSJ48 Constitutional amendment (first resolution).** Authorizes the General Assembly by general law to classify separately real estate devoted to historical uses and to permit localities to provide tax relief for such real estate.

*Patron - Stuart*

**CSJ59 Constitutional amendment (first resolution); Virginia Redistricting Commission.** Establishes the Virginia Redistricting Commission to redraw Congressional and General Assembly district boundaries after each decennial census. Appointments to the five-member Commission are to be made in the census year from a list of 15 retired judges prepared by the Chief Justice of the Supreme Court as follows: one each by the Governor, President pro tempore of the Senate, and Speaker of the House of Delegates and those three Commission members to appoint two additional members from the list. However, the last two appointments will be made by the minority party leaders of the Senate and House of Delegates if the Governor, President pro tempore, and Speaker are all members of the same party. The five members shall elect one of their number to serve as chairman. The Commission is directed to submit to the General Assembly district plans for the General Assembly within one month of receipt of the new census data or by March 1 of the year following the census, whichever is later, and for the House of Representatives within three months of receipt of the census data or by June 1 of the year following the census, whichever is later. The General Assembly may amend the Commission's plan by a two-thirds vote not to affect any district's population by more than two percent. The standards to govern redistricting plans include the current Constitution's standards on population equality, compactness, and contiguity and additional standards to minimize splits of localities and to prohibit consideration of incumbency and political data. If the General Assembly fails to pass the plan, the Supreme Court will devise the final plan.

*Patron - Miller, J.C.*

**CSJ60 Constitutional amendment (first resolution); assessment of property for tax purposes.** Provides that tax assessments made by any county, city, or town of real property used by its owners solely for single family residential purposes may, by ordinance adopted by the local governing body, be reduced on an annual basis in an amount up to the first \$100,000 of the assessed value, provided that such property has been the primary residence of its owners for at least five years.

*Patron - Miller, J.C.*

**CSJ73 Constitutional amendment (first resolution); property exempt from taxation.** Directs the General Assembly to enact legislation that will permit localities to provide for a partial exemption from, or deferral of, local real property

taxes on a taxpayer's primary residence and up to five acres of land associated with his residence.

*Patron - Hanger*

**CSJ88 Constitutional amendment (first resolution); taking of private property for public uses.** Establishes limitations on takings of private property. Except for property taken for public service companies or railroads, property may not be taken if the primary purpose of the taking is private financial gain, private benefit, an increase in tax base or tax revenues, or an increase in employment. No more property shall be taken than is necessary to achieve the stated public use.

*Patron - Obenshain*

**CSJ91 Constitutional amendment (first resolution); Transportation Funds.** Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and Priority Transportation Fund. All revenues dedicated to Transportation Funds on January 1, 2009, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Funds moneys to transportation and related purposes. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan or reduction must be repaid with reasonable interest within the three years. The amendment also limits the use of general and other non-transportation funds for transportation purposes except for certain debt service payments and, additionally, in an amount not to exceed \$80 million in any fiscal year.

*Patron - Norment*

## Other Resolutions

### Passed

**PHJ5 Designating October as Right Choices for Youth Month in Virginia.** Designates October in 2008, and in each year thereafter, as Right Choices for Youth Month in Virginia to promote the formation of character and integrity in young Virginians.

*Patron - Peace*

**PHJ26 Dyslexia Awareness Month.** Designating October, in 2008 and in each succeeding year, as Dyslexia Awareness Month in Virginia.

*Patron - Wright*

**PHJ27 Valentines, Virginia Day.** Designates February 14, in 2008 and in each succeeding year, as Valentines, Virginia Day in the Commonwealth.

*Patron - Wright*

**PHJ41 Virginia Adoption Awareness Month.** Designates November in 2008, and in each succeeding year, as Virginia Adoption Awareness Month.

*Patron - Peace*

**PHJ76 Town of Independence.** Recognizes the Town of Independence as the Official Home of the Grand Privy Race in Virginia.

*Patron - Carrico*

**PHJ79 Barring physicians or other health care practitioners from prescribing an alternative brand of medication because of financial incentives.** Requests the Governor and the Secretary of Health and Human Resources to develop a policy barring physicians or other health care practitioners from prescribing an alternative brand of medication because of financial incentives without first disclosing the incentives to the patient or the patient's parent, legal guardian, or other authorized representative.

*Patron - Hamilton*

**PHJ130 President Ronald Reagan Day.** Designates February 6, in 2008 and in each succeeding year, as Ronald Reagan Day in Virginia.

*Patron - O'Bannon*

**PHJ131 Plumbing Industry Week.** Designates April 27 through May 3, 2008, as Plumbing Industry Week in Virginia to correspond to the plumbing industry's celebration of 125 years of existence in 2008.

*Patron - Scott, E.T.*

**PHJ132 Brain Injury Awareness Month.** Designates March, in 2008 and in each succeeding year, as Brain Injury Awareness Month in Virginia in conjunction with March as National Brain Injury Awareness Month and the Governor's proclamation of the month in Virginia in 2006.

*Patron - Nutter*

**PHJ147 V-Prize Foundation.** Commends the V-Prize Foundation and encourages the Federal Aviation Administration's Commercial Space Transportation office to conduct a comprehensive study of the domestic and international legal issues associated with transoceanic point-to-point space flight.

*Patron - Kilgore*

**PHJ184 Wild Spanish mustangs; resolution.** Recognizes the historic value and importance of the last known wild herd of Spanish mustangs living on the barrier islands of Virginia.

*Patron - Suit*

**PHJ220 Philippine Independence Day.** Designates June 12, in 2008 and in each succeeding year, as Philippine Independence Day in Virginia in conjunction with other celebrations of the day in the nation.

*Patron - Hall*

**PHJ231 Board of Game and Inland Fisheries resolution.** Requests that the Board of Game and Inland Fisheries and the Department of Game and Inland Fisheries provide better communication and opportunities for public participation when proposing or changing regulations.

*Patron - Saxman*

**PHJ362 Ms. Wheelchair Virginia Day.** Designates April 14, in 2008 and in each succeeding year, as Ms. Wheelchair Virginia Day in Virginia.

*Patron - Howell, W.J.*

**PSJ41 Virginia Commonwealth University Day in Virginia.** Designates July 1, 2008, as Virginia Commonwealth University Day in Virginia, commemorating the 40th anniversary of the establishment of the university.

*Patron - McEachin*

**PSJ49 Parkinson's Disease Awareness Month.** Designates April, in 2008 and in each succeeding year, as Parkinson's

Disease Awareness Month in Virginia to coincide with the national week.

*Patron - Stuart*

**PSJ64 Plumbing Industry Week.** Designates April 27 through May 3, 2008, as Plumbing Industry Week in Virginia to correspond to the plumbing industry's celebration of 125 years of existence in 2008.

*Patron - Houck*

**PSJ108 Children's Miracle Network Day.** Designates October 1, in 2008 and in each succeeding year, as Children's Miracle Network Day in Virginia.

*Patron - Newman*

**PSJ171 Battle of Craney Island Day.** Designates June 22, 2008, as the Battle of Craney Island Day in Virginia.

*Patron - Quayle*

## Failed

**FHJ2 Requesting the Governor to implement the recommendations of the 2002 Governor's Commission on Efficiency and Effectiveness.** Requests the Governor to implement such recommendations of the 2002 Governor's Commission on Efficiency and Effectiveness as can be addressed through his executive powers, and to request of the General Assembly such additional statutory authority as may be needed in order fully to carry out the recommendations, in order to provide funding to address critical transportation needs.

*Patron - Marshall, R.G.*

**FHJ42 Memorializing Congress to repeal or amend the federal Real ID Act.** Expresses the sense of the General Assembly in opposition to the implementation of the federal Real ID Act unless the federal government provides adequate funds to the states to cover the costs of implementation and unless amendments are made to protect the privacy and preserve the essential civil rights and liberties of the citizens of the Commonwealth.

*Patron - Peace*

**FHJ44 Comprehensive information system to replace or revise the Service Fee Directory.** Requests that the Office of Comprehensive Services develop a comprehensive information system that would replace or revise the Service Fee Directory to capture and track, on an ongoing basis, key compliance, performance, and financial information, including rates, about residential services.

*Patron - Toscano*

**FHJ62 Public service academy.** Urges the United States Congress to create a national public service academy.

*Patron - Toscano*

**FHJ68 Resolution; Department of General Services; LEED standards for new state office buildings.** Encourages the Department of General Services to adopt the Leadership in Energy and Environmental Design (LEED) Green Building Rating System into state procurement practices for the design and procurement of construction services for new state office buildings.

*Patron - Plum*

**FHJ73 Resolution; local school divisions.** Urges all local school divisions in the Commonwealth to implement the nutri-

tion and physical activity standards of the Governor's Nutrition and Physical Activity Award Program.

*Patron - O'Bannon*

**EHJ80 Consolidating certain departments; report.** Requests the Governor to determine the most appropriate methods and timing for consolidating the Department for the Blind and Vision Impaired, the Department for the Deaf and Hard of Hearing, and the Department of Rehabilitative Services into a single department that will result in an enhancement of services.

*Patron - Marshall, R.G.*

**EHJ81 Consolidating certain departments; report.** Requests the Governor to determine the most appropriate methods and timing for consolidating the Department of Charitable Gaming, the Virginia Racing Commission, and the State Lottery Department into a single department under the State Lottery Department.

*Patron - Marshall, R.G.*

**EHJ82 Recognizing the need to establish a searchable budget database website.** Recognizes the need for the staff of the House Committee on Appropriations and the Senate Committee on Finance to establish a searchable budget database website detailing where, for what purpose, and what results are achieved for all taxpayer investments in state government. This bill is incorporated into HB 1360.

*Patron - Marshall, R.G.*

**EHJ86 Memorializing the Congress of the United States.** Withdraw the United States from the Security and Prosperity Partnership of North America and any other bilateral or multilateral activity which seeks to create a North American Union.

*Patron - Marshall, R.G.*

**EHJ94 Mid-Atlantic Regional Spaceport (MARS).** Encourages the Governor of the Commonwealth to initiate a memorandum of agreement with the Governor of Maryland to create a bi-state compact and commission to jointly fund and operate the Mid-Atlantic Regional Spaceport.

*Patron - Cosgrove*

**EHJ104 Standards of Quality and Standards of Learning; academic excellence of all students.** Requests the Board of Education to recommend changes to the Standards of Quality and the Standards of Learning to transition from minimum competency requirements to standards that require academic excellence of all students. The Board of Education must submit its report to the 2009 Regular Session of the General Assembly.

*Patron - Plum*

**EHJ125 Illegal immigration; memorializing Congress to act.** Requests Congress to provide federal agencies with the necessary resources for the enforcement of existing federal immigration laws or, if Congress chooses not to provide those resources, to enact legislation giving states the authority and funding to address the problem of illegal immigration.

*Patron - Bell*

**EHJ126 Encourage the Government of Turkey to grant certain rights to the Ecumenical Patriarch.** Encourages the Government of Turkey to grant the Ecumenical Patriarch appropriate international recognition, ecclesiastical succession, and the right to train clergy of all nationalities and to respect the property rights and human rights of the Ecumenical Patriarchate.

*Patron - Joannou*

**EHJ127 Resolution; school divisions of the Commonwealth.** Encourages the school divisions of the Commonwealth to consider launching a Project Lead the Way program in the division's high schools.

*Patron - Nutter*

**EHJ128 Resolution; encouraging international education programs.** Encourages the Commonwealth's public institutions of higher education to enhance opportunities for international educational programs. The Commonwealth's institutions of higher education are encouraged to (i) develop courses of study, academic programs, and enrichment opportunities to increase student understanding of global issues and cultural differences; (ii) promote courses in foreign languages to prepare students to seek careers in a global marketplace and enhance their understanding of other countries; (iii) provide opportunities for students in all majors to participate in programs to study abroad to enrich their academic training, intercultural perspectives, and personal development; (iv) provide opportunities for domestic and international students to interact effectively and routinely to share their views, perceptions, and experiences; and (v) develop innovative public education programs, methods, and venues to explore global issues and world cultures.

*Patron - Nutter*

**EHJ129 Resolution; increase energy security.** Expresses the General Assembly support for the 25X'25 Project.

*Patron - Poindexter*

**EHJ183 Requesting the Governor of the Commonwealth of Virginia to enter into Immigration Agreement.** Requests the Governor to enter into Memoranda of Agreement with the United States Department of Homeland Security, Immigration and Customs Enforcement, to allow designated members of the Department of State Police, Department of Corrections, and Department of Motor Vehicles to perform certain federal immigration law functions. Such a Memoranda of Agreement is frequently referred to as a "287 (g)" agreement.

*Patron - Frederick*

**EHJ185 Encouraging the school divisions of the Commonwealth to consider forming planning committees to establish academic year Governor's Schools in math, science, and technology.** Encourages the school divisions of the Commonwealth to consider forming planning committees to establish academic year Governor's Schools in math, science, and technology.

*Patron - Saxman*

**EHJ246 Encouraging the utilization of Mid-Atlantic Regional Spaceport (MARS).** Encourages the utilization of MARS by commercial space launch providers to re-supply and re-crew the orbiting International Space Station upon retirement of the space shuttle.

*Patron - Lewis*

**EHJ247 Resolution; International education.** Recognizes the importance of international education in higher education in Virginia.

*Patron - Tata*

**ESJ25 Resolution; "65 percent Solution."** Recognizes the problems with and implications of the "65 Percent Solution," a proposal to urge states to amend their laws to require that at least 65 percent of the operating budget for public schools must be spent on classroom expenses or to enact legislation that supports this goal. This resolution also expresses

opposition to the implementation of the "65 Percent Solution" and cautions that the plan should be carefully considered.

*Patron - Miller, Y.B.*

**ESJ58 Memorializing Congress to support participation of the Republic of China (Taiwan) in the World Health Organization.** Memorializes the Congress of the United States to support the Republic of China (Taiwan) in its efforts to be permitted full and meaningful participation in the activities of the World Health Organization.

*Patron - Deeds*

**ESJ69 Humane Treatment for Companion Animals Education Week.** Designates the first full week in February, in 2008 and in each succeeding year, as Humane Treatment for Companion Animals Education Week in Virginia and encourages the Department of Education to advise all public school divisions in Virginia to participate in the week.

*Patron - Vogel*

**ESJ71 Resolution; high voltage transmission lines.** States that it is the intent of the General Assembly that the State Corporation Commission require any electric utility applying for approval to construct a high voltage transmission line comply with and strive to exceed certain provisions of state and federal law regarding energy conservation and the use of renewable energy sources, and that in determining whether an applicant has demonstrated need for the transmission line, compliance with these provisions be a prerequisite to the Commission's approval of its construction.

*Patron - Petersen*

**ESJ93 Illegal immigration; memorializing Congress to act.** Requests Congress to provide federal agencies with the necessary resources for the enforcement of existing federal immigration laws or, if Congress chooses not to provide those resources, to enact legislation giving states the authority and funding to address the problem of illegal immigration. This resolution has been incorporated into SJR 120.

*Patron - Stolle*

**ESJ94 Resolution; importance of Commission on Climate Change.** Recognizes the need for the Commission on Climate Change to provide leadership and assist the General Assembly and the Governor.

*Patron - Ticer*

**ESJ120 Illegal Immigration; federal responsibility.** Memorializes the Congress of the United States to develop a comprehensive immigration policy and to demonstrate leadership on the matter of illegal immigration. This resolution incorporates SJR 93.

*Patron - Colgan*

**ESJ130 Resolution; International education.** Recognizes the importance of international education in higher education in Virginia.

*Patron - Quayle*

**ESJ131 Memorializing Congress regarding birthright citizenship.** Urges the United States Congress to call for a constitutional convention to amend the Fourteenth Amendment of the Constitution to clarify specifically that a person born to a parent who is a U. S. Citizen is also a citizen of the United States.

*Patron - Cuccinelli*

## Carried Over

**CSJ26 Attorney General of Virginia; illegal immigration; report.** Requests the Attorney General to pursue all remedies through litigation to recover moneys owing from the United States government to the Commonwealth for reimbursement of costs incurred by the State in dealing with illegal immigration.

*Patron - Colgan*

## Miscellaneous (Including Budget and Bonds)

### Passed

**P HB29 Budget Bill.** Amending Chapter 847 of the 2007 Acts of Assembly, which appropriated the public revenues and provided a portion of such revenues for the two years ending, respectively, on the thirtieth day of June, 2007, and the thirtieth day of June, 2008.

*Patron - Putney*

**P HB30 Budget Bill.** Provides a portion of revenues for the two years ending respectively on the thirtieth day of June, 2009, and the thirtieth day of June, 2010.

*Patron - Putney*

**P HB31 Bonds; institutions of higher learning.** Authorizes the issuance of 9(c) bonds in a principal amount not to exceed \$350,565,000 for revenue-producing capital projects at certain institutions of higher learning.

*Patron - Hamilton*

**P HB474 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 Memory 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 \$2 million in private funds have been raised, pledged, or expended to support the projects. The State Comptroller shall advance \$500,000 of the \$5.97 million upon certification that \$1 million in private funds have been raised, pledged, or expended for the educational wing.

*Patron - Cox*

**P HB688 Claims; Anthony Fields.** Provides relief for Anthony Fields, who was incarcerated for one year beyond the time he was required to serve due to an error in recording the date that he was incarcerated. Under the bill, the Commonwealth would provide a lump-sum payment to Mr. Fields of \$32,544, payable on or before August 1, 2008.

*Patron - Valentine*

**P HB1576 Award of service handgun.** Allows William A. Pruitt, retired Commissioner of the Virginia Marine Resources Authority, to purchase his service handgun.

*Patron - Morgan*

**PSB31 Bonds; institutions of higher learning.** Authorizes the issuance of 9(c) bonds in a principal amount not to exceed \$350,565,000 for revenue-producing capital projects at certain institutions of higher learning.

*Patron - Colgan*

## Failed

**HB295 Claims; Sumpter and Robin Priddy.** Provides relief in the amount of \$65,000 to Sumpter and Robin Priddy. Property owned by the Priddys was leased by Virginia Commonwealth University (VCU). The lease included an option for VCU to purchase the property with the price to be based on the average of two appraisals that were to be conducted at the end of the five-year lease. The Virginia Commonwealth University Real Estate Foundation (the "Foundation"), a VCU "affiliated organization," attempted to exercise the option based on appraisals done prior to the expiration of the lease. In a subsequent suit to enforce the option, the court held that in basing the purchase price on appraisals that were done prior to the expiration of the lease, VCU did not properly exercise its option. The amount of the claim is to reimburse the Priddys for attorney and appraisal fees and other costs associated with the Priddys' defense against the lawsuit.

*Patron - Hargrove*

**HB594 General obligation bonds; educational facilities.** Authorizes the issuance of 9(b) bonds in a principal amount not to exceed \$1,525,492,000 for certain educational facilities, subject to approval by the voters voting at the November 4, 2008, general election.

*Patron - Hamilton*

**HB1417 Claims; Kay F. Couch Johnson.** Provides \$161,875 in relief for Kay F. Couch Johnson. One-half of such sum is payable on or before July 1, 2008, and the balance is to be paid in five equal installments from July 1, 2009, through July 1, 2013, contingent upon written mental and physical evaluations, and upon her not returning to work as a nurse or if the VRS Medical Board finds she may work as a nurse without losing her VRS retirement benefits. Ms. Johnson was an employee of the Department of Mental Health, Mental Retardation and Substance Abuse Services at Catawba Hospital. In the course of her duties, Ms. Johnson was injured by a violent patient.

*Patron - Ware, O.*

**HB1501 Firefighters; task force to develop training standards.** Creates a task force, appointed by the Secretary of Public Safety, to develop criteria for the training and certification of all firefighters in Virginia. The bill sets out the membership of the task force and its duties.

*Patron - Amundson*

**SB29 Budget Bill.** Amending Chapter 847 of the 2007 Acts of Assembly, which appropriated the public revenues and provided a portion of such revenues for the two years ending, respectively, on the thirtieth day of June, 2007, and the thirtieth day of June, 2008.

*Patron - Colgan*

**SB30 Budget Bill.** Provides a portion of revenues for the two years ending respectively on the thirtieth day of June, 2009, and the thirtieth day of June, 2010.

*Patron - Colgan*

**SB343 Transfer of state toll facilities.** Requires prior approval by local referendum of any contract or agreement that would transfer control of a state toll facility to any non-Commonwealth public or private entity.

*Patron - Cuccinelli*

**SB581 General obligation bonds; educational facilities.** Authorizes the issuance of 9(b) bonds in a principal amount not to exceed \$1,525,492,000 for certain educational

facilities, subject to approval by the voters voting at the November 4, 2008, general election.

*Patron - Colgan*

## Study Resolutions

### Passed

**HJ6 Study; Southeastern Public Service Authority; report.** Requests the Hampton Roads Planning District Commission to study the operation and finances of the Southeastern Public Service Authority.

*Patron - Peace*

**HJ72 Study; privatization of the ports of Virginia; report.** Establishes a joint subcommittee to study public-private partnerships regarding seaports in Virginia.

*Patron - Purkey*

**HJ75 Study; local incentives to private businesses; report.** Establishes a joint subcommittee to study local incentives provided to private businesses for economic development purposes. In conducting its study, the joint subcommittee shall (i) determine all incentives that localities are permitted to provide to private businesses; (ii) evaluate the impact of such incentives on smaller local competitors of the businesses provided the incentives; and (iii) evaluate the effectiveness of the incentives that are provided.

*Patron - Cole*

**HJ89 Study; Southeastern Public Service Authority; report.** Directs the Auditor of Public Accounts to collect, receive, and analyze data and information relating to the operation and finances of the Southeastern Public Service Authority.

*Patron - Cosgrove*

**HJ90 Continuing the Joint Subcommittee Studying Science, Math, and Technology Education at the Elementary, Secondary, and Undergraduate Levels.** Continues the joint subcommittee to review the curricula of existing public schools in the Commonwealth, including Governor's Schools and other specialized public schools devoted to math, science, or technology; study accessibility to specialized public schools by students throughout the Commonwealth; review and recommend innovative ways to interest students at all education levels in science, math, and technology; identify the key points during the K-12 education experience that will determine whether a student will become interested, and maintain that interest, in math, science, technology related subjects; and identify programs and activities that promote partnerships between educators at the Commonwealth's public schools and institutions of higher education, as well as with business and research entities in the science and technology sectors located in the Commonwealth. In addition, to address the shortage of science and engineering graduates in the Commonwealth, the joint subcommittee shall, in its deliberations, ascertain the factors contributing to the shortage of science and engineering graduates in the Commonwealth and recommend alternatives to mitigate its effect; determine the current supply and demand for science and engineering graduates in Virginia, and project the need for such graduates in the next decade; examine ways to promote and encourage collaboration and partnerships between science and engineering programs at the Commonwealth's institutions of higher education and science- and technology-based businesses in Virginia, including tax incentives; assess the feasibility of using the collaboration between Virginia Tech and the Virginia Community College System in the

Lynchburg area as a model for institutional partnerships; and identify incentives designed to attract and retain more students into science and engineering programs and prepare them for careers in these fields. This resolution incorporates HJ 115.

*Patron - Cosgrove*

**PHJ91 Study; Private institutions address Virginia's educational and workforce needs; report.** Establishes a joint subcommittee to study ways in which the Commonwealth may work with Virginia's private nonprofit colleges to meet state higher education needs. This bill incorporates HJ 99.

*Patron - Hamilton*

**PHJ105 Study; autism services; report.** Directs the Joint Legislative Audit and Review Committee to study autism services in Virginia to identify and evaluate best practices in the provision of services for the diagnosis, treatment, and management of autism; methods of providing services to persons with autism; ways to disseminate information regarding best practices; and provide autism education and training for law enforcement and judicial personnel. This resolution incorporates HJR 110.

*Patron - Valentine*

**PHJ113 Study; juvenile justice; Virginia State Crime Commission.** Directs the Commission to continue its study of juvenile justice. The Commission, in continuing its study of the juvenile justice system in the Commonwealth pursuant to House Joint Resolution 136 (2006), shall also (i) review the severity of offenses committed by juveniles in the Commonwealth; (ii) evaluate the effects on the learning environment and educational process, particularly for other students, when juvenile offenders are returned to the public school classroom; (iii) identify and examine more effective methods of rehabilitating juveniles, particularly juveniles who commit serious offenses; and (iv) recommend such changes as the Commission may deem necessary to provide a more effective juvenile justice system. This resolution incorporates HJ 160.

*Patron - Moran*

**PHJ119 Study; impact of eVA on small businesses in the Commonwealth.** Directs the Joint Legislative Audit and Review Commission (JLARC) to study the impact of eVirginia (eVA) on small businesses in the Commonwealth. In conducting its study, JLARC shall (i) identify the total number of contracts and the total dollar amount awarded to small businesses in the Commonwealth, annually, since the implementation of the eVA procurement system; and (ii) examine the impact of the fee structure and the mandatory use of eVA on the procurement opportunities of small businesses in the Commonwealth.

*Patron - Nutter*

**PHJ155 Study; requesting the Hampton Roads Planning District Commission (HRPDC) to study automatic aide for emergency responses across jurisdictional lines; report.** Requests the HRPDC to study emergency responses across jurisdictional lines in the Hampton Roads region and to issue a report with its findings and recommendations.

*Patron - Suit*

**PHJ159 U.S. Route 460 Communications Committee; report.** Extends the U.S. Route 460 Communications Committee until commencement of construction of the U.S. Route 460 project as approved by the Commonwealth Transportation Board in November 2005. The Committee must submit an executive summary of its findings and recommendations no later than the first day of the Regular Session of the 2009 and 2010 Sessions of the General Assembly.

*Patron - Jones, S.C.*

**PHJ177 Study; single sales factor; report.** Establishing a joint subcommittee to study the benefits of adopting a single sales factor to apportion the income of multistate corporations for purposes of the corporation income tax.

*Patron - Byron*

**PHJ178 Study; Urban Development Areas; report.** Establishes a joint subcommittee to study development and land use tools in Virginia's localities. The two-year study will examine and monitor the transition to channeling development into Urban Development Areas, and determine if additional legislation is needed to help localities as they transition to Urban Development Areas. The joint subcommittee shall also make a comprehensive evaluation of all existing land use planning tools and infrastructure financing options, as well as consider matters addressed in HJR 22 (2008). This resolution incorporates HJR 22.

*Patron - Athey*

**PHJ194 Study; transportation network of Hampton Roads.** Establishes a 10-member joint subcommittee to conduct a one-year study of the transportation network of Hampton Roads.

*Patron - Jones, S.C.*

**PHJ195 Study; transfer of development rights; report.** Establishes a nine-member joint subcommittee to study transfer of development rights (TDR) and examine ways in which the existing TDR legislation may be modified to make it more appealing to localities.

*Patron - Lohr*

**PHJ196 Study; Bureau of Insurance; licensure of insurance agents; report.** Requests the Bureau of Insurance of the State Corporation Commission to collect certain demographic and other information from agent licensing examination candidates.

*Patron - Hargrove*

**PHJ248 Study; Development and enhancement of the biosciences and biotechnology.** Creates a joint subcommittee to study and advance the development and enhancement of the biosciences and biotechnology in the Commonwealth. In conducting its study, the joint subcommittee shall, among other things, (i) review and implement appropriate and efficacious recommendations of state and national research investigations in the disciplines of bioscience and biotechnology, including the Governor's Commission on Biotechnology; (ii) examine, continue, and enlarge the work begun by the Governor's Commission on Biotechnology, including, but not limited to, determining how Virginia's research universities, federal and state laboratories, biotechnology incubators, research parks, private industry, and other major resources can be leveraged to help make Virginia a more attractive location for the development and enhancement of the biosciences and biotechnology industry; (iii) determine how these resources may increase the development of the biotechnology industry through technology transfer and commercialization of new ideas and discoveries; (iv) assess how strategic initiatives in bioscience and biotechnology may generate economic development and investment in Virginia, particularly in rural and urban regions of the Commonwealth; (v) examine Virginia's workforce development status, including education, supply, and training needs relative to supporting viable bioscience research and biotechnology industry in the Commonwealth; (vi) evaluate the capacity of bioscience and biotechnology to protect and preserve Virginia's natural resources; and (vii) develop and recommend a strategic and visionary plan that implements certain of the recommendations deemed feasible and appropriate, establishes

Virginia as a national and global leader in bioscience and biotechnology research and application by 2018, and enables the Commonwealth to maintain its national and global leadership thereafter. During the course of its study, the joint subcommittee shall ensure the participation and contribution of representatives of Virginia's public research institutions of higher education, the Center for Innovative Technology, the private biotechnology industry, and the Secretary of Technology. The joint subcommittee shall also ensure the involvement of representatives of agricultural and tobacco interests, federal laboratories in Virginia involved in research and technology transfer in life sciences, and the not-for-profit life science and research institutions and laboratories in the Commonwealth.

*Patron - Sickles*

**PSJ42 Study; mental health; report.** Directs the Joint Commission on Health Care to receive, review, and evaluate the impact of certain recommendations and legislation on the mental health system in the Commonwealth. The Commission must consider and assess the recommendations of the Chief Justice's Commission on Mental Health Law Reform, the Virginia Tech Review Panel, the Office of the Inspector General for Mental Health, Mental Retardation and Substance Abuse Services, other committees and commissions proposing recommendations related to the involuntary commitment process specifically and the system of mental health services in the Commonwealth, and legislation enacted by the 2008 Session of the General Assembly and signed into law by the Governor. The Commission must report its findings and recommendations to the 2010 Session of the General Assembly.

*Patron - Lucas*

**PSJ46 Study; continuing the study of the mental health needs and treatment of minority young adults in the Commonwealth; report.** Directs the Joint Commission on Health Care to continue its study of the mental health needs and treatment of young minority adults in the Commonwealth. In conducting the study, the Joint Commission on Health Care shall continue, among other things, to (i) estimate the number of mentally disabled young adults by gender, age, and racial and ethnic classification, in the geographical regions of the Commonwealth; (ii) identify the prevailing mental health and emotional disorders and their etiology among minority young adults; (iii) identify the mental health needs of minority citizens, particularly minority young adults in Virginia; (iv) determine whether mental health care providers are trained to provide culturally competent mental health treatment; (v) assess the need for culturally competent mental health treatment in Virginia; and (vi) review federal and state laws and regulations governing the confidentiality of health care, mental health treatment, and medical records. The Commission must submit its findings and recommendations to the 2009 Regular Session of the General Assembly.

*Patron - Marsh*

**PSJ56 Study; Virginia Housing Commission; vacant residential units in densely populated urban areas; report.** Directs the Virginia Housing Commission to study the impact of abandoned and vacant residential buildings on densely populated urban areas.

*Patron - Locke*

**PSJ65 Study; Southeastern Public Service Authority; report.** Directs the Auditor of Public Accounts to collect, receive, and analyze data and information relating to the operation and finances of the Southeastern Public Service Authority. The Auditor must submit his findings to the 2009 Regular Session of the General Assembly.

*Patron - Quayle*

**PSJ70 Study; Development and land use tools in Virginia localities.** Establishes a joint subcommittee to study development and land use tools in Virginia's localities. In conducting its study, the joint subcommittee shall examine and monitor the transition to channeling development into Urban Development Areas, and determine if additional legislation is needed to help localities as they transition to Urban Development Areas. The joint subcommittee shall also make a comprehensive evaluation of all existing land use planning tools and infrastructure financing options and make any recommendations deemed appropriate. This resolution is identical to HJR 178 (Athey).

*Patron - Vogel*

**PSJ75 Study; continuing the Joint Subcommittee to Study the Comprehensive Services Program for At-Risk Youth and Families; report.** Continues the Joint Subcommittee to Study the Comprehensive Services Program for At-Risk Youth and Families, established by Senate Joint Resolution 96 (2006), to continue to review the administration of the Comprehensive Services Program and to develop additional legislative recommendations for the 2009 Session of the General Assembly.

*Patron - Hanger*

**PSJ77 Study; substance abuse and prevention programs.** Creates a joint subcommittee to study strategies and models for substance abuse prevention and treatment that effectively reduce the costly service demands created by substance abuse. In conducting its study, the joint subcommittee shall (i) identify and characterize the nature of substance abuse in the Commonwealth; (ii) identify current state policies and programs targeting substance abuse prevention and treatment; (iii) examine the cost of such policies and programs to the Commonwealth; (iv) identify and examine policies and prevention programs from other leading states in the field of substance abuse and prevention; and (v) benchmark the Commonwealth's substance abuse prevention and treatment programs and policies against those of the leading states.

*Patron - Hanger*

**PSJ92 Study; transportation entities; report.** Establishes a joint subcommittee to study the functions and authorities of entities with transportation responsibilities. The joint subcommittee shall focus its efforts first on the Hampton Roads region and shall review the statutory functions of the metropolitan planning organizations, planning district commissions, and transportation authorities, making recommendations to resolve ambiguities and overlapping functions.

*Patron - Stolle*

**PSJ99 Study; clerks' offices; report.** Continues the joint subcommittee to study the operations of circuit court clerks' offices.

*Patron - Stolle*

**PSJ101 Study; Adopting a single sales factor to apportion the income of multistate corporations for purposes of the corporation income tax; report.** Establishes a joint subcommittee to study the benefits of adopting a single sales factor to apportion the income of multistate corporations for purposes of the corporation income tax.

*Patron - Stosch*

**PSJ102 Study; support services for family caregivers of the frail elderly and disabled and community-based caregiver support organizations; report.** Directs the Joint Commission on Health Care to study support services for family

caregivers of the frail elderly and disabled and community-based caregiver support organizations.

*Patron - Stosch*

**PSJ122 Study; rapid transit service network; report.** Establishes a joint subcommittee to study the feasibility of creating a regional rapid transit network for connecting existing and emerging population centers in major transportation corridors. This resolution incorporates SJR 83.

*Patron - Colgan*

**PSJ129 Study; JLARC to study cost of VITA services; report.** Directs the Joint Legislative Audit and Review Commission (JLARC) to study services provided to state agencies and public bodies by the Virginia Information Technologies Agency (VITA). In conducting its study, JLARC shall (i) evaluate the quality, cost, and value of the services delivered to state agencies and public bodies and (ii) characterize the impact to state agencies and public bodies resulting from the transition to a fee-based services model and to the information technology infrastructure partnership with Northrop Grumman. The Commission must submit its report to the 2010 Session of the General Assembly.

*Patron - Stolle*

## Failed

**FHJ15 Study; security freezes on consumer credit reports.** Creates a joint subcommittee to study security freezes on consumer credit reports.

*Patron - O'Bannon*

**FHJ22 Study; the costs of development; report.** Establishes a joint subcommittee to study the identifiable costs of new residential and commercial development in Virginia and the manner in which those costs are currently borne or would likely be borne. This resolution was incorporated into HJR 178.

*Patron - Marshall, R.G.*

**FHJ35 Study; indigent health care in the Commonwealth; report.** Directs the Joint Legislative Audit and Review Commission to (i) determine the volume of indigent health care provided by private, specialty, and not-for-profit hospitals in the Commonwealth; (ii) determine the financial cost of indigent health care to private, specialty, and not-for-profit hospitals in the Commonwealth; and (iii) identify and analyze potential tax and other incentives that may be offered to private and specialty hospitals and other health care providers to encourage the provision of care to indigent individuals.

*Patron - Purkey*

**FHJ43 Study; Online public institution of higher education; report.** Requests that the State Council of Higher Education study the feasibility of establishing an online public institution of higher education. The Council must submit its findings and recommendations to the 2009 Session and its final findings and recommendations to the 2010 Session of the General Assembly.

*Patron - Poisson*

**FHJ46 Comprehensive information system to replace or revise the Service Fee Directory.** Requests that the Office of Comprehensive Services develop a comprehensive information system that would replace or revise the Service Fee Directory to capture and track, on an ongoing basis, key compliance, performance, and financial information, including rates, about residential services.

*Patron - Landes*

**FHJ47 Study; severe shortage of medical doctors; report.** Establishes a joint subcommittee to study the current and impending severe shortage of medical doctors in Virginia. The joint subcommittee shall consider the impact of the current and impending shortage of medical doctors on the health care system in the Commonwealth, and identify options to prepare for and remedy the shortage. In conducting its study, the joint subcommittee shall, among other things, (i) determine whether a shortage of medical doctors exists in the Commonwealth per specialty and geographical region; (ii) identify and assess factors that contribute to the shortage of medical doctors, including medical school admissions, the costs of medical education, and the effect of excessive malpractice insurance premiums, malpractice laws and caps, the shortage of nurses, and ancillary regulations such as the Certificate of Public Need; and (iii) identify the medical specialties primarily affected by the shortage of doctors and recommend ways to alleviate such problems. The joint subcommittee must submit its findings and recommendations to the 2009 Session and its final findings and recommendations to the 2010 Session of the General Assembly.

*Patron - Purkey*

**FHJ52 Study; clerks' offices; report.** Continuing the joint subcommittee to study the operations of circuit court clerks' offices.

*Patron - Kilgore*

**FHJ53 Study; competition in the commercial health insurance market; report.** Directs the Joint Legislative Audit and Review Commission to study measures to increase competition in the commercial health insurance market in the Commonwealth. In conducting its study, the Commission shall (i) determine the extent of concentration in the commercial health insurance market; (ii) analyze the effects of such level of concentration on the cost and availability of commercial health insurance products in the Commonwealth; (iii) identify issues responsible for the extent of such market concentration; (iv) determine whether the requirement that health insurers offer to small employers the essential and standard health plan should be repealed; and (v) recommend solutions to address any negative effects of market concentration.

*Patron - O'Bannon*

**FHJ63 Study; Defense Base Closure and Realignment Commission's recommendations for Fort Belvoir; Report.** Creates a joint subcommittee to study the impact of the BRAC Commission's base realignment at Fort Belvoir on transportation, public schools, the environment, and affordable housing in Northern Virginia.

*Patron - Nichols*

**FHJ64 Study; DC Metro extension to Woodbridge and Potomac Mills.** Requests that the Secretary of Transportation study the extension of Metro from the Springfield station south on I-95 to Woodbridge and Potomac Mills.

*Patron - Nichols*

**FHJ69 Study; Alternative solutions to long-term care needs in the Commonwealth; report.** Directs the Joint Commission on Health Care to study alternative solutions to long-term care needs, including intentional communities of clustered homes.

*Patron - Plum*

**FHJ71 Study; small business acting collectively to obtain health insurance; report.** Establishes a joint subcommittee to study whether state laws and regulations impede the ability of small businesses to act collectively in procuring

health insurance. The study shall propose recommendations for legislation to eliminate any barriers created by state laws and regulations found to be so impeding small businesses.

*Patron - Purkey*

**FHJ74 Continue study; childhood obesity in Virginia's public schools; report.** Continues the Joint Subcommittee to Study Childhood Obesity in Virginia's Public Schools. In conducting its study, the joint subcommittee shall continue to examine the relationship between the health and physical education curriculum; public health policies; social, economic, and cultural influences; media messages; and the incidence of overweight and obese students in the public schools, in an effort to ascertain methods of combating childhood obesity in the public schools. The joint subcommittee shall also continue to gather data on programs implemented by local school divisions in the Commonwealth, as well as programs in other states, and their effectiveness at decreasing the rates of obesity in school-age children and increasing parental involvement and education to ensure proper nutrition of children.

*Patron - O'Bannon*

**FHJ83 Study; school funding recommendations; report.** Creates a joint subcommittee to study the feasibility and appropriateness of implementing the recommendations of the 2002 Review of Elementary and Secondary School Funding by the Joint Legislative Audit and Review Commission. In conducting its study, the joint subcommittee shall consider, among other things, the implication of requiring that (i) the costs of implementing the Standards of Quality be estimated on principles consistent with producing a current, prevailing cost; (ii) salaries, support costs, and fringe benefits be funded at the full anticipated levels in the budgetary biennium; (iii) the cost of competing factor for Planning Division 8 support salaries be fully funded; (iv) the use of the linear weighted average to determine prevailing costs be reviewed for any dampening effect on estimates of prevailing costs; and (v) recommendations be developed regarding establishing a teacher salary goal for the Commonwealth. The joint subcommittee must report its findings and recommendations to the 2009 Regular Session of the General Assembly.

*Patron - Rust*

**FHJ84 Study; Virginia Housing Commission; methods to procure affordable housing units for public employees working in areas where the median cost of a home exceeds \$300,000; report.** Directs the Virginia Housing Commission to study methods to procure affordable housing units for public employees working in areas where the median cost of a home exceeds \$300,000.

*Patron - Rust*

**FHJ85 Study; fiscal autonomy for elected school boards; report.** Directs the Joint Legislative Audit and Review Commission to study implications of granting fiscal autonomy to elected school boards in the Commonwealth. In conducting its study, the Joint Legislative Audit and Review Commission shall (i) examine state constitutional and statutory issues regarding school board supervisory authority, (ii) study the respective roles of local school boards and the relevant local governing body in delivering and funding public education, (iii) examine fiscal authority models in other states, and (iv) consider such other issues as it deems appropriate. The Joint Legislative Audit and Review Commission must submit an executive summary of its findings and recommendations to the 2009 Session and its final findings and recommendations to the 2010 Session of the General Assembly.

*Patron - Rust*

**FHJ87 Study; real estate tax relief program; report.** Establishes a joint subcommittee to study for one year the treatment of income and asset qualifications for real estate tax relief.

*Patron - Watts*

**FHJ88 Study; Transition process from school to work for disabled students; report.** Establishes a joint subcommittee to study the transition process from school to work for students with disabilities. In conducting its study, the joint subcommittee shall examine the transition process from school to work for students with disabilities, including a review of pertinent state and federal laws and regulations, and the implementation of the required transition planning elements. The joint subcommittee shall consider such other related matters and make such recommendations as it deems appropriate, including cost implications, to ensure an effective and efficient transition process with the complement of needed post-school services to meet the needs of transition-age disabled students and to facilitate full compliance with state and federal laws. The joint subcommittee must report its findings and recommendations to the 2009 Session of the General Assembly.

*Patron - Amundson*

**FHJ92 Study; electronic license plate recognition systems; report.** Requests the Secretary of Public Safety to study the feasibility of increasing the use of electronic license plate recognition systems as a law-enforcement tool.

*Patron - Mathieson*

**FHJ93 Study; Department of Social Services to study foster care code of ethics; report.** Requests the Department of Social Services to study and develop a statewide foster care code of ethics and responsibility agreement. In conducting its study, the Department shall: (i) identify mutual responsibilities of foster parents, foster care workers, and directors of child-placing agencies, including local departments; (ii) develop a foster care code of ethics and responsibilities agreement to be signed by each foster care parent and worker, as well as the local department of social services' or child-placing agency's chief executive officer; and (iii) develop a grievance procedure to be used for violations of the code of ethics.

*Patron - Orrock*

**FHJ98 Study; bus rapid transit in Northern Virginia; report.** Creates a 10-member joint subcommittee to study the establishment of bus rapid transit corridors in Northern Virginia.

*Patron - Watts*

**FHJ99 Study; Year-Round Colleges and Universities; report.** Establishes a joint subcommittee to study the merits of operating colleges and universities in Virginia year-round. In conducting its study, the joint subcommittee shall (i) determine the benefits of a year-round college calendar in Virginia; (ii) identify and evaluate the economic and academic advantages and disadvantages of the year-round college calendar, including, but not limited to, cost savings, rising enrollments, more rapid graduation due to accelerated programming, higher tuition and institutional costs, administrative and curriculum problems, admissions, retention, and persistence concerns, barriers to student seasonal employment, availability and flexibility of federal financial aid and other public and private grants in aid for higher education, academic continuity, scheduling for research activities, and capacity and utilization of academic buildings, dormitories, and other facilities. The joint subcommittee must report its findings and recommendations to the

2009 Session of the General Assembly. This resolution was incorporated into HJR 91 (Hamilton).

*Patron - Poisson*

**EHJ100 Study; Department of Conservation and Recreation to study the privatization of hospitality-related services and functions; report.** Provides for the Department of Conservation and Recreation to study the privatization of hospitality-related services and functions at Virginia's state parks.

*Patron - Poisson*

**EHJ101 Study; Directs JCHC to study various responses to medical errors; report.** Directs the Joint Commission on Health Care to study the use of disclosure, apologies, alternative dispute resolution, and other measures in the case of medical errors and adverse medical outcomes and the impact of such measures on the cost and quality of care, patient confidence, and the medical malpractice system.

*Patron - O'Bannon*

**EHJ102 Study; providing an income tax credit to employers that provide health insurance for their employees in the Commonwealth; report.** Directs the Joint Legislative Audit and Review Commission to study providing an income tax credit to employers that provide health insurance for their employees in the Commonwealth. In conducting its study, the Commission shall, among other things, (i) quantify the cost to the Commonwealth of employer decisions not to sponsor employee health insurance; (ii) determine the effects of providing a reduced income tax rate, implemented through a tax credit program, for corporations and other business entities that provide health insurance for their employees; (iii) identify a mechanism by which the net societal savings resulting from such an income tax credit may be earmarked for funding health care in the Commonwealth; and (iv) determine what amount of an income tax credit would be sufficient to incentivize employers that are not currently providing health insurance for employees to do so.

*Patron - Hogan*

**EHJ103 Study; redistricting process; report.** Creates a joint subcommittee to (i) evaluate the present Virginia redistricting process and its impact on competitive elections and district criteria, (ii) review alternative redistricting processes used in other states, (iii) examine the impact of federal legislation such as the Voting Rights Act, (iv) consider both constitutional and statutory changes in the process, and (v) study the criteria that should be followed in developing redistricting plans. The joint subcommittee is to report to the 2009 session.

*Patron - Moran*

**EHJ106 Recycling of fluorescent bulbs; study.** Requests the Virginia Recycling Markets Development Council to study the costs and benefits of recycling fluorescent light bulbs that contain mercury.

*Patron - Valentine*

**EHJ107 Study; underage drinking.** Requests the Department of Alcoholic Beverage Control to study underage drinking prevention programs. In conducting its study, the Department of Alcoholic Beverage Control shall identify programs and policies from other states targeted at preventing underage consumption of alcohol; review the effectiveness and cost of such programs and policies; and recommend programs and policies that would help prevent underage consumption of alcohol in Virginia.

*Patron - Armstrong*

**EHJ108 Study; affordable housing incentives; report.** Directs the Department of Housing and Community Develop-

ment and the Department of Taxation to study incentives for affordable housing. They are to complete their work by November 30, 2008.

*Patron - Caputo*

**EHJ109 Cost of investment in high-carbon-emitting generation; study.** Directs the Joint Legislative Audit and Review Commission to study the potential economic impact to the Commonwealth of further investment in high-carbon-emitting generation facilities, such as the power plant proposed for Wise County, if the federal government were to adopt a carbon tax, a cap-and-trade program, or other system to regulate the emission of greenhouse gases. The Commission shall provide recommendations for investment in electricity generation that would enable the Commonwealth to maximize its future financial and economic position. Recommendations may include consideration of varying fuel sources, emission control technology, and demand-side management.

*Patron - Englin*

**EHJ110 Study; Joint Legislative Audit and Review Commission to study autism education and training available to law-enforcement and judicial personnel.** Report. Directs the Joint Legislative Audit and Review Commission to study the autism education and training available to law-enforcement and judicial personnel. This resolution was incorporated into HJR 105.

*Patron - Englin*

**EHJ111 Study; Dillon Rule; report.** Creates an 11-member joint subcommittee for a two-year study of the Dillon Rule and its impact on Virginia's localities.

*Patron - Englin*

**EHJ112 Beverage container recycling; study.** Directs the Joint Legislative Audit and Review Commission to include in its 2007 authorized two-year study (SJR 361) an analysis of the effectiveness of the recovery and recycling of beverage containers as a waste minimization strategy.

*Patron - Morgan*

**EHJ114 Access to waterways; study.** Establishes a six-member joint subcommittee to study the public's right to float, fish, and navigate the waters of the Commonwealth

*Patron - Lohr*

**EHJ115 Continuing study; shortage of science and engineering graduates; report.** Continues the joint subcommittee to study science and technology education in business, law, and policy graduate programs in state institutions of higher education established by House Joint Resolution 611 (2007) as the Joint Subcommittee to Study the Shortage of Science and Engineering Graduates in the Commonwealth. This resolution was incorporated into HJR 90.

*Patron - Purkey*

**EHJ116 Study; options for energy-efficient office buildings and public buildings.** Establishes a joint subcommittee to study options for energy-efficient office buildings and public buildings. The joint subcommittee is directed to propose amendments to the Statewide Building Code and to public building procurement requirements that will make such buildings more energy efficient, at costs that are recoverable through savings in energy usage.

*Patron - Hugo*

**EHJ117 Study; Craney Island Dredged Materials Management Area; report.** Requests the Joint Legislative Audit and Review Commission to study the impact of increased elevations at the Craney Island Dredged Materials

Management Area. The Commission will study the efficiencies of ocean dumping compared to continued dumping on Craney Island; the stability of the dredged materials during and after a natural disaster; the risks of dike breaches; impacts on the harbor infrastructure and the environment; and reduced utility of the area after dredging has ceased.

*Patron - Joannou*

**EHJ118 Study; legislative efficiency; report.** Directs the Joint Legislative Audit and Review Commission to study the operations of each house and all agencies in the legislative branch to develop recommendations for improving efficiency. The Commission is required to report and submit its findings and recommendations to the 2009 Session of the General Assembly.

*Patron - Shannon*

**EHJ153 Study; competitive bidding under PPTA.** Establishes a 10-member joint subcommittee to study competitive bidding on projects under the Public-Private Transportation Act of 1995 and similar projects.

*Patron - Watts*

**EHJ154 Study; laws and policies relating to purchase, possession, and transport of firearms in the Commonwealth; report.** Creates a joint subcommittee to review existing laws regarding the purchase, possession, and transport of firearms in the Commonwealth, and to make recommendations for future legislation relating to firearms.

*Patron - Caputo*

**EHJ156 Study; Commission on Local Government; report.** Requests the Commission on Local Government to study the need for contingency plans for local governing bodies to operate in the event of public health emergencies.

*Patron - Sickles*

**EHJ157 Study; state transportation entities; report.** Directs the Joint Commission on Transportation Accountability to study the functions and authorities of state entities with transportation responsibilities.

*Patron - Bouchard*

**EHJ158 Study; decline in funding from federal Highway Trust Fund; report.** Establishes a 10-member joint subcommittee to study the impact on Virginia of a decline in funding from the federal Highway Trust Fund.

*Patron - Bouchard*

**EHJ160 Study; juvenile justice system; report.** Provides for a two-year study of the juvenile justice system and how to make it more effective at protecting society and rehabilitating juveniles. This resolution was incorporated into HJR 113.

*Patron - Phillips*

**EHJ161 Study; merit pay and bonus system for public school teachers in the Commonwealth.** Establishes a joint subcommittee to study the efficacy and appropriateness of establishing a merit pay and bonus system for public school teachers in the Commonwealth.

*Patron - Saxman*

**EHJ162 Study; Bonds and other investment actions by state entities.** Directs the Joint Legislative Audit and Review Commission to study the feasibility of consolidating the issuance and administration of bonds and other investment activity of state government now performed by numerous state entities.

*Patron - Saxman*

**EHJ163 Study; companion animals; report.** Creates a joint subcommittee to study issues related to companion animals including veterinary medicine, commercial breeding practices, overpopulation, animal shelters and pounds, dangerous animal laws, tethering practices, local registration and fee collection, and procedures for disaster preparedness.

*Patron - Saxman*

**EHJ164 Study; Virginia Commission on Immigration; report.** Requests the Virginia Commission on Immigration to study the pervasiveness of licensed contractors in Virginia hiring undocumented workers or otherwise violating the federal Immigration and Reform Act and the impact of such activities on Virginia's workforce and economy.

*Patron - Cosgrove*

**EHJ165 Study; cost of caring for "baby boomers"; report.** Establishes a joint subcommittee to study reducing the cost of caring for the aging population of the Commonwealth. In conducting its study, the joint subcommittee shall examine alternatives to nursing home care, including adult day care; evaluate cost containment efforts in other states; and seek the input of other interested parties, including both private and nonprofit entities who work with the aging population, in seeking cost containment strategies.

*Patron - Marshall, R.G.*

**EHJ166 Study; Use of certain cleaning and maintenance products in the public schools of the Commonwealth; report.** Requests the Board of Education, in cooperation with the Department of General Services, to study the use of certain cleaning and maintenance products in the public schools. The Board of Education is requested to establish a year-long pilot program, consisting of elementary and secondary schools representing rural, urban, and suburban school divisions, in which the participating schools are requested to purchase and use only cleaning products certified as environmentally sensitive, or "green," by the independent Green Seals national certification program. The Board is requested to require that participating schools compare and monitor the cost and efficacy of using "green" cleaning products vis-à-vis commercial cleaning products customarily used in the public schools. Working with the Department of General Services, the Board must confer with various representatives of other state agencies, the education community, business and industry, and other interested parties concerning the efficacy of implementing a "Green, and Clean Schools" program in Virginia. The Board and the Department must report jointly their findings and recommendations to the 2009 General Assembly, and their final findings and recommendations to the 2010 Session of the General Assembly.

*Patron - Lingamfelter*

**EHJ167 Study; Virginia Housing Commission; vacant residential units in densely populated urban areas; report.** Directs the Virginia Housing Commission to study the impact of abandoned and vacant residential buildings on densely populated urban areas.

*Patron - Melvin*

**EHJ168 Study; payday lending industry; report.** Directs the Joint Legislative Audit and Review Commission (JLARC) to study the payday lending industry in the Commonwealth. In conducting its study, JLARC shall (i) examine the effectiveness of payday lending in meeting the credit needs of residents of the Commonwealth, (ii) if legislation is enacted in the 2008 Session of the General Assembly that provides for the establishment of a database for monitoring payday lending practices, examine the effects of the database on payday lend-

ing in the Commonwealth, and (iii) consider such other issues as it deems appropriate.

*Patron - Sickles*

**EHJ169 Study; policies to reduce the negative impacts of plastic bags on the environment; report.** Requests the Department of Environmental Quality to convene stakeholders meetings to discuss and report on potential legislative actions that would mitigate the negative effects of improperly disposed of plastic bags on the Commonwealth's environment. Stakeholders shall include representatives of agriculture, conservation, local government, manufacturing, plastics industry, timber industry, and retailers. In the selection of feasible policies, the stakeholders shall review existing policies and programs adopted in the United States and other countries.

*Patron - Barlow*

**EHJ170 Study; Shortage of classroom teachers in Virginia.** Establishes a joint subcommittee to study the shortage of classroom teachers in Virginia. In conducting its study, the joint subcommittee shall consider, among other things, (i) factors affecting teacher recruitment and retention in Virginia; (ii) effective teacher retention initiatives in other states; (iii) ways in which conditions of employment in Virginia public schools might be enhanced to promote teacher retention; (iv) the work and recommendations of recent legislative and executive branch studies addressing teacher shortage and employment issues; and (v) such other related issues as it deems appropriate. The joint subcommittee must report its findings and recommendations to the 2009 General Assembly and submit its final findings and recommendations to the 2010 Regular Session of the General Assembly.

*Patron - Ingram*

**EHJ171 Study; endocrine disruptor compounds; report.** Requests the Department of Environmental Quality to examine the effects of endocrine disruptor compounds (EDCs), the pollutant identified as responsible for "intersex fish." The Department will: (i) consult with federal, state, regional, and local authorities as well as solid waste and wastewater associations and agencies to monitor the ongoing federal research and efforts to catalog and assess the effects of EDCs on the environment and human health; (ii) evaluate the fiscal and regulatory impact of potential changes to the federal standards for wastewater treatment, drinking water treatment, and stormwater management practices to manage the negative effects of EDCs; (iii) evaluate the feasibility of implementing a state-wide, public-private program to facilitate the collection and proper disposal of unused medicines containing EDCs; and (iv) examine current laws and regulations that may limit or prohibit viable medicinal take-back options at the state or local level.

*Patron - Bulova*

**EHJ172 Study; accessibility to vision care services and products by Virginia consumers; report.** Directs the Joint Legislative Audit and Review Commission to study the impact of current law impeding accessibility to vision care services and products by Virginia consumers. In conducting its study, the Joint Legislative Audit and Review Commission is to (i) review the independent studies reported by and conducted by the Federal Trade Commission and (ii) review complaints relating to quality issues against all optometrists in selected states that do not have commercial and mercantile location prohibitions similar to those in Virginia.

*Patron - Putney*

**EHJ173 Study; access to credit; report.** Establishes a 13-member joint subcommittee to study access to credit in the Commonwealth.

*Patron - Hugo*

**EHJ174 Study; directing the Joint Commission on Health Care to study considering competence of licensed health care professionals as a condition of license renewal; report.** Directs the Joint Commission on Health Care to study considering competence of licensed health care professionals as a condition of licensure renewal. Provides that in its deliberations, the Commission shall determine and consider how each of Virginia's 13 health regulatory boards currently measures the competence of practitioners subject to relicensure, and evaluate the strengths and weaknesses of various methods by which current competence might be demonstrated and measured. The Commission shall also consider existing proposals or pending proposals by health care professional organizations and others who have considered or made recommendations on the issue of continued competence of health care professionals. Finally, the Commission shall develop recommendations regarding any changes that may be necessary to ensure that health care professionals licensed in Virginia are competent at the time of relicensure.

*Patron - Hall*

**EHJ175 Study; fiscal autonomy for elected school boards; report.** Directs the Joint Legislative Audit and Review Commission to study implications of granting fiscal autonomy to elected school boards in the Commonwealth. In conducting its study, the Joint Legislative Audit and Review Commission shall (i) examine state constitutional and statutory issues regarding school board supervisory authority, (ii) study the respective roles of local school boards and the relevant local governing body in delivering and funding public education, (iii) examine fiscal authority models in other states, and (iv) consider such other issues as it deems appropriate. The Joint Legislative Audit and Review Commission must submit an executive summary of its findings and recommendations to the 2009 Session and its final findings and recommendations to the 2010 Session of the General Assembly.

*Patron - Spruill*

**EHJ176 Study; JCOTS to study open education resources; report.** Directs the Joint Commission on Technology and Science to study opportunities to implement open education resources in the Commonwealth's K-12 public schools. In conducting its study, the Joint Commission on Technology and Science shall (i) evaluate opportunities to incentivise local school divisions to use open education resources, creative commons materials, and public domain texts; (ii) identify policies and legislation that would facilitate the use and sharing of educational materials developed by teachers in local school divisions across the Commonwealth; (iii) identify information technology barriers to greater implementation of open education resources and computer-based learning; and (iv) consider such other related issues as the joint commission deems appropriate.

*Patron - Peace*

**EHJ179 Study; chronic truancy and dropout prevention; report.** Requests the Board of Education to study the need for and ways of improving the coordination between chronic truancy and dropout prevention in Virginia. In conducting its study, the Board of Education shall, among other things, (i) review state laws and its policies relating to the enforcement of compulsory school attendance, truancy, and dropout prevention for consistency and clarity; (ii) evaluate the need for and duties of school attendance officers as provided by state law, and the need for conformity in statutory requirements pertaining to school attendance officers; (iii) evaluate the need to clarify and enhance the responsibilities of division superintendents to enforce compulsory school attendance laws; (iv) assess factors related to the causes of academic under-

achievement, chronic truancy, and school dropout and determine whether, and under what conditions, such students should also be considered "children in need of services" for compulsory school attendance purposes; (v) consider the need and efficacy of defining "truancy" and "chronic truancy" in the Code of Virginia; and (vi) recommend to the General Assembly such changes to state law and public policies, including funding, and such other initiatives as the Board may deem appropriate and necessary to effect a comprehensive approach to chronic truancy and dropout prevention. The Board must submit its findings and recommendations to the 2009 Session of the General Assembly.

*Patron - Hall*

**EHJ193 Study; accessibility to vision care services and products by Virginia consumers; report.** Directs the Joint Legislative Audit and Review Commission to study the impact of current law impeding accessibility to vision care services and products by Virginia consumers. In conducting its study, the Joint Legislative Audit and Review Commission is to (i) review the independent studies reported by and conducted by the Federal Trade Commission and (ii) review complaints relating to quality issues against all optometrists in selected states that do not have commercial and mercantile location prohibitions similar to those in Virginia. The Commission shall submit its findings and recommendations to the 2009 Session and its final findings and recommendations to the 2010 Session of the General Assembly.

*Patron - Sickles*

**EHJ207 Study; JCHC to study continuing competency of health care professionals; report.** Directs the Joint Commission on Health Care to study the feasibility, advisability, and necessity of considering the competence of licensed health care professionals as a condition of license renewal.

*Patron - Amundson*

**EHJ215 Study; mental health services in local and regional jails; report.** Creates a joint subcommittee to study mental health services in local and regional jails, including determining the need for mental health services in the Commonwealth's local and regional jails, identifying barriers to the provision of necessary services, and developing recommendations for actions to initiate or improve services to persons with mental illness incarcerated in the Commonwealth's local and regional jails.

*Patron - Tyler*

**EHJ238 Family caregivers of the frail elderly and disabled and community-based caregiver support organizations.** Joint Commission on Health Care to study support services.

*Patron - Shannon*

**ESJ17 Comprehensive information system to replace or revise the Service Fee Directory.** Requests that the Office of Comprehensive Services develop a comprehensive information system that would replace or revise the Service Fee Directory to capture and track, on an ongoing basis, key compliance, performance, and financial information, including rates, about residential services. The Office of Comprehensive Services is requested to make a preliminary report in 2009 and a final report in 2010.

*Patron - Deeds*

**ESJ28 Study; enhanced punishment for crimes committed in the presence of children; report.** Requests the Virginia Criminal Sentencing Commission to study the use of and need for enhanced punishment for crimes committed in the presence of children. In conducting its study, the Commission

shall examine the number of convictions for crimes, and the nature of these crimes, that were committed in the presence of children and whether the presence of such children during the commission of a crime was taken into account during sentencing.

*Patron - Marsh*

**ESJ31 Study; uniform risk assessment tool for parole determinations; report.** Requests that the Department of Corrections report on an ongoing pilot study of the use of a risk assessment instrument for parole determinations, work release programs, and other community activities.

*Patron - Puller*

**ESJ32 Study; options for energy efficient office buildings and public buildings.** Directs the Virginia Commission on Energy and Climate Change, created pursuant to SB 464 (2008), to study options for energy efficient office buildings and public buildings. The Commission is directed to propose amendments to the Statewide Building Code and to public building procurement requirements that will make such buildings more energy efficient, at costs that are recoverable through savings in energy usage.

*Patron - Puller*

**ESJ45 Study; juvenile transfers; report.** Requests the Advisory Committee on Juvenile Justice to study the process of determining whether a juvenile should be tried as an adult.

*Patron - Locke*

**ESJ47 Study; JLARC to study Board of Medicine; report.** Directs the Joint Legislative Audit and Review Commission to conduct a follow-up review of the effectiveness of the Board of Medicine in regulating the practice of medicine.

*Patron - Puller*

**ESJ50 Study; Craney Island Dredged Materials Management Area; report.** Requests the Joint Legislative Audit and Review Commission to study the impact of increased elevations at the Craney Island Dredged Materials Management Area. The Commission will study the efficiencies of ocean dumping compared to continued dumping on Craney Island; the stability of the dredged materials during and after a natural disaster; the risks of dike breaches; impacts on the harbor infrastructure and the environment; and reduced utility of the area after dredging has ceased.

*Patron - Lucas*

**ESJ55 Study; teacher shortage; report.** Establishes a joint subcommittee to study the teacher shortage in the Commonwealth. In conducting its study, the joint subcommittee shall review current teacher certification and licensure requirements as well as teacher preparation programs in Virginia; examine the effectiveness of existing programs designed to recruit and retain teachers, including Teach for America, and other alternative certification routes; identify barriers to teaching as a career choice and possible solutions; evaluate other states' initiatives aimed at teacher recruitment and retention; and identify incentives for bringing out-of-state teachers to Virginia. This resolution incorporates SJR 79.

*Patron - Locke*

**ESJ57 Study; organization of Virginia local government.** Creates a 15-member joint subcommittee to study the organization of Virginia local government, to review previous studies on this topic, and to make recommendations as appropriate.

*Patron - Deeds*

**ESJ61 Study; early reading proficiency and comprehension; report.** Establishes a joint subcommittee to study ways to promote and ensure early reading proficiency and comprehension among third graders in public schools. In conducting its study, the joint subcommittee shall (i) determine the number of third graders who read at grade level; (ii) rank the school divisions according to the number of third graders who passed the most recent third grade reading test; (iii) identify best practices utilized by school divisions with the highest percentage of third graders who read at grade level; (iv) examine the findings and recommendations of state and national studies pertaining to the efficacy of early reading proficiency and comprehension and its relationship to academic success, and recommend those recommendations appropriate for implementation in Virginia; and (v) determine strategies to increase the number of third graders who pass the third grade reading test and ways to improve and sustain the early reading proficiency of third grade students. The joint subcommittee must submit its findings and recommendations to the 2009 Session of the General Assembly.

*Patron - Miller, J.C.*

**ESJ62 Study; unforeseen circumstances that prevent a local governing body from convening a quorum for conducting business; report.** Establishes a joint subcommittee to study methods to alleviate the instances when unforeseen circumstances prevent a local governing body from convening a quorum for conducting business.

*Patron - Barker*

**ESJ66 Study; fiscal autonomy for elected school boards; report.** Directs the Joint Legislative Audit and Review Commission to study implications of granting fiscal autonomy to elected school boards in the Commonwealth. In conducting its study, the Joint Legislative Audit and Review Commission shall (i) examine state constitutional and statutory issues regarding school board supervisory authority, (ii) study the respective roles of local school boards and the relevant local governing body in delivering and funding public education, (iii) examine fiscal authority models in other states, and (iv) consider such other issues as it deems appropriate. This is a two-year study.

*Patron - Blevins*

**ESJ68 Study; state assistance for public school construction and renovation; report.** Establishes a joint subcommittee to study the level of state assistance to localities to assist with financing land acquisition, and the construction and renovation of school facilities. In conducting its study, the joint subcommittee must ascertain alternative methods of financing the construction and renovation of public school facilities in Virginia, including the feasibility of public-private partnerships. The joint subcommittee must report its findings and recommendations to the 2009 Regular Session of the General Assembly.

*Patron - Barker*

**ESJ74 Study; increasing the number of foster families in the Commonwealth; report.** Requests the Department of Social Services to study ways of increasing the number of foster families in the Commonwealth.

*Patron - Hanger*

**ESJ76 Study; continues the Joint Subcommittee Studying Long-Term Funding for the Purchase of Development Rights to Preserve Open-Space and Farmlands; report.** Continues for an additional year the Joint Subcommittee Studying Long-Term Funding Sources for the Purchase of Development Rights to Preserve Open-Space Land and Farm-

lands. In conducting the study, the joint subcommittee would study alternative options for cost-sharing arrangements with local governments to provide funding for land preservation and new parks, the effectiveness and efficiency of local purchase of development rights programs as a tool for land preservation, the future needs of the Commonwealth for open-space land and parks, and sources of dedicated funds for long-term funding of land preservation and new parks. The joint subcommittee will also receive information from the Department of Conservation and Recreation on the funding of water quality improvements from agricultural land uses.

*Patron - Hanger*

**ESJ79 Study; Dedicated revenue stream for teacher salaries.** Establishes a joint subcommittee to study the feasibility of creating a dedicated revenue stream for teacher salaries. In conducting its study, the joint subcommittee shall examine the salary levels of beginning and veteran teachers in Virginia, review methods and initiatives employed by other states to increase and maintain competitive teacher salaries, and evaluate the feasibility of and identify appropriate sources for creating a dedicated revenue stream to fund teacher salaries. The joint subcommittee must report its findings and recommendations to the 2009 Session of the General Assembly. This resolution has been incorporated into SJR 55.

*Patron - Northam*

**ESJ80 Study; Virginia Housing Commission; incentives used by other states for targeted affordable housing development for the workforce; report.** Directs the Virginia Housing Commission to study incentives used by other states and jurisdictions for targeted development of affordable housing and whether such incentives may be used to foster the location of affordable housing for the workforce in appropriate areas of need.

*Patron - Northam*

**ESJ81 Study; income tax credits for certain homeowners based upon real property taxes and annual income; report.** Requests the Department of Taxation to study implications of a state income tax credit for homeowners with annual real property taxes exceeding a certain percentage of their annual incomes. In conducting its study, the Department of Taxation shall (i) examine state constitutional and statutory issues regarding real property tax exemptions, (ii) study the effectiveness and efficiency of local real property tax relief programs, (iii) study thresholds for real property tax liability used by other states for triggering eligibility for state income tax credits or other state assistance, (iv) consider the percentage of annual income that annual real property taxes would have to exceed for purposes of determining eligibility for state income tax credits, (v) examine the ability of low and moderate income homeowners to pay real property taxes, and (vi) consider such other issues as it deems appropriate.

*Patron - Miller, J.C.*

**ESJ82 Study; policies to reduce the negative impacts of plastic bags on the environment; report.** Requests the Department of Environmental Quality to convene stakeholder meetings to discuss and report on potential legislative actions that would mitigate the negative effects of improperly disposed of plastic bags on the Commonwealth's environment. Stakeholders shall include representatives of agriculture, conservation, local government, manufacturing, plastics industry, timber industry, and retailers. In the selection of feasible policies, the stakeholders shall review existing policies and programs adopted in the United States and other countries.

*Patron - Quayle*

**ESJ83 Study; mass transit options for Northern Virginia; report.** Requests the Department of Rail and Public Transportation to study mass transit options and potential improvements for Northern Virginia. This resolution has been incorporated into SJR 122.

*Patron - Barker*

**ESJ89 Study; Department of Treasury; Virginia Unclaimed Property Act; report.** Requests the Department of Treasury to study the reporting requirements established by the Virginia Unclaimed Property Act. In reviewing the Act, the Department shall study the feasibility of establishing a minimum threshold amount for reporting and transferring unclaimed property to the state.

*Patron - Obenshain*

**ESJ90 Study; restorative justice; report.** Directs the Virginia State Crime Commission to study restorative justice and specifically, victim-offender reconciliation programs.

*Patron - Norment*

**ESJ96 Study; ecological services incentives to forest landowner; report.** Requests the Board of Forestry to study the provision of ecological services incentives to private landowners to help them hold and preserve their forestland and receive compensation for the ecosystem services their forestlands provide.

*Patron - Ticer*

**ESJ98 Study; Department of Social Services to study foster care code of ethics; report.** Requests the Department of Social Services to study and develop a statewide foster care code of ethics and responsibility agreement. In conducting its study, the Department shall: (i) identify mutual responsibilities of foster parents, foster care workers, and directors of child-placing agencies, including local departments; (ii) develop a foster care code of ethics and responsibilities agreement to be signed by each foster care parent and worker, as well as the local department of social services' or child-placing agency's chief executive officer; and (iii) develop a grievance procedure to be used for violations of the code of ethics.

*Patron - Ticer*

**ESJ100 Study; nuclear power; report.** Establishes a joint subcommittee to study nuclear power within the Commonwealth. The joint subcommittee shall (i) address all aspects of the production of nuclear power, including the mining of uranium the impact of the new nuclear plants on electricity rates; (ii) examine the economic development potential of nuclear power; (iii) consider whether the General Assembly should take action to support the development of additional nuclear power facilities in the Commonwealth; and (v) examine the advisability of permitting the mining of uranium in Virginia. This resolution has been incorporated into SJR 133.

*Patron - Cuccinelli*

**ESJ107 Uranium Mining.** Establishes a joint subcommittee to study the mining of uranium in the Commonwealth. The joint subcommittee must review the findings of the study conducted by the National Academy of Sciences that has been authorized and funded in the appropriations act for the 2008-2010 biennium.

*Patron - Saslaw*

**ESJ119 Study; retroreflective material on stop sign posts; report.** Requests the Department of Transportation to study the feasibility, costs, and benefits of applying retroreflective material to stop sign and yield sign posts statewide.

*Patron - Barker*

**ESJ128 Study; JCHC to study continuing competency of health care professionals; report.** Directs the Joint Commission on Health Care to study the feasibility, advisability, and necessity of considering the competence of licensed health care professionals who are not granted deemed status as a condition of license renewal.

*Patron - Houck*

**ESJ133 Study; low-level radioactive waste; report.** Requests the Department of Health to study long-term options for the disposal of low-level radioactive waste. This resolution incorporates SJR 100.

*Patron - McEachin*

## Charters and Authorities

### Passed

**PHB7 Charter; Town of Brodnax.** Provides that town elections shall be held at the time of the November general election, extends terms of council members from 2 to 4 years and provides for staggered terms. This bill is identical to SB 460.

*Patron - Wright*

**PHB177 Charter; Town of Appomattox.** Clarifies the duties of the town manager and the town mayor. The bill also makes a technical change.

*Patron - Abbitt*

**PHB240 Charter; Town of Troutville.** Staggers the terms of the town council.

*Patron - Putney*

**PHB456 Charter; City of Martinsville.** Provides that the City may establish a municipal trust. The principal of the trust shall be (i) all of the proceeds of the sale of any City asset owned by the City that generates between \$10 million and \$20 million, (ii) one-half of any such proceeds in excess of \$20 million, (iii) such income generated by the trust remaining unexpended at the close of each fiscal year, and (iv) such other funds as the city council may by majority vote to contribute to the fund. This bill is identical to SB 92.

*Patron - Merricks*

**PHB639 Charter; Town of Purcellville.** Removes the residency requirement for the chief of police.

*Patron - May*

**PHB845 Charter; City of Winchester.** Rewrites language related to the city's budget. The new language complies with general law.

*Patron - Sherwood*

**PHB847 Charter; City of Winchester.** Clarifies that school board members who were in office on July 1, 2007, shall not be subject to the residency requirement that took effect on that date.

*Patron - Sherwood*

**PHB983 Charter; City of Radford.** Updates appointment provisions with regard to the director of finance and the city attorney.

*Patron - Nutter*

**HB1056 Charter; City of Falls Church.** Provides that the city attorney shall be appointed by and serve at the pleasure of the city council rather than serving a four-year term. Also, the city's zoning powers are amended to include provisions related to the availability of moderately priced housing. This bill is identical to SB 54.

*Patron - Scott, J.M.*

**HB1172 Charter; Town of Pound.** Eliminates the residency requirement for the town clerk and town treasurer.

*Patron - Phillips*

**HB1196 Charter; City of Bristol.** Formalizes an agreement between the city and the TVA regarding electric rates. This bill is identical to SB 349.

*Patron - Johnson*

**HB1215 Charter; City of Emporia.** Provides that the city council may set the membership of the Emporia Redevelopment and Housing Authority. The city council may appoint a council member as a commissioner of the Emporia Redevelopment and Housing Authority.

*Patron - Tyler*

**HB1217 Charter; Town of Lawrenceville.** Changes the office of town treasurer from an elected to an appointed position and makes other technical changes.

*Patron - Tyler*

**SB45 Charter; City of Norfolk.** Provides that employees, regardless of their positions, hired and permanently assigned to work for and under the supervision of the constitutional officers of the city or of the circuit court judges of the city on or after July 1, 2008 shall not be included in the classified service.

*Patron - Miller, Y.B.*

**SB54 Charter; City of Falls Church.** Provides that the city attorney shall be appointed by and serve at the pleasure of the city council rather than serving a four-year term. Also, the city's zoning powers are amended to include provisions related to the availability of moderately priced housing. This bill is identical to HB 1056.

*Patron - Whipple*

**SB92 Charter; City of Martinsville.** Provides that the City may establish a municipal trust. The principal of the trust shall be (i) all of the proceeds of the sale of any City asset owned by the City that generates between \$10 million and \$20 million, (ii) one-half of any such proceeds in excess of \$20 million, (iii) such income generated by the trust remaining unexpended at the close of each fiscal year, and (iv) such other funds as the city council may by majority vote to contribute to the fund. This bill is identical to HB 456.

*Patron - Reynolds*

**SB215 Charter; Town of Narrows.** Makes several technical amendments to bring the charter in conformance with general law.

*Patron - Edwards*

**SB349 Charter; City of Bristol.** Formalizes an agreement between the city and the TVA regarding electrical rates. This bill is identical to HB 1196.

*Patron - Wampler*

**SB375 Charter; Town of Colonial Beach.** Provides that the chief of police shall serve at the pleasure of the town council.

*Patron - Stuart*

**SB460 Charter; Town of Brodnax.** Provides that town elections shall be held at the time of the November general election, extends terms of council members from 2 to 4 years and provides for staggered terms. This bill is identical to HB 7.

*Patron - Ruff*

**SB505 Charter; Town of Bowling Green.** Amends the charter by: (i) providing for staggered four-year terms of office for the mayor and town council members; (ii) removing the salary cap for mayor and members of council; (iii) providing that the town council may employ a town clerk and a town treasurer rather than mandating that the town council appoint a town clerk and a town treasurer; (iv) clarifying the duties of the town clerk, town manager, and the town treasurer; (v) providing for a town attorney; (vi) providing that the town council may establish and maintain a police force and that the chief of police and the policemen and employees of such police force shall be under the control and supervision of the town manager; (vii) deleting outdated provisions; and (viii) making numerous technical changes. This bill contains an emergency clause.

*Patron - McDougle*

**SB603 Charter; City of Williamsburg.** Changes the definition of transient lodging to lodging for not more than 90 consecutive days, rather than 30 consecutive days.

*Patron - Norment*

**SB727 Charter; City of Fredericksburg.** Provides that the City of Fredericksburg may lease as lessee all or a portion of the lands, buildings, and improvements utilized for courthouses, including suitable space and facilities to accommodate the various courts and officials thereof, clerk's office and record room, and appurtenant facilities such as parking facilities.

*Patron - Houck*

**SB794 Clarksville-Boydton Airport Commission.** Authorizes the Commission to issue bonds; however, the bonds of the Commission shall not be a debt of the Commonwealth or any political subdivision thereof, other than the Commission. The Commission is authorized to and shall fix, revise, charge, and collect fees, rents and other charges for the use and services of any facilities. Such fees, rents, and other charges shall be so fixed and adjusted as to provide a fund sufficient with other revenues to pay the cost of maintaining, repairing, and operating the facilities and the principal and any interest on its bonds as the same shall become due and payable, including reserves therefore.

*Patron - Ruff*

## Failed

**HB1350 Charter; City of Williamsburg.** Removes a reference to lodging for not more than 30 consecutive days in provisions related to taxes on transient lodging and replaces it with a reference to 90 days. This bill is identical to SB 603.

*Patron - Barlow*

**SB282 Newport News Economic Development Authority.** Provides that the authority shall have the power, with the approval of the Newport News governing body or its designee, to form corporations, partnerships, joint ventures, trusts, or any other legal entity or combination thereof, on its

own behalf or with any person or public or private entity. However, the power of eminent domain shall not be exercised by any corporation, partnership, joint venture, trust, or any other legal entity or combination thereof formed pursuant to the provisions of this bill.

*Patron - Miller, J.C.*

## Carried Over

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**HB761 Charter; Town of Herndon.** Provides that no excise tax shall be imposed or be effective in the town unless approved by the town council. There is a delayed effective date of January 1, 2010.

*Patron - Rust*