

personal property and improvements to real property designed and used primarily for manufacturing a product from renewable energy as separate classifications of property for local property tax purposes. This bill is identical to HB 999.

Patron - Ruff

[F]SB661 Land preservation tax credit; donations. Requires the Director of the Department of Conservation and Recreation to verify the conservation value of certain donations described under the Virginia Land Conservation Incentives Act of 1999 that are from the same parcel of land if the land preservation tax credit from the donation would be at least \$250,000.

Patron - Hanger

[F]SB669 Voluntary contributions of tax refunds; Virginia Capitol Preservation Foundation. Adds the Virginia Capitol Preservation Foundation to the list of organizations that may receive contributions of taxpayer refunds. The Foundation will be added to the bottom of the list of other organizations waiting to appear on the income tax return.

Patron - Colgan

[F]SB692 Fee in lieu of probate tax. Imposes a fee in the amount of \$25 for the recordation of a list of heirs of a decedent who died intestate.

Patron - Ruff

Failed

[F]HB119 Corporate income tax. Eliminates Virginia's corporate income tax for taxable years beginning on and after January 1, 2013.

Patron - Purkey

[F]HB133 Personal property tax relief; qualifying vehicles. Removes the 7,500 pound weight limitation, so that all trucks used for nonbusiness purposes, except tractor trucks, are eligible to be considered for personal property tax relief.

Patron - Pollard

[F]HB223 Estate tax reinstated. Reinstates the estate tax for persons dying on or after July 1, 2010. No estate tax will be imposed on a gross estate if the majority of the assets of the estate is an interest in a closely held business or a working farm. The revenues from the estate tax would first be used for funding staffing standards in nursing homes required to be established under the bill, which staffing standards would require a minimum period of time of direct care services to each resident per 24-hour period.

Patron - Watts

[F]HB230 Motor fuels tax; rate increase; allocation of construction funds for primary highway system. Increases the motor fuels tax by \$0.10 per gallon, minus \$0.01 for each \$0.20 that the average price of gasoline exceeds \$3.00. The tax will be indexed every two years beginning July 1, 2011, 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, and allocates primary system highway construction funds among the nine highway construction districts on the basis of the ratio of vehicle miles traveled on primary highways divided by the lane miles of primary highways in each highway construction district, weighted 90 percent, and a need factor, weighted 10 percent.

Patron - Watts

[F]HB237 Income tax; job creation tax credit. Provides an income tax credit to sole proprietors, partners in a partnership and members of a limited liability company when they create and fill at least 10 new positions in the Commonwealth beginning on and after January 1, 2010. The amount of the credit is 10 percent of the Virginia gross income of the entity creating the jobs and may only be taken when the new jobs have been filled for at least 24 consecutive months.

Patron - Janis

[F]HB268 Income tax; Renewable Energy Job Creation tax credit. Provides an income tax credit to corporations for each "Renewable Energy Job" created and filled. The amount of the credit for each such job is (i) two percent of each salary that is less than \$50,000 a year, and (ii) \$1,000 for each salary of \$50,000 and more a year. A Renewable Energy Job is employment in an industry related to renewable alternative energies. The credit is available for taxable years beginning on or after January 1, 2010, but before January 1, 2015. This bill was incorporated into HB 803.

Patron - Englin

[F]HB269 Sales tax on motor fuels in Northern Virginia; increase in rate. Increases the rate of the state sales tax on motor fuels in Northern Virginia from 2.1 percent to 4.2 percent.

Patron - Englin

[F]HB271 Individual income tax, corporate income tax, and sales and use tax. Removes the remaining portion of the state sales and use tax (one and one-half percent) from food for human consumption (effective July 1, 2011), restructures the individual income tax rate brackets, and exempts corporations having less than \$100,000 of Virginia taxable income from the Virginia corporate income tax for taxable years beginning on or after January 1, 2011. The changes in the individual income tax brackets are as follows: In Excess Of But No More Than Tax Rate \$17,000 \$75,000 5.6% (decrease) \$75,000 \$400,000 5.75% (same as current law) \$400,000 6.85% (increase)

Patron - Englin

[F]HB275 Estate Tax. Provides that if there is no federal estate tax credit for state estate taxes paid, then the Virginia estate tax rate is one-half of the amount of the federal credit as it existed on January 1, 1978.

Patron - Englin

[F]HB364 Local business license tax; payment of all taxes prior to license renewal or issuance. Allows the local governing bodies to require applicants of business licenses for new and existing businesses to prove payment of all local taxes before the local business license will be issued or renewed.

Patron - Ware, O.

[F]HB425 Income tax; voluntary contributions of income tax refunds. Provides for a new check-off for tax refund contributions made by individual and corporate taxpayers for pre-approved nonprofit human services programs throughout the Commonwealth. The check-off will be added to the waiting list, if the bill is enacted.

Patron - Hope

[F]HB437 Real property tax; land use assessment. Permits localities to collect roll-back taxes for a period not exceeding 10 years for nonconforming use. Under current law the roll-back tax period is five years.

Patron - Toscano

HB545 Recycled materials to create tangible personal property; tax exemptions and incentives. Exempts from state taxation until July 1, 2020, production and industrial components used to create finished tangible personal products from recycled materials. The bill allows counties, cities and towns to classify those tools and machinery separately for taxation purposes. Machinery and equipment used to process the recycled material is to be certified as such by the Department of Environmental Quality. Qualified businesses may receive local incentives for converting recycled materials into tangible personal property for resale. This is a recommendation of the Virginia Housing Commission.

Patron - Marshall, D.W.

HB570 Real property tax assessments; appeals. Changes the burden of proof from the taxpayer to the assessor when a taxpayer appeals the assessment of real property to a board of equalization or to a circuit court.

Patron - Iaquinto

HB577 Real property tax; time to appeal assessments extended. Increases the time a taxpayer may appeal the assessment of his real estate to the commissioner of the revenue (i) from three years to five years from the last day of the tax year for which the assessment is made or (ii) from one year to three years from the date of the assessment, whichever is later.

Patron - Cole

HB599 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 90 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, 2011.

Patron - Massie

HB613 Personal property tax; machinery and tools. Classifies new investments in machinery and tools for manufacturing, processing and reprocessing, mining, and radio or television broadcasting made after July 1, 2010, as intangible personal property and not subject to local property tax.

Patron - Purkey

HB614 Conformity with Internal Revenue Code. Advances the date as of which Virginia's system of taxation conforms with the Internal Revenue Code (IRC) from December 31, 2008, to December 31, 2009, and adds two new exceptions; the deferral of certain income under § 108 (i) of the IRC, and the original issue discount on applicable high yield discount obligations under IRC § 163 (e)(5)(F). Taxpayers are preparing and filing returns during the Session, therefore, the bill contains an emergency clause.

Patron - Purkey

HB680 Recordation fees. Increases the recordation fee from one to two dollars for every deed, deed of trust, contract, or other instrument conveying an interest in real property. This bill incorporates HB 896.

Patron - May

HB745 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 for taxable years beginning on or after January 1, 2011. 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. The aggregate amount of tax credits that will be issued is capped at \$1 million annually.

Patron - Rust

HB791 Taxes on room rentals. Provides that retail sales and hotel taxes on transient room rentals are computed based upon the total charges or the total price paid for the use or possession of the room. For those cases in which a hotel or similar establishment contracts with an agent or other party to collect the retail sales and hotel taxes, the bill would require the agent or other party to separately state the taxes on the bill or invoice and to collect the taxes based upon the total charges or the total price paid for the use or possession of the room.

Patron - Brink

HB830 Food and beverage tax; Fairfax County. Adds Fairfax County to those counties that may impose a food and beverage tax without a referendum, provided the governing body votes unanimously to impose the tax.

Patron - Surovell

HB853 Major business facility job tax credit. Lowers from 50 to 25 the threshold number of employees of a major business facility in an enterprise zone or distressed area for the facility to qualify for tax credits for newly created jobs. This bill was incorporated into HB 624.

Patron - Morefield

HB889 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. It also repeals the Code section that allows only certain counties to impose a local cigarette tax.

Patron - Barlow

HB891 Local cigarette tax; Isle of Wight County. Allows Isle of Wight County to levy a local cigarette tax just as Fairfax and Arlington Counties are authorized to levy the tax.

Patron - Barlow

HB893 Taxes on room rentals. Provides that retail sales and hotel taxes on transient room rentals are computed based upon the total charges or the total price paid for the use or possession of the room. For those cases in which a hotel or similar establishment contracts with an agent or other party to collect the retail sales and hotel taxes, the bill would require the agent or other party to separately state the taxes on the bill or invoice and to collect the taxes based upon the total charges or the total price paid for the use or possession of the room.

Patron - Barlow

HB896 Corporate income tax; rate reduction for small businesses. Reduces the corporate income tax rate from six percent to 5.4 percent for small businesses, which are busi-

nesses defined as having 250 or fewer employees. The bill also requires the Governor to appoint a special Small Business Job Growth Commission to identify and make recommendations to remove state barriers for business formation and investment by November 1, 2010. This bill was incorporated into HB 680.

Patron - Comstock

HB981 Income tax; deduction for military retirement pay. Grants a deduction when calculating Virginia taxable income for military retirement pay for service in the Armed Forces of the United States for taxable years beginning on and after January 1, 2010. To the extent the age deduction is taken, this deduction will not be allowed.

Patron - Hugo

HB984 Declarations of estimated tax. Changes the date that farmers and fishermen must file their estimated tax returns from January 15 to May 1.

Patron - Jones

HB1044 Income tax; renewable energy property and energy audit tax credit. Grants an income tax credit for taxable years beginning on or after January 1, 2010, to individuals for renewable energy property and residential energy audits as follows: Solar panels tax credits - \$1.25/watt for first 2,000 watts; \$0.75/watt for 2,001-8,000 watts; \$0.25/watt for 8,001-20,000 watts; not to exceed \$10,500. Solar hot water tax credit - up to \$2,000. Geothermal heat pumps - 10 percent of installed cost up to \$3,000 tax credit. Residential energy audits - 50 percent of cost up to \$250 tax credit; one per five-year period. The bill also grants an income tax credit for taxable years beginning on or after January 1, 2010, to commercial business taxpayers for renewable energy property and energy audits as follows: Solar panels tax credit - \$1.25/watt for first 2,000 watts; \$0.75/watt for 2,001-8,000 watts; \$0.25/watt for 8,001-20,000 watts; not to exceed \$2.5 million. Solar hot water tax credit - 25 percent of installed cost up to \$10,000. Geothermal heat pumps tax credit - 10 percent of installed cost up to \$10,000. Commercial building energy audit - 50 percent of cost up to \$500 tax credit; one per five-year period.

Patron - Kory

HB1046 Income tax; nonprofit charitable donations for Energy Star qualified products tax credit. Grants an income tax credit for taxable years beginning on or after January 1, 2010, to individual taxpayers and business taxpayers that make a cash donation to charitable nonprofit organizations that use the donation to construct, purchase, or lease Energy Star qualified products for their headquarters on or after January 1, 2010. The amount of the credit equals 50 percent of such equipment expenditures but not more than \$25,000 total.

Patron - Kory

HB1051 Tax dealer discounts. Eliminates the dealer discounts for the retail sales and use tax, communications sales and use tax, state cigarette tax, E-911 tax, tobacco products tax, tire recycling fee, fuels tax, and motor vehicle fuel sales tax.

Patron - Scott, J.M.

HB1091 Major business facility job tax credit. Lowers from 50 to 25 the threshold number of employees of a major business facility in an enterprise zone or distressed area for the facility to qualify for tax credits for newly created jobs. This bill was incorporated into HB 624.

Patron - Crockett-Stark

HB1115 Paper and plastic bag fee. Imposes a fee of \$0.05 on paper and plastic bags used by purchasers to carry tangible personal property from the place of purchase. Durable,

reusable plastic bags and bags used for ice cream, meat, fish, poultry, leftover restaurant food, newspapers, dry cleaning and prescription drugs are exempt from the fee. Retailers are allowed to retain \$0.01 of the \$0.05 fee or \$0.02 if the retailer has a customer bag credit program. The revenues raised by the fee will be deposited in the Virginia Water Quality Improvement Fund. Failure to collect and remit the fee will result in fines of \$250, \$500, and \$1,000 for the first, second, third and thereafter offenses.

Patron - Ebbin

HB1122 Corporate income tax; apportionment of income for manufacturers. Removes language that requires any manufacturer who uses the single sales factor apportionment formula and does not reach certain employee hiring goals during the first three years after using such apportionment formula, to pay additional taxes as well as penalties.

Patron - Byron

HB1132 Income tax; Renewable Energy Job Creation tax credit. Provides an income tax credit to businesses for each "Renewable Energy Job" created and filled. The amount of the credit for each such job is \$2,000. A Renewable Energy Job is employment in an industry related to renewable alternative energy. The credit is available for taxable years beginning on or after January 1, 2010. This bill was incorporated into HB 803.

Patron - Keam

HB1138 County food and beverage tax; all counties may impose. Allows all counties to impose the local food and beverage tax without a referendum, provided the revenues from the tax are used to reduce the county's real property tax rate. The new provisions apply to those counties that impose the tax for the first time or increase the meals tax rate on or after July 1, 2010.

Patron - Morgan

HB1150 Sales and use tax; optional local tax for education. Authorizes any county or city to levy an additional local sales and use tax at a rate of one-half percent with all revenue generated from such tax to be used for education purposes.

Patron - Scott, J.M.

HB1153 Motor fuels tax. Converts the rates of taxation on motor fuels from cents per gallon to percentage rates. The percentage rates shall be calculated by the Commissioner of the Department of Motor Vehicles in an amount that will most closely yield the amount of cents per gallon being charged on the applicable motor fuel prior to the effective date of the bill. Thereafter, the percentage rates would not change, but would be applied against the average price per gallon of the fuel, less federal and state taxes, as determined by the Commissioner of the Department of Motor Vehicles over rolling six-month periods, to determine the cents to be charged.

Patron - Scott, J.M.

HB1155 Income tax surtax to fund car tax relief. Imposes a state individual income tax surtax to provide a new source of revenue for localities to encourage them to essentially remove the tangible personal property tax on vehicles that currently qualify under the car tax relief program. The surtax on Virginia taxable income would be imposed at the rate of 0.5% for tax year 2010 and at the rate of 1% for subsequent tax years. Revenues from the surtax would be dedicated to a new Virginia Personal Property Tax Replacement Fund ("Fund"). For tax year 2010, the car tax relief program would operate as under current law, except that annual \$950 million to localities would be paid from the Fund. For tax years 2011 and thereaf-

ter, localities that impose a personal property tax rate on qualifying vehicles not exceeding \$0.000001 per \$100 of assessed value would receive all of the net revenues from the surtax. Allocations to each such locality would be based upon its pro rata share of the personal property tax relief paid in tax year 2009. In addition, localities that have tax rates not exceeding \$0.000001 for tax year 2011 would receive an additional payment for tax year 2010 that represents the remaining net revenues from the new surtax after the payment of the \$950 million state personal property tax relief payment.

Patron - Brink

HB1186 Personal and corporate income tax credit; easements granted to a recreation authority. Provides an income tax credit to a taxpayer for granting an easement for trails to a recreation authority in an amount equivalent to the real property tax on that part of the taxpayer's land covered by the easement. This bill was incorporated into HB 845.

Patron - Phillips

HB1224 Neighborhood Assistance Act Tax Credit. Makes localities' health clinics providing free medical services by volunteer health practitioners eligible to receive tax credits that can be transferred to professionals donating their services to the programs.

Patron - Scott, J.M.

HB1231 Individual income tax; Virginia Military Family Relief Fund payments. Allows individuals who receive payments from the Virginia Military Family Relief Fund to subtract them from their federal adjustable gross income when calculating their Virginia taxable income, for taxable years beginning on and after January 1, 2010. This bill was incorporated into HB 1118.

Patron - Johnson

HB1247 Real property tax classifications; improvements. Adds Culpeper County to those localities permitted to have a different real property tax rate on improvements, than on all other real property. The bill also makes technical corrections.

Patron - Scott, E.T.

HB1278 Income tax; filing date. Changes the Commonwealth's individual income tax returns filing date and estimated tax returns date from May 1 to April 15, like the federal income tax.

Patron - Ebbin

HB1314 Collection of delinquent state taxes. Provides that persons appointed by the Commonwealth to collect delinquent state taxes shall be compensated in an amount equal to 20 percent of the delinquent state taxes. The person assessed with the delinquent state taxes shall be liable to the Commonwealth for the taxes plus the compensation. The appointed collector shall collect the delinquent state taxes and the compensation from such person.

Patron - Brink

HB1347 Sales and use tax and BPOL tax exemptions; aviation companies. Provides a sales and use tax exemption and an optional business, professional, and occupational license tax exemption for aviation companies that facilitate and support the U.S. Department of Defense in active missions/sorties.

Patron - Gear

HB1359 Income tax; Small business investment tax credit. Establishes a tax credit for investments in machinery or equipment by small businesses. The credit would equal

20 percent of investment amount. The Department of Taxation would administer the tax credits. Taxpayers would not be allowed more than \$10,000 in tax credit for any taxable year in which an incremental investment in machinery or equipment was made. Any unused tax credit would be allowed to be carried forward for five taxable years. The credit would be effective for taxable years 2010, 2011, and 2012. This bill was incorporated into HB 2.

Patron - Keam

HB1360 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 \$800 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. This bill was incorporated into HB 47.

Patron - Keam

HB1362 Motor fuels tax; revocation of license. Allows the DMV Commissioner to revoke licenses issued to persons in accordance with motor fuels tax law who are found guilty of violating or of noncompliance with any of the motor fuels tax provisions.

Patron - Pollard

SB99 Pass-through entities; penalties. Provides that the penalty on a pass-through entity for the failure to file a timely return when no tax is due would be equal to the federal penalty for the failure to file a timely return. The bill would also provide that penalties on pass-through entities for the failure to file a timely return would begin to accrue upon the expiration of any extension of time for filing of the return.

Patron - Stosch

SB114 Fuels taxes; indexing of tax rates. Increases or decreases each year the rates of Virginia's fuels taxes using a fuel efficiency index. The bill would define the fuel efficiency index as the quotient that is obtained when using as the numerator the total annual vehicle miles traveled in the Commonwealth for the relevant year and using as the denominator the total gallons of motor fuel consumed for highway use in the Commonwealth for the relevant year. The numerator and denominator would be the corresponding amounts as published by the Federal Highway Administration of the United States Department of Transportation. The bill would establish 2007 as the base year for the fuel efficiency index. Thus, the percentage change in the fuel efficiency index between the current year and 2007, the base year, would determine the annual percentage increase or decrease in the rates of Virginia's fuels taxes. Each December the Commissioner of the Department of Motor Vehicles would compute the adjusted rates of fuels taxes. Currently, Virginia's fuels taxes are fixed at the rate of \$0.175 per gallon for each gallon of gasoline, gasohol, and diesel fuel.

Patron - Petersen

SB121 Effect on rate when assessment results in tax increase; public hearings. Reduces the minimum advance notice of the public hearing a locality must hold prior to increasing its real property tax when that locality's assessment of real property results in a tax increase from 30 days to 14 days.

Patron - Petersen

SB132 Retail sales and use tax; distribution to Transportation Trust Fund. Increases the distribution to the Transportation Trust Fund from the sales and use tax revenue generated by a one-half percent sales and use tax to the sales

and use tax revenue generated by a one percent sales and use tax upon the Comptroller determining in any fiscal year that (i) the growth in general fund revenues for the most recently completed fiscal year was at least three percent, and (ii) the actual dollar increase in general fund revenues for the most recently completed fiscal year was at least equal to the sales and use tax revenue generated by a one-half percent sales and use tax.

Patron - Obenshain

SB133 Tax credits for donations to nonprofit organizations providing educational funding. Establishes a tax credit beginning in taxable year 2010 for businesses donating cash or personal property to nonprofit organizations providing funding (i) in the form of scholarships to students who would have been eligible for the free and reduced lunch program under federal law, but who attend nonpublic elementary or secondary schools, or (ii) in support of innovative educational programs in public schools. Nonprofit organizations to which donations are made would be required to contribute at least 90 percent of their annual receipts for such scholarships or innovative educational programs. The tax credit would equal 80 percent of the donation made by the business. No business would be issued more than \$80,000 in tax credit for donations made in a taxable year. The Department of Taxation would be responsible for issuing the tax credits. The Department would be allowed to issue up to \$25 million in tax credits in each fiscal year of the Commonwealth.

Patron - Obenshain

SB143 Income tax; Renewable Energy Job Creation tax credit. Provides for a grant to be paid from newly created Green Jobs Grant Program Fund to corporations for each "Renewable Energy Job" created and filled. The amount of the grant for each such job is \$500 for each salary of \$50,000 and more a year and may be taken for four years. A Renewable Energy Job is employment in an industry related to renewable alternative energies. The credit is available for taxable years beginning on or after January 1, 2010, but before January 1, 2015. All grants under this section shall be subject to the appropriation of moneys by the General Assembly to the Fund for payment of the grants.

Patron - Miller, J.C.

SB174 Retail sales and use tax exemptions. Beginning July 1, 2012, exempts from the retail sales and use tax solar photovoltaic systems, solar thermal systems, and wind-powered electrical generators purchased for installation in or on residential real property.

Patron - Deeds

SB223 Fuels taxes; percentage of wholesale cost. Replaces the current fuels tax on gasoline, gasohol, and diesel fuel with a tax that is a percentage of the wholesale price of a gallon of self-serve unleaded regular gasoline. The percentage shall be established by the Commissioner by determining the percentage that would most closely yield seventeen and one-half cents per gallon, based on the average wholesale price of a gallon of self-serve unleaded regular gasoline for the period beginning October 1, 2009, and ending March 31, 2010.

Patron - Barker

SB280 County meals tax; rate of tax and approval required. Removes the current cap of four percent for the county meals tax and allows counties to impose an uncapped rate. The bill would also allow counties to adopt or increase a meals tax by a majority vote of members of the governing body.

Patron - Quayle

SB325 Corporate income tax; lower rate for certain businesses. Reduces the corporate income tax rate from six percent to three percent for the first three years after a business establishes a new office or operation or expands an existing office or operation in an area that is not designated by the U.S. Environmental Protection Agency as a nonattainment area under the Clear Air Act, for taxable years beginning on or after January 1, 2010. The capital investment must be \$250,000 or more and the tax reduction may not exceed that amount of the capital investment made by the corporation.

Patron - Stuart

SB342 Transient occupancy tax. Provides that any county may levy the transient occupancy tax on single-family residences and time-shares rented out fewer than 30 consecutive days.

Patron - Hanger

SB392 Sales and use tax exemption; production of electricity from offshore winds. Provides a sales and use tax exemption for certain tangible personal property used directly in generating electricity from offshore winds.

Patron - Wagner

SB407 Corporate income tax; inclusion of certain income. Clarifies the addition required for royalty and similar payments made to an affiliated intangible holding company ("IHC") by codifying The Department of Taxation's ("TAX") interpretation of the exception for payments on which the IHC is subject to tax in another state. TAX has interpreted this exception as being limited to the portion of the payments that are subject to tax in the other state(s). Thus, if five percent of the IHC's income was apportioned to another state, then only five percent of the payments to the IHC are exempt from the addition.

Patron - Whipple

SB421 Corporate income tax; rate reduction for small businesses. Reduces the corporate income tax rate from six percent to 5.4 percent for small businesses, which are businesses defined as having 250 or fewer employees. The bill also requires the Governor to appoint a special Small Business Job Growth Commission to identify and make recommendations to remove state barriers for business formation and investment by November 1, 2010.

Patron - Vogel

SB481 Major business facility job tax credit. Reduces from 50 to 25 the threshold amount of jobs that must be created in an enterprise zone or an economically distressed area for eligibility for the major business facility job tax credit. This bill was incorporated into SB 472.

Patron - Hurt

SB542 Tax dealer discounts. Eliminates the dealer discounts for the retail sales and use tax, communications sales and use tax, state cigarette tax, E-911 tax, tobacco products tax, tire recycling fee, fuels tax, and motor vehicle fuel sales tax.

Patron - Colgan

SB543 Income tax surtax to fund car tax relief. Imposes a state individual income tax surtax to provide a new source of revenue for localities to encourage them to essentially remove the tangible personal property tax on vehicles that currently qualify under the car tax relief program. The surtax on Virginia taxable income would be imposed at the rate of 0.5% for tax year 2010 and at the rate of 1% for subsequent tax years. Revenues from the surtax would be dedicated to a new Virginia Personal Property Tax Replacement Fund ("Fund").

For tax year 2010, the car tax relief program would operate as under current law, except that annual \$950 million to localities would be paid from the Fund. For tax years 2011 and thereafter, localities that impose a personal property tax rate on qualifying vehicles not exceeding \$0.000001 per \$100 of assessed value would receive all of the net revenues from the surtax. Allocations to each such locality would be based upon its pro rata share of the personal property tax relief paid in tax year 2009. In addition, localities that have tax rates not exceeding \$0.000001 for tax year 2011 would receive an additional payment for tax year 2010 that represents the remaining net revenues from the new surtax after the payment of the \$950 million state personal property tax relief payment.

Patron - Colgan

SB545 Conformity with Internal Revenue Code. Advances the date as of which Virginia's system of taxation conforms with the Internal Revenue Code (IRC) from December 31, 2008, to December 31, 2009, and adds two new exceptions: the deferral of certain income under § 108 (i) of the IRC for taxable year 2009 is only allowed ratably through taxable year 2011 and the deferral is not allowed for taxable years other than 2009, and deconformity from the original issue discount on applicable high yield discount obligations under IRC § 163 (3)(5)(f). Taxpayers are preparing and filing returns during the General Assembly Session, therefore, the bill contains an emergency clause.

Patron - Colgan

SB578 Local cigarette tax. Authorizes James City County and Spotsylvania County to impose a local cigarette tax at a rate not to exceed the rate of the state cigarette tax, which is \$0.30 per pack (based upon 20 cigarettes in a pack). Currently, Arlington and Fairfax are the only counties that may impose a local cigarette tax, and at a rate not to exceed the rate of the state cigarette tax.

Patron - Norment

SB660 Dealer registration for sales and use taxes; sufficient contact. Provides that a dealer is presumed to be soliciting or transacting business in Virginia by an independent contractor, agent, or other representative if the dealer enters into an agreement with a resident of Virginia under which the resident, for a commission or other consideration, refers potential customers to the dealer if the cumulative gross receipts from sales by the dealer to purchasers in Virginia who are referred to the dealer by all residents with this type of agreement with the dealer are in excess of \$10,000 during the preceding four quarterly periods. Such dealer presumed to be soliciting or transacting business in Virginia would be required to register for retail sales and use tax purposes.

Patron - Hanger

SB662 Short-term rental property tax. Authorizes the governing body of any county, city, or town levying a short-term rental property tax to exempt from such tax any person engaged in the short-term rental business whose gross proceeds from all short-term rental property transactions entered into during the preceding year were not in excess of \$25,000. This bill was incorporated into SB 355.

Patron - Hanger

SB671 Corporate income tax. Eliminates Virginia's corporate income tax for taxable years beginning on or after July 1, 2012.

Patron - McDougale

SB684 Transportation funding. Provides new and increased taxes, tolls, royalties from offshore natural gas and oil drilling, and general fund revenues for transportation fund-

ing. The bill would (i) decrease the motor fuels tax from \$0.175 per gallon to \$0.05 per gallon and establish a five percent tax on motor fuels sales based upon the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline; (ii) subject to the amount of the additional revenues generated by the changes described in clause (i), increase the motor fuels tax rate by \$0.10 per gallon in increments of \$0.02 per gallon each year over a the five-year period beginning in 2011; (iii) beginning in 2011 increase the motor vehicle sales and use tax by 0.50 percent each year for four years; (iv) provide that of the retail sales and use tax revenues generated by the Commonwealth's four percent tax on sales of automobile parts and automobile accessories, an amount equivalent to the revenues generated by a three percent retail sales and use tax on such parts and accessories would be deposited into the Highway Maintenance and Operating Fund; (v) subject to receipt of federal authorization, authorize the Commonwealth Transportation Board to impose and collect a toll of \$1 per axle on every vehicle entering the Commonwealth from the state of North Carolina via Interstate Route 85 and Interstate Route 95; (vi) dedicate for highway maintenance purposes 10 percent of the future growth in certain state taxes that is attributable to economic activity generated or facilitated by the public and private general cargo marine terminals and inland ports of the Commonwealth; and (vii) dedicate for transportation purposes all royalties paid to the Commonwealth as a result of offshore natural gas and oil drilling. All amounts generated under the bill would be deposited into the Highway Maintenance and Operating Fund to be used for highway maintenance except the revenues from tolls on vehicles entering the Commonwealth from North Carolina and the revenues from royalties as a result of offshore drilling, which would be deposited into the Transportation Trust Fund.

Patron - Miller, J.C.

SB693 Major business facility job tax credit. Reduces the threshold amount of jobs that must be created for the major business facility job tax credit to 25 jobs, regardless of the area in which the business is located. Increases the tax credit from \$1,000 to \$10,000, to be taken over 5 years. This bill also makes a technical amendment to § 2.2-4309 of the Code of Virginia. This bill was incorporated into SB 472.

Patron - McWaters

SB701 Cigarettes; assessment fee. Imposes a cigarette assessment fee on cigarette manufacturers that do not participate in the Master Settlement Agreement at the rate of \$0.0225 for each cigarette of such manufacturers that is sold, delivered, or consumed in the Commonwealth.

Patron - Marsden

SB705 New and increased taxes for funding the Standards of Quality. Provides additional revenues to be appropriated for funding the Standards of Quality by (i) establishing an additional individual income tax of three percent in taxable years 2011, 2012, and 2013 on Virginia taxable income that is in excess of \$250,000 for each single person and on Virginia combined taxable income that is in excess of \$500,000 for each married couple; (ii) means testing the age deduction for all taxpayers regardless of date of birth for taxable years beginning on or after January 1, 2011; (iii) delaying by one year the phase-in of the single sales factor for corporate income tax purposes; (iv) for taxable years beginning on or after January 1, 2011, allocating for taxation in the Commonwealth the portion of the taxable income of a corporation that a non-domiciliary state is prohibited from taxing under the Constitution of the United States, provided that the commercial domicile of the corporation is in the Commonwealth; (v) for taxable years beginning on or after January 1, 2011, requiring combined reporting for corporate income tax purposes; (vi) reducing

from \$100,000 to \$50,000 the total amount of the land preservation tax credit that may be claimed by a taxpayer in the 2011 and 2012 taxable years; (vii) extending the retail sales and use tax to digital downloads (musicals, publications, greeting cards, etc.) and computer services; (viii) presuming certain dealers to be soliciting or transacting business in the Commonwealth by an independent contractor, agent, or other representative if the dealer enters into an agreement with a resident of the Commonwealth under which the resident, for a commission or other consideration, refers potential customers to the dealer; and (ix) reinstating the state estate tax for persons dying between July 1, 2010, and July 1, 2013.

Patron - Locke

FSB714 Estate tax reinstated. Reinstates the federal credit amount so that the Commonwealth will receive payments from those estates of persons dying on or after July 1, 2010. No estate tax would be imposed on estates valued at \$5 million or less, working farms, and closely held businesses. The revenues from the estate tax would be used, as provided in the general appropriation act, to fund community-based programs of area agencies on aging, increase Medicaid reimbursement rates for hospitals or nursing homes that serve indigent seniors, and fund the cost of existing or additional waivers from the U.S. Department of Health and Human Services to authorize the Commonwealth to cover certain health care services and delivery systems for senior citizens as may be permitted by Title XIX of the Social Security Act.

Patron - Petersen

FSB725 Sales and use tax; sales tax holiday for certain hurricane preparedness equipment. Adds portable pet carriers to the list of hurricane preparedness items that are exempt from the sales and use tax during the week of May 25 through May 31 each year.

Patron - Blevins

Carried Over

CHB2 Income tax; small business investment tax credit. Provides a tax credit equal to 10% of the eligible investments made by small business taxpayers in personal property and real estate improvements used in the business. The investments must be made beginning July 1, 2010, but before July 1, 2011, and the minimum amount must be \$10,000 in order to qualify for the credit. For purposes of the credit, a business qualifies as small if it has 500 or fewer employees. This bill incorporates HB 1359.

Patron - Loupassi

CHB47 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 for taxable years beginning on or after January 1, 2011, but before January 1, 2013. 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 2011 and 2012. This bill incorporates HB 1360.

Patron - Lingamfelter

CHB57 Business, professional, and occupational license (BPOL) tax; limits on rates and imposition. Prohibits any locality from (i) imposing the BPOL tax if the locality did not impose it as of January 1, 2010, and (ii) increasing the BPOL tax rates after January 1, 2010.

Patron - Cole

CHB73 Individual income tax; additional personal exemption. Provides an additional personal exemption of \$800 for each individual who qualifies as a surviving spouse or head of household for federal income tax purposes for the taxable year, beginning on and after January 1, 2010.

Patron - Carrico

CHB94 Corporate income tax; small business reduced rate. Allows a reduction of one percent in the corporate income tax rate for up to three years for certain small businesses that increase the number of their full-time employees by a minimum of five percent over the previous year.

Patron - Bell, Richard P.

CHB110 Business, professional and occupational license tax; gross receipts or Virginia taxable income. Allows localities to decide whether to impose the BPOL tax on a business's gross receipts or its Virginia taxable income.

Patron - Cole

CHB632 Income tax credit for land conservation. Increases the income tax credit for land donated for land conservation purposes by increasing from 40 percent to 50 percent the portion of the value of such land that may be taken as a credit.

Patron - Scott, E.T.

CHB683 Sales and use tax exemption; gold, silver, and platinum bullion. Exempts from sales and use tax, gold, silver, or platinum bullion whose sales price exceeds \$1000.

Patron - Miller, J.H.

CHB734 Income tax; public school renovation tax credit. Provides an income tax credit to taxpayers that undertake and complete a public school renovation, in accordance with the provisions of the Public-Private Education Facilities and Infrastructure Act, for taxable years beginning on and after January 1, 2010. The amount of the credit is 25 percent of the taxpayer's eligible renovation expenses but cannot exceed \$1 million in any one taxable year. Also, there is a cap of \$100 million on the total amount of credits that may be allowed for all taxpayers in a taxable year.

Patron - Albo

CHB777 Land use taxation. Requires a locality that has adopted land use value assessment and taxation on three classifications to adopt land use value assessment and taxation on all four classifications of land.

Patron - Gilbert

CHB784 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, 2010.

Patron - LeMunyon

CHB845 Personal and corporate income tax credit; easements granted to a recreation authority. Provides an income tax credit to a taxpayer for granting an easement for trails to a recreation authority in an amount equivalent to the

real property tax on that part of the taxpayer's land covered by the easement. This bill incorporates HB 1186.

Patron - Morefield

[C]HB860 Corporate income tax; rate reduction. Reduces the corporate income tax rate from 6 percent to 5.75 percent for taxable years beginning on and after January 1, 2010.

Patron - Cline

[C]HB910 Tax deduction for organ donation. Increases the deduction from Virginia adjusted gross income for organ donation from \$5,000 to \$25,000 for taxable years beginning on or after January 1, 2010.

Patron - Bell, Robert B.

[C]HB998 Income tax; corporate; renewable energy products tax credit. Provides an income tax credit for taxable years beginning on and after January 1, 2011, but before January 1, 2016, for the production and export of renewable energy products. The credit ranges from \$0.20 to \$0.40 per ton of renewable energy products, depending on the current year export volume. The total amount of credits allowed annually is \$6 million.

Patron - Nutter

[C]HB1050 Individual income tax; long-term care insurance tax credit. Doubles the amount of the credit an individual can take for long-term care insurance from 15 percent to 30 percent of the amount of the premium paid for such insurance, for taxable years beginning on and after January 1, 2012.

Patron - Garrett

[C]HB1341 Income tax credits; electric energy facility producing electricity primarily from agricultural livestock waste nutrients. Establishes individual and corporate income tax credits for energy property under § 48(a) of the U.S. Internal Revenue Code of 1986, as amended, that is (i) placed in service on or January 1, 2010, in any county or city that has a current five-year annual average unemployment rate of at least 11 percent, and (ii) part of an electric energy facility producing electricity primarily from agricultural livestock waste nutrients in such county or city. The amount of the credit would be equal to the amount of the energy credit allowed for the taxable year under § 48 of the U.S. Internal Revenue Code of 1986, as amended, for placing such energy property in service.

Patron - Gilbert

[C]HB1384 State insurance license tax credit. Provides a tax credit against the state license tax liability on certain insurance companies for investments in Virginia small business investment companies. The tax credit will be administered by the Tax Commissioner. The tax credit is capped at \$20 million per year and may not exceed \$100 million for the life of the program.

Patron - Merricks

[C]SB115 Local surcharge on retail sales of fuels. Authorizes each city and county to impose a one percent surcharge on the retail price of motor fuels sold at retail in the city or county. The Tax Commissioner would collect the surcharge in the same manner that he collects the retail sales and use tax. Revenues from the surcharge would be used solely for funding of roads or highways in the urban or the secondary system of state highways.

Patron - Petersen

[C]SB179 Income tax laws; conformity to Internal Revenue Code. Advances conformity with federal income tax laws to December 31, 2009, for taxable year 2009 and to

December 31, 2010, for taxable year 2010, with three additional exceptions. The bill also provides that amendments to the Internal Revenue will not apply for Virginia tax purposes in taxable years beginning in the calendar year in which the amendments are enacted if the Tax Commissioner determines that (i) the amendment, or combination of related amendments, would reduce Virginia tax revenue by \$5 million or more in any fiscal year, or (ii) any group of amendments would together reduce Virginia tax revenue by \$25 million or more in any fiscal year.

Patron - Stosch

[C]SB310 Long-term care insurance tax credit. Increases the amount of the long-term care insurance tax credit from 15 percent to 30 percent of the amount paid by the individual during the taxable year in long-term care insurance premiums for long-term care insurance coverage for himself.

Patron - Martin

[C]SB340 Virginia Retail Sales and Use Tax Act. Confirms the Commonwealth's sales and use tax laws to the provisions of the Streamlined Sales and Use Tax Agreement.

Patron - Hanger

[C]SB343 Fuels taxes; annually adjusted. Adjusts fuels taxes each year on April 1 by the percentage increase in the Corporate Average Fuel Economy (sales volume weighted), Total Fleet (the CAFE) for the immediately preceding calendar year over the CAFE for calendar year 2009. The first adjustment would occur on April 1, 2011.

Patron - Hanger

[C]SB452 Taxes on room rentals. Provides that retail sales and hotel taxes on transient room rentals are computed based upon the total charges or the total price paid for the use or possession of the room. For those cases in which a hotel or similar establishment contracts with an agent or other party to collect the retail sales and hotel taxes, the bill would require the agent or other party to separately state the taxes on the bill or invoice and to collect the taxes based upon the total charges or the total price paid for the use or possession of the room.

Patron - Whipple

[C]SB657 Income tax; corporate; renewable energy products tax credit. Provides an income tax credit for the manufacture of renewable energy products in Virginia by a facility that begins production of such products no later than January 1, 2012. The credit would equal three percent of the total sales price of such renewable energy products that are exported. The aggregate amount of credit for each fiscal year would not exceed \$6 million.

Patron - Ruff

[C]SB663 Collection of delinquent state taxes. Provides that persons appointed by the Commonwealth to collect delinquent state taxes shall be compensated in an amount equal to 20 percent of the delinquent state taxes. The person assessed with the delinquent state taxes shall be liable to the Commonwealth for the taxes plus the compensation. The appointed collector shall collect the delinquent state taxes and the compensation from such person.

Patron - Miller, J.C.

[C]SB678 Income tax credits; electric energy facility producing electricity primarily from agricultural livestock waste nutrients. Establishes individual and corporate income tax credits for energy property under § 48 (a) of the U.S. Internal Revenue Code of 1986, as amended, that is (i) placed in service in the Commonwealth on or after January 1, 2010, and (ii) part of an electric energy facility producing electricity pri-

marily from agricultural livestock waste nutrients. The amount of the credit would be equal to the amount of the energy credit allowed for the taxable year under § 48 of the U.S. Internal Revenue Code of 1986, as amended, for placing such energy property in service.

Patron - Hanger

CSB733 State insurance license tax credit. Provides a tax credit against the state license tax liability on certain insurance companies for investments in Virginia small business investment companies. The tax credit will be administered by the Tax Commissioner. The tax credit is capped at \$20 million per year and may not exceed \$100 million for the life of the program. The bill has an effective date of January 1, 2011.

Patron - McWaters

Trade and Commerce

Passed

HB555 Enterprise Zone Grant Program; preference for allocating grant funds. Changes the eligibility for enterprise zone job grants in areas with an unemployment rate that is one and one-half times or more than the state average to positions paying at least 150 percent of the federal minimum wage including health benefits. Currently positions paying less than 175 percent of the federal minimum wage are not eligible for the job grants. In addition, the bill provides that when the sum of grants for job creation and real property investment exceeds the total annual appropriation for payments, allocations shall be prioritized to fully fund the grants for job creation with any remaining funds to be allocated to the real property investment grants. The bill incorporates HB 660 and HB 1299.

Patron - Marshall, D.W.

HB677 Specialized Biotechnology Research Performance Grant Program; established. Establishes the Specialized Biotechnology Research Performance Grant Program for nonprofit entities engaged in research, development, and production related to molecular diagnostics and drug development that enter into a performance-based memorandum of understanding with the Commonwealth prior to June 30, 2010. Grants would be paid to an eligible entity based in Fairfax County that commits in the memorandum of understanding and fulfills its obligation to (i) make a new capital investment of at least \$200 million, (ii) create at least 415 new full-time jobs, and (iii) meet any other criteria set forth in the memorandum of understanding. Grants from the program to a qualified entity shall not exceed \$22 million in the aggregate. This bill is identical to SB 644.

Patron - May

HB872 Virginia Credit Services Businesses Act. Authorizes a credit services business to receive payments from a consumer in advance of complete and full performance of the services that the business agreed to perform for or on behalf of the consumer if the consumer has agreed to pay for services during the term of a subscription agreement, if the consumer is authorized to cancel the subscription agreement at any time. A credit service business generally undertakes to improve a consumer's credit record, history, or report or obtain an extension of credit for a consumer.

Patron - Cline

HB1249 Virginia Health Spa Act. Clarifies provisions of the Virginia Health Spa Act by instituting consistent

usage of the term "facility" for the location where health spa services are offered, and the term "health spa" for the person selling memberships. The measure also requires that refunds by a health spa to a buyer be issued within 30 days after receipt of a notice of cancellation or the permanent closing of the buyer's facility.

Patron - Knight

HB1257 Purchase of service handguns; resignation in good standing. Provides that certain law-enforcement officers who are eligible for retirement with at least 20 years of service and who resign from their position in good standing to take another position covered by the Virginia Retirement System may purchase their service handgun for \$1.

Patron - Miller, P.J.

SB42 Purchase of service handguns. Allows a law-enforcement officer who retires at or after age 70 with at least 10 years of service to purchase his service handgun for \$1.

Patron - Stuart

SB116 Virginia Consumer Protection Act; religious bodies. Provides that any transaction that involves the advertisement, sale, lease, or license, or the offering for sale, lease or license, of goods or services to a church or other religious body constitutes a "consumer transaction" for purposes of the Virginia Consumer Protection Act.

Patron - Petersen

SB386 Admission into evidence of certificates of analysis of motor fuel or lubricating oils. Provides that a certificate of analysis of any motor fuel or lubricating oils shall be admitted into evidence in any case relating to misbranding, etc., of motor fuel or lubricating oil, provided that the requirements (for admission of certificates of analysis that comport with the decision in *Melendez-Diaz v. Massachusetts*) of subsection A of § 19.2-187.1 have been satisfied and the accused has not objected to the admission of the certificate pursuant to subsection B of § 19.2-187.1.

Patron - Obenshain

SB491 Sale of used building fixtures; penalty. Requires dealers in secondhand building fixtures to retain records of identifying information about the seller or purchaser of such materials and to obtain documentation establishing that the person lawfully possesses any article being sold. Dealers are required to keep the records for five years. If the dealer buys copper gutters, downspouts, or similar copper or aluminum materials, he is required to hold the articles for not less than 15 days following the date he gives the required notice of the transaction to the chief of police or sheriff. The measure also increases the penalty for a first violation to a Class 3 misdemeanor and for a second or subsequent violation to a Class 1 misdemeanor.

Patron - Hurt

SB644 Specialized Biotechnology Research Performance Grant Program; established. Establishes the Specialized Biotechnology Research Performance Grant Program for nonprofit entities engaged in research, development, and production related to molecular diagnostics and drug development that enter into a performance-based memorandum of understanding with the Commonwealth prior to June 30, 2010. Grants would be paid to an eligible entity based in Fairfax County that commits in the memorandum of understanding and fulfills its obligation to (i) make a new capital investment of at least \$200 million, (ii) create at least 415 new full-time jobs, and (iii) meet any other criteria set forth in the memorandum of understanding. Grants from the program to a qualified entity

shall not exceed \$22 million in the aggregate. This bill is identical to HB 677.

Patron - Howell

Failed

HB18 Commerce; certain made goods and services. Provides that all goods manufactured or made in Virginia and all services performed in Virginia, when such goods or services are held, maintained, or retained in Virginia, shall not be subject to the authority of the Congress of the United States under its constitutional power to regulate commerce. The measure shall not relate to goods or services ordered, procured, or purchased by the federal government or by a federal contractor.

Patron - Cole

HB181 Gift cards. Prohibits the issuance of a gift card that automatically, as a result of the passage of a period of time following its purchase or activation (i) expires, (ii) diminishes in value by the assessment of a maintenance fee or inactivity fee, or (iii) otherwise becomes unredeemable.

Patron - Morrissey

HB645 Enterprise zone job creation grants. Provides that a business firm is eligible for an enterprise zone job creation grant of \$500 per year for up to five years for each grant eligible position that during such year is 150 percent of the federal minimum wage, if the locality where the business firm is located has an unemployment rate of two percent or higher than the statewide average.

Patron - Armstrong

HB658 Enterprise Zone Grant Program; threshold for real property investment grants. Lowers the threshold for qualified real property investments under the Enterprise Zone Grant Program for distressed localities from \$100,000 to \$50,000 for the rehabilitation or expansion of a single building and from \$500,000 to \$250,000 for new construction of a single building. Under the bill, distressed locality is defined as any locality with an annual average unemployment rate that is one and one half times or more the state average unemployment rate.

Patron - Armstrong

HB660 Enterprise zone job creation grants. Provides that a business firm is eligible for an enterprise zone job creation grant of \$500 per year for up to five years for each grant eligible position that during such year is 150 percent of the federal minimum wage, if the locality where the business firm is located has an unemployment rate of 1.5 percent or higher than the statewide average. This bill was incorporated into HB 555.

Patron - Armstrong

HB794 Employees of home access businesses; penalty. Requires the owner or operator of a commercial establishment that provides a service that requires the establishment's employees regularly to enter the interior area of the residence of its customers to conduct a criminal background check of employees whose regular duties can reasonably be expected to require entering the interior area of the residences of establishment's customers. Effective September 1, 2009, employers are required to complete a criminal records check on prospective employees, but an employer is not prohibited from hiring an employee on the basis of the results of the criminal records check. Employers are required to keep copies of the fingerprints and records check for such employees. Employers shall provide identification badges to employees and require the employees to wear the badge when they are expected to enter

customers' homes. Violations constitute a Class 3 misdemeanor.

Patron - Tata

HB804 Use of personal information. Prohibits a person from sending or delivering, by letter, envelope, package, or electronic message, a solicitation or advertising material that includes the date of birth, place of birth, parents' names, or telephone number of the individual to whom it is addressed. Persons aggrieved by a violation may recover damages of \$100 per violation pursuant to the Personal Information Privacy Act.

Patron - Poindexter

HB1299 Enterprise zone grants; value of qualified investments. Reduces the amounts of qualified real property investments from \$100,000 to \$50,000 for buildings that have been rehabilitated or expanded and from \$500,000 to \$150,000 for new construction. This bill was incorporated into HB 555.

Patron - Crockett-Stark

HB1350 Virginia Post-Disaster Anti-Price Gouging Act. Shortens the potential duration of the period during which the requirements of the Virginia Post-Disaster Anti-Price Gouging Act are in effect from 30 days after the occurrence of a disaster or a renewal or extension of a state of emergency to 10 days after such events. However, if the state of emergency is extended or renewed for longer than 10 days, the longer period will apply. The measure does not limit or restrict an Executive Order declaring a state of emergency, including waivers issued by state agencies to carriers of essential commodities.

Patron - Peace

SB471 Defective drywall; penalties. Makes it a prohibited practice under the Virginia Consumer Protection Act for a supplier to sell, offer for sale, or use in the construction, remodeling, or repair of any residential dwelling in Virginia, any drywall that he knows or has reason to know is drywall that, as a result of containing the same or greater levels of strontium sulfide that has been found in drywall manufactured in China and imported between 2004 and 2007, is capable of releasing sulfur compounds into the air. Such a sale, offering or use of drywall that has been designated by the Consumer Product Safety Commission as posing a substantial product hazard is also made a prohibited practice under the Virginia Consumer Protection Act. The legislation applies to transaction occurring on or after July 1, 2010.

Patron - Miller, J.C.

SB513 Virginia Racing Commission; simulcast horse racing; allocations. Authorizes wagering on historical horse racing. The bill also allocates the proceeds from such racing with forty-two percent of the proceeds distributed to the Commonwealth Transportation Trust Fund and the remaining fifty-eight percent distributed to other entities. In addition, the bill (i) requires the existing race track to provide gambling educational programs including information on the availability of gambling addiction counseling and (ii) requires the promulgation of emergency regulations. This bill incorporates SB 655.

Patron - Norment

SB548 Customer access to restrooms; 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. The operator of a retail establishment that violates this requirement is subject to a civil penalty of not more than \$100. A violation of this act does not subject the retail establishment to further liability to the customer.

Patron - Barker

[F]SB655 Virginia Racing Commission; simulcast horse racing; allocations. Authorizes wagering on historical horse racing. The bill also allocates the proceeds from such racing with 35 and one-half percent of the proceeds distributed to the Commonwealth Transportation Trust Fund and the remaining 64 and one-half percent distributed to other entities. In addition, the bill requires (i) the existing racetrack to provide gambling educational programs including information on the availability of gambling addiction counseling and (ii) the promulgation of emergency regulations. This bill was incorporated into SB 513.

Patron - Herring

Carried Over

[C]HB905 Automatic dialing-announcing devices. Prohibits the use of an automatic dialing-announcing device in connection with making a call to any subscriber who has registered with the Virginia Do Not Call Registry. The bill requires the State Corporation Commission to set up the Virginia Do Not Call Registry for subscribers who wish to block all calls that use or are made in connection with automatic dialing-announcing devices by December 31, 2010.

Patron - Bell, Robert B.

Unemployment Compensation

Passed

[P]HB535 Unemployment benefits; minimum earnings requirement. Postpones the scheduled increase, from \$2,700 to \$3,000, in the minimum amount of wages an employee must have earned in the two highest earnings quarters of his base period in order to be eligible for unemployment benefits. The increase will apply to claims filed on or after July 3, 2011; it is currently scheduled to apply to claims filed on or after July 4, 2010.

Patron - Nixon

[P]HB550 Repayment of unemployment benefits. Allows the Virginia Employment Commission to negotiate the terms of repayment for benefits to which a recipient is not entitled. The Commission may deduct up to 50 percent of future benefits, forego collection of the payable amount until the recipient has found employment, or determine and institute an individualized repayment plan for the recipient. The Commission may reinstitute any other method of collecting an overpayment if the individual fails to enter into or comply with the terms of a repayment plan.

Patron - Marshall, D.W.

[P]HB760 Department of Veterans Services; Veterans Skills Database. Requires the Virginia Employment Commission, in cooperation with the Department of Veterans Services

and the Secretary of Commerce and Trade, to establish the Veterans Skills Database, an Internet-accessible database of veterans and their workforce skills, for the purpose of marketing and promoting the workforce skills of veterans to potential employers. The database will be free to both veterans and employers.

Patron - Stolle

Failed

[F]HB177 Eligibility of seasonal tax preparation service employees for unemployment benefits. Disqualifies a seasonal employee of a tax preparation firm from receiving unemployment compensation benefits outside of the tax preparation season, if the individual was notified in writing at the time of his hiring that his employment is only for the term of the tax preparation season.

Patron - Morrissey

[F]HB178 Eligibility of seasonal or temporary workers for unemployment benefits. Disqualifies an unemployed individual for unemployment compensation benefits if he was provided with written notice, and signed an acknowledgment of receipt of such notice, by his employer stating that his employment is temporary or seasonal and will be terminated by a date certain or upon the completion of seasonal work specified in the written notice.

Patron - Morrissey

[F]HB647 Unemployment benefits; part-time employment and training programs. Provides that certain individuals who have exhausted eligibility for unemployment benefits and who are enrolled in approved training programs are eligible for up to 26 weeks of additional benefits. The measure also provides that an individual who was employed part time during at least one-half of the weeks of work in the individual's base period is deemed to satisfy the requirement that he be available for work and actively seeking and unable to obtain suitable work if he is available for and actively seeking work that is comparable to his part-time work experience in his base period.

Patron - Armstrong

[F]SB239 Unemployment benefits; eligibility criteria and impact of legislation. Provides that certain individuals who have exhausted eligibility for unemployment benefits and who are enrolled in approved training programs are eligible for up to 26 weeks of additional benefits. The measure also provides that an individual who voluntarily separates from employment is not disqualified from receiving unemployment compensation benefits if the separation is for a compelling family reason, which is defined as domestic violence, the illness or disability of a member of the individual's immediate family; or the need for the individual to accompany such individual's spouse to a place from which it is impractical for such individual to commute and due to a change in location of the spouse's employment. A provision allowing individuals to receive unemployment benefits if they voluntarily leave employment to follow a military spouse assigned to a new duty station, which provision will become effective only if the federal government appropriates adequate funds specifically for the purpose of paying benefits to such individuals, is repealed. The measure also requires that bills enhancing unemployment compensation benefits payable to a claimant contain a statement reflecting the projected impact on the solvency level of the unemployment trust fund and the average increase in state unemployment tax liability of employers. Currently, such bills are required to contain an estimate of potential revenue losses

of state tax revenues. This bill incorporates SB 562 and SB 666.

Patron - Watkins

[F]SB562 Unemployment benefits; part-time employment and training programs. Provides that certain individuals who have exhausted eligibility for unemployment benefits and who are enrolled in approved training programs are eligible for up to 26 weeks of additional benefits. The measure also provides that an individual who was employed part time during at least one-half of the weeks of work in the individual's base period is deemed to satisfy the requirement that he be available for work and actively seeking and unable to obtain suitable work if he is available for and actively seeking work that is comparable to his part-time work experience in his base period. This bill was incorporated into SB 239.

Patron - Puckett

[F]SB666 Unemployment compensation; military spouses. Repeals the provision that made the enactment of a measure to allow military trailing spouses to be eligible for unemployment benefits contingent upon the appropriation by the federal government of funds for this purpose. By repealing this contingency, an employee who voluntarily leaves employment will be deemed to have had good cause for so leaving if the employee accompanies his or her spouse, who is on active duty in the military or naval services of the United States, to a new military-related assignment established pursuant to a permanent change of duty order from which the employee's place of employment is not reasonably accessible. The measure applies only if the state to which the spouse is transferred has a similar provision, unless the transfer involves members of the Virginia National Guard relocated within the Commonwealth. Benefits paid to qualifying claimants shall be charged against the pool rather than against the claimant's employer. This bill was incorporated into SB 239.

Patron - Locke

Carried Over

[C]HB252 Waiver of overpayment of unemployment benefits due to administrative error. Requires the Virginia Employment Commission (VEC) to waive an individual's obligation to repay overpayments of unemployment compensation benefits if (i) the individual requests a waiver, (ii) the overpayment occurred solely because of an administrative error by the VEC, (iii) repayment was not demanded within the six months following the date of the overpayment, and (iv) requiring the individual to repay the overpayment would be inequitable. If the four criteria for a mandatory waiver are not satisfied, the VEC is provided the option of waiving all or part of an individual's obligation to repay overpayments of unemployment compensation benefits if the overpayment occurred solely or partially due to an administrative error by the VEC (and in no part due to the individual's false representation or failure to disclose a material fact) and the VEC determines that recovery of all or part of the overpayment would be inequitable. In determining whether requiring the individual to repay an overpayment would be inequitable, the VEC shall consider whether repayment would cause economic hardship to the individual.

Patron - Merricks

Virginia Energy Plan

Passed

[P]HB389 Virginia Offshore Wind Project Development Authority. Creates the Virginia Offshore Wind Development Authority to facilitate and support the development of the offshore wind industry and wind-powered electric energy facilities located off the coast of the Commonwealth beyond the Commonwealth's three-mile jurisdictional limit. The Authority is charged with, among other tasks, (i) identifying existing state and regulatory or administrative barriers to the development of the offshore wind industry, (ii) collecting metocean and environmental data, (iii) upgrading port facilities to accommodate the manufacturing and assembly of project components and vessels that will support such projects, and (iv) applying to the U.S. Department of Energy for loan guarantees for such projects. SB 577 is identical.

Patron - Janis

[P]HB756 Royalties from offshore drilling. Requires that all revenues and royalties paid to the Commonwealth as a result of offshore natural gas and oil drilling shall be distributed as follows: (i) 70 percent to the Transportation Trust Fund, (ii) 20 percent to the Virginia Coastal Energy Research Consortium, and (iii) 10 percent to localities for improvements to infrastructure and transportation. This bill incorporates HB 805 and HB 900.

Patron - Stolle

[P]HB787 Offshore energy resources. States that it shall be the policy of the Commonwealth to support oil and natural gas exploration, development, and production 50 miles or more off Virginia's coast, taking into account the impact on affected localities, armed forces, and the mid-Atlantic regional spaceport. Currently, the policy is limited to supporting exploration for natural gas resources 50 miles or more offshore. SB 394 is identical.

Patron - Villanueva

[P]SB394 Offshore energy resources. States that it shall be the policy of the Commonwealth to support oil and natural gas exploration, development, and production 50 miles or more off Virginia's coast, taking into account the impact on affected localities, armed forces, and the mid-Atlantic regional spaceport. Currently, the policy is limited to supporting exploration for natural gas resources 50 miles or more offshore. HB 787 is identical.

Patron - Wagner

[P]SB577 Virginia Offshore Wind Project Development Authority. Creates the Virginia Offshore Wind Development Authority to facilitate and support the development of the offshore wind industry and wind-powered electric energy facilities located off the coast of the Commonwealth beyond the Commonwealth's three-mile jurisdictional limit. The Authority is charged with, among other tasks, (i) identifying existing state and regulatory or administrative barriers to the development of the offshore wind industry, (ii) collecting metocean and environmental data, (iii) upgrading port facilities to accommodate the manufacturing and assembly of project components and vessels that will support such projects, and (iv) applying to the U.S. Department of Energy for loan guarantees for such projects. This bill incorporates SB 393. HB 389 is identical.

Patron - McEachin

[P]SB713 Coastal Energy Research Consortium. Adds George Mason University to the membership of the Coastal Energy Research Consortium and the President of George Mason University or his designee to the governing board of the Consortium. The measure also directs that a representative of NASA's Langley Research Center shall serve as a nonvoting member of the Consortium's board of directors.

Patron - Petersen

Failed

[F]HB805 Royalties from offshore drilling. Requires that 80 percent of any revenues and royalties paid to the Commonwealth as a result of offshore natural gas and oil drilling shall be deposited to the Transportation Trust Fund. The remaining 20 percent shall be used to encourage and incentivize non-petroleum based transportation fuels. This bill was incorporated into HB 756.

Patron - Poindexter

[F]HB900 Offshore drilling; royalties. Apportions 80 percent of any royalties that the Commonwealth might receive from offshore drilling for natural gas and oil to the Transportation Trust Fund, and 20 percent to programs developed by the Secretary of Natural Resources to clean up the Chesapeake Bay. This bill was incorporated into HB 756.

Patron - Comstock

[F]HB1222 Voluntary Solar Resource Development Fund; grant program. Requires electric utilities to provide customers with the option to make voluntary contributions to the Voluntary Solar Resource Development Fund, which is established by this measure. Moneys in the Fund will be allocated by the State Corporation Commission as grants for projects that involve the acquisition, installation, or operation of photovoltaic devices, solar water heating devices, or solar space heating devices at a residence, structure occupied by a nonprofit organization, or commercial establishment.

Patron - Ebbin

[F]SB221 Covenants regarding natural drying devices. Provides that effective July 1, 2010, no community association shall prohibit an owner from installing or using a natural drying device on that owner's property. The bill provides that a community association may establish reasonable restrictions concerning the size, placement, duration, and manner of placement of such natural drying device.

Patron - Puller

[F]SB393 Virginia Offshore Wind Project Development Commission. Creates the Virginia Offshore Wind Project Development Commission to facilitate the development of wind-powered electric energy facilities located off the coast of the Commonwealth beyond the Commonwealth's three-mile jurisdictional limit. The Commission is charged, among other tasks, with applying to the U.S. Minerals Management Service for leases or easements for sites for such projects and applying to the U.S. Department of Energy for up to \$4 billion in loan guarantees for such projects. This bill was incorporated into SB 577.

Patron - Wagner

Carried Over

[C]HB881 Restrictive covenants regarding solar energy collection devices. Invalidates any new or existing restrictive covenant adopted by a community association that prohibits or restricts the installation or use of any solar energy

collection device. Community associations may establish reasonable restrictions as to the size, place, and manner regarding the placement of such devices on private property and community areas.

Patron - BaCote

[C]HB1274 Impact assessment for energy mandates. Requires standing committees of the General Assembly to request that the State Corporation Commission or the Joint Legislative Audit and Review Commission prepare an assessment of the economic impact, on customers and public utilities in the Commonwealth, of any proposed state law or other mandate that affects the use, delivery, availability or regulation of energy in the Commonwealth. The assessment is required to be completed within 24 months. Evaluations of the economic impact of existing energy mandates shall be conducted in accordance with a schedule submitted by the committees of the General Assembly having jurisdiction over commerce and trade matters.

Patron - Hugo

[C]SB601 Royalties from offshore drilling. Requires that at least 80 percent of any revenues and royalties paid to the Commonwealth as a result of offshore natural gas and oil drilling shall be deposited to the Transportation Trust Fund.

Patron - Wagner

[C]SB647 Impact assessment for energy mandates. Requires standing committees of the General Assembly to request that the State Corporation Commission or the Joint Legislative Audit and Review Commission prepare an assessment of the economic impact, on customers and public utilities in the Commonwealth, of any proposed state law or other mandate that affects the use, delivery, availability or regulation of energy in the Commonwealth. The assessment is required to be completed within 24 months. Evaluations of the economic impact of existing energy mandates shall be conducted in accordance with a schedule submitted by the committees of the General Assembly having jurisdiction over commerce and trade matters.

Patron - Watkins

Waters of the State, Ports and Harbors

Passed

[P]HB4 Roanoke River Basin Advisory Committee. Removes the cap on reappointments for nonlegislative citizen members of the Roanoke River Basin Advisory Committee. Currently, nonlegislative citizen members may only be reappointed to three consecutive two-year terms.

Patron - Wright

[P]HB515 Wetlands and stream mitigation. Prohibits localities from regulating the location of wetlands and stream mitigation projects that are subject to a Virginia Water Protection Permit or a Corps of Engineer § 404 permit. However, a locality may continue to determine the allowed uses within its zoning classifications.

Patron - Rust

[P]HB1135 Wastewater discharge permits. Requires the owner or operator of a wastewater treatment facility with a discharge greater than 1,000 gallons per day up to 39,999 gallons per day that has not begun the discharge of pollutants prior

to January 1, 2011, to demonstrate to the Department of Environmental Quality that he has acquired waste load allocations sufficient to offset his nitrogen and phosphorus discharges.

Patron - Morgan

[P]HB1221 Virginia Water Facilities Revolving Fund. Provides that loans may be made from the Virginia Water Facilities Revolving Fund, at the State Water Control Board's discretion, to a local government for construction of facilities or structures or implementation of best management practices that reduce or prevent pollution of state waters caused by stormwater runoff from impervious surfaces. However, under the bill, wastewater treatment facilities will have the first priority in obtaining financing from the Fund.

Patron - Bulova

[P]HB1290 Nutrient trading. Allows wastewater treatment facilities on the Eastern Shore to acquire nitrogen and phosphorus credits from facilities in the Potomac and Rappahannock tributaries. Currently a permitted facility can acquire point source nitrogen credits, among other restrictions, from one or more permitted facilities in the same tributary.

Patron - Lewis

[P]SB317 Roanoke River Basin Advisory Committee. Removes the cap on reappointments for nonlegislative citizen members of the Roanoke River Basin Advisory Committee. Currently, nonlegislative citizen members may only be reappointed to three consecutive two-year terms.

Patron - Ruff

[P]SB345 Oyster restoration projects. Authorizes the Virginia Resources Authority to finance oyster restoration efforts undertaken by local governments.

Patron - Hanger

[P]SB569 Water Supply Plan Advisory Committee. Establishes the State Water Resources Plan Advisory Committee to assist the Department of Environmental Quality (DEQ) in the development and implementation of the state water resources plan. The Director of DEQ is to appoint the members of the Committee who will be representatives of various stakeholder groups, including water users, water providers, agricultural, conservation, and environmental organizations, state and federal agencies, and university faculty.

Patron - Ticer

Failed

[F]HB121 Virginia ports; change in ownership. Requires approval of both the Governor and the General Assembly before any change in ownership of the Virginia ports is permitted.

Patron - Purkey

[F]HB697 Virginia Water Protection Permit. Authorizes the State Water Control Board to consider whether the proposed activity for which a water withdrawal permit is being sought is in accordance with the state water resources plan.

Patron - Bulova

[F]HB1137 Ground water withdrawal permit fees. Increases the maximum amount that the State Water Control Board can charge for a permit to withdraw ground water from \$6,000 to \$12,000. The term of a ground water permit is up to 10 years. The State Water Control Board is also authorized to set up a fee schedule to allow permit holders to pay their permit fees on an annual basis over the term of the permit.

Patron - Morgan

[F]SB140 Virginia ports; change in ownership. Prohibits the Commonwealth, the Virginia Port Authority, any governmental entity, and any other person from selling any harbor, seaport, marine terminal, or other port facility, or inland intermodal facility owned by the Commonwealth or the Authority. Additionally, any leases, concession agreements, or similar type of agreements that transfers to a nongovernmental entity possession or control of any such harbor, seaport, marine terminal, or other port facility, or inland intermodal facility for a period longer than 20 years at a time are prohibited. Any such leases, concession agreements, or similar type of agreements under 20 years shall be approved by the Governor. The Authority is allowed to enter into a joint venture with a nongovernmental entity relating to the management or operation of its property provided certain conditions are met. This bill incorporates SB 605.

Patron - Miller, J.C.

[F]SB605 Virginia ports; change in ownership. Requires approval of the General Assembly before any lease for longer than 10 years or sale of the Virginia ports is permitted. This bill was incorporated into SB 140.

Patron - Saslaw

[F]SB708 Water Quality Improvement Fund; nutrient offsets. Creates the Nutrient Offset Fund as a subfund of the Virginia Water Quality Improvement Fund to be administered by the Director of the Department of Environmental Quality for the purchase of nutrient reductions certified under the Chesapeake Bay Watershed Nutrient Credit Exchange Program. Using moneys from the subfund, the Director of the Department of Environmental Quality may enter into long-term contracts with producers of nutrient offsets to purchase such offsets. Priority shall be given to nutrient offsets produced from facilities that generate electricity from animal waste. The nutrient offsets purchased with moneys from the subfund will be available for sale to owners or operators of new or expanded facilities required to offset nutrient loads through the watershed general permit.

Patron - Hanger

Carried Over

[C]HB508 Land application of sewage sludge. Requires the State Water Control Board to adopt a regulation that establishes procedures for notifying health sensitive individuals who live within two miles of the site where sewage sludge is going to be land applied. The land application cannot occur until the Department of Environmental Quality has established those conditions that will ensure that these individuals are not exposed to the sewage sludge. Such conditions could include the requirement for a buffer area between the site where the application will take place and a health sensitive individual's residence. The bill also requires the Board to adopt regulations that protect sensitive environmental features from the impacts of land application of sewage sludge.

Patron - Gilbert

[C]HB696 Reporting of water withdrawals. Authorizes the State Water Control Board to impose a civil penalty, not to exceed \$1,000, upon any person who fails to register and report certain water withdrawal information. However prior, to determining whether a civil penalty should be assessed, the Board is required to give the permit holder 60 days to come into compliance with the reporting requirement. A violator also has the option of entering into a consent agreement with the Board and pay a civil charge that could be less than the \$1,000 penalty. Any person who withdraws more than one million gallons in any single month for crop irrigation or who withdraws during

any single month a daily average 10,000 gallons per day is required to be registered and report the amount of his withdrawals. The revenue generated from the civil penalties and charges will be deposited in a special fund that can be used solely to fund the Department of Environmental Quality's water supply planning responsibilities.

Patron - Bulova

HB1340 Land application of sewage sludge. Authorizes those localities located in karst regions to prohibit the land application of sewage sludge within their boundaries. Karst terrain is characterized by springs, caves, sinkholes, and a unique hydrogeology that results in aquifers that are highly productive but extremely vulnerable to contamination.

Patron - Gilbert

Welfare (Social Services)

Passed

HB411 Shaken baby syndrome; distribution of information. Requires the Department of Social Services to make information about shaken baby syndrome, its effects, and resources for help and support for caretakers available in a printable format, and information about how to acquire such information in an audiovisual format, available on a website maintained by the Department, and to inform every child welfare program licensed by the Department about the available information. This bill also provides that information about shaken baby syndrome shall be made available to foster and adoptive parents, and staff of child day programs and children's residential facilities.

Patron - Oder

HB443 Adoption assistance. Amends eligibility and application process requirements for adoption assistance; provides for separate maintenance, nonrecurring expense, and state special services payments; sets forth the requirements of each; and amends provisions governing changes in the amount of maintenance payments.

Patron - Toscano

HB718 Foster care; plan to reduce. Requires the Governor and the Department of Social Services, together with other appropriate executive branch agencies, to develop a plan to increase permanent placements of children with families to reduce the number of children in foster care by 25 percent by 2020.

Patron - Peace

HB736 Virginia Child Protection Accountability System. Adds the Department of State Police and circuit courts to the list of entities required to report information for inclusion in the Virginia Child Protection Accountability System. This bill is identical to SB 284.

Patron - Albo

HB747 Stepparent and close relative adoption; appointment of guardian ad litem not required. Allows a court to waive appointment of a guardian ad litem for a child in cases of stepparent or close relative adoption.

Patron - Toscano

HB749 Consent to parental placement adoption; out-of-state placements. Allows a birth parent who is located in the Commonwealth to waive his right to consent to the adoption of his child pursuant to the laws of the Commonwealth and

elect to exercise consent pursuant to the laws of the receiving state. Consent shall be made under oath, in writing, and signed by the parent, and shall expressly state that the parent waiving consent has received independent legal counsel from an attorney licensed in Virginia advising him of the laws of the Commonwealth and the laws of the receiving state.

Patron - Toscano

HB750 Post-adoption contact and communication agreements. Provides that in any case of adoption, adoptive parents may enter into post-adoption contact and communication agreements, and that the court may consider the appropriateness of any post-adoption contact and communication agreement at a permanency hearing for any child in foster care.

Patron - Toscano

HB921 Department of Social Services; retention of records. Requires local departments of social services to keep all records from cases involving child sexual abuse involving injuries or conditions that result in or were likely to have resulted in serious harm to a child for a period of 25 years from the date of the complaint.

Patron - Bell, Robert B.

HB1133 Adoption; explanation of legal effects. Clarifies the requirement that a local board or child-placing agency provide information about the adoption process, its legal effects, and the alternatives to adoption to the birth mother and, if reasonably available, the father of a child to be placed for adoption.

Patron - Keam

SB277 Temporary Assistance for Needy Families (TANF); applications. Allows TANF applicants to retain pre-existing support they may have received on their own behalf or on behalf of any other family member.

Patron - Quayle

SB284 Virginia Child Protection Accountability System. Adds the Department of State Police and circuit courts to the list of entities required to report information for inclusion in the Virginia Child Protection Accountability System. This bill is identical to HB 736.

Patron - Quayle

SB339 Licensure of a facility; interviews with residents or participants. Provides that interviews with residents or participants of facilities or programs licensed or seeking licensure by the Department of Social Services shall be (i) scheduled in advance of the interview and authorized by the person to be interviewed or his legally authorized representative, and (ii) limited to discussion of issues related to the applicant's or licensee's compliance with applicable laws and regulations. This bill also sets forth inspection requirements for assisted living facilities, and provides that an incident report filed by an assisted living facility, pursuant to regulations adopted by the Board, for any major incident that negatively affects or threatens the life, health, safety or welfare of any resident of the facility shall not be considered a complaint, but may trigger an investigation including an onsite visit if the Commissioner finds an investigation is necessary.

Patron - Hanger

SB415 Foster care and independent living services. Requires local departments that provide independent living services to persons between 18 and 21 years of age to provide any person who chooses to leave foster care or terminate independent living services before his twenty-first birthday written notice of his right to request restoration of independent living services. The written notice shall be included in the person's

transition plan, which shall be created at least 90 days prior to the person's discharge from foster care.

Patron - Vogel

[P]SB728 Child support orders; emergency. Eliminates the ability of the Department of Social Services to order 2.5 percent cash medical support payments from the noncustodial parent when the child is a recipient of Medicaid or the Family Access to Medical Insurance Security Plan. The bill also requires the Department to repay any 2.5 percent payments received since July 1, 2009.

Patron - Quayle

Failed

[F]HB80 Statewide Temporary Assistance for Needy Families Program Funding Pool. Creates the Statewide TANF Program Funding Pool, which shall consist of all TANF block grant funds to be awarded to service providers for expanded TANF programs, up to an amount equal to 12 percent of the total amount of the TANF block grant for a given year. This bill requires the Department of Social Services to administer the Statewide TANF Program Funding Pool, and to allocate funds from the Statewide TANF Program Funding Pool to TANF expanded program service providers through a competitive grant process.

Patron - Englin

[F]HB175 Limitations on barrier crimes. Limits assault-related barrier crimes in Title 63.2 to felony assault crimes only. Currently, misdemeanor assaults are barriers to employment in certain areas.

Patron - Morrissey

[F]HB847 Local boards of social services; removes membership limit for certain counties. Removes the three-person limit on the number of members serving on a local board of social services in a county operating under the county board form of government.

Patron - Morefield

[F]SB59 Substance abuse screening and assessment of public assistance applicants and recipients. Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal drugs. This bill provides that, when a screening indicates reasonable cause to believe a participant is using illegal drugs, the Department shall require a formal substance abuse assessment of the participant, which may include drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal drugs shall be ineligible to receive TANF payments for a period of one year.

Patron - Martin

[F]SB576 Eligibility for TANF; drug-related felonies. Requires persons otherwise eligible to receive Temporary Assistance for Needy Families (TANF) benefits to not be denied benefits solely due to a previous conviction of a felony drug offense pursuant to § 18.2-250. The otherwise eligible person must comply with all obligations imposed by the criminal court and be actively engaged in or have completed a substance abuse treatment program. The bill mirrors the authorized federal exemption already granted for food stamp applicants.

Patron - Ticer

Carried Over

[C]HB226 Eligibility for TANF; drug-related felonies. Provides that a person who is otherwise eligible to receive TANF assistance shall not be denied assistance solely because he has been convicted of a felony offense of possession of a controlled substance provided he complies with all obligations imposed by the court, has completed substance abuse treatment, and participates in drug screenings.

Patron - Watts

[C]HB925 Substance abuse screening and assessment of public assistance applicants and recipients. Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal drugs. This bill provides that, when a screening indicates reasonable cause to believe a participant is using illegal drugs, the Department shall require a formal substance abuse assessment of the participant, which may include drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal drugs shall be ineligible to receive TANF payments for a period of one year.

Patron - Bell, Robert B.

[C]HB1069 Suspected adult abuse; mandatory reporting. Requires any person employed in the emergency department of any private or state-operated hospital to report to Adult Protective Services when an adult is treated for serious bodily injury and the adult is unable to explain the cause of his injuries due to physical or mental incapacity.

Patron - Athey

[C]SB702 Child welfare; placement of children. Provides that the Department of Social Services shall consider residential placement of children when reunification with the family is not in the best interests of the child.

Patron - Marsden

Wills and Decedents' Estates

Passed

[P]HB346 Small Estate Act; revision. Revises the Small Estate Act by repealing related provisions in the Title 6.1 (Banking and Finance), Title 51.1 (Pensions, Benefits, and Retirement), and Title 64.1 (Wills and Decedents' Estates) and consolidating them in the Act. The bill also allows that a person holding a small asset belonging to a decedent may pay or deliver the asset to a designated successor if he presents an affidavit on behalf of the other known successors if the value of the asset does not exceed \$50,000 and other conditions are met. The person holding the asset may pay or deliver it without being presented with an affidavit if the value of the asset does not exceed \$15,000. A designated successor who received an asset has a fiduciary duty to other successors to safeguard the asset and pay or deliver it to other successors as required by law. The bill also provides that a person holding a small asset may pay or deliver up to \$3,500 of the asset for the handling of the funeral of the decedent.

Patron - Watts

[P]HB755 Wills and trusts; formula clauses referring to federal estate and generation-skipping transfer tax laws; application. Provides that a formula for calculating transfers

or devises based on federal estate or generation-skipping transfer tax law contained in a will or trust of a decedent who dies after December 31, 2009, and before January 1, 2011, shall be construed to refer to the tax law applicable on December 31, 2009. The bill is intended to address the consequences of the repeal of the federal estate and generation-skipping transfer taxes with respect to estates and taxable transfers occurring after December 31, 2009, and before January 1, 2011. The bill contains an emergency clause and its provisions will also be effective retroactive to December 31, 2009.

Patron - Janis

[P]HB1345 Probate; list of heirs. Provides that the list of heirs that must be filed with the clerk of court when a personal representative for a decedent's estate seeks to qualify or a will is submitted to probate shall reflect the heirs in existence on the date of the decedent's death. If there are any changes as to who should be included on the list of heirs, an additional list of heirs shall be filed that includes such changes.

Patron - Barlow

Workers' Compensation

Passed

[P]HB603 Workers' Compensation Commission; notices. Authorizes the Workers' Compensation Commission to satisfy its obligations to provide copies of notices, opinions, orders, and awards by sending them by electronic communications in the manner prescribed by the Commission. SB 611 is identical.

Patron - Loupassi

[P]HB705 Workers' Compensation Commission; awards. Repeals provisions that require the Workers' Compensation Commission to send copies of awards by priority mail with delivery confirmation or equivalent mailing option. The measure also increases the period in which an application for review of an award may be made from 20 to 30 days. SB 612 is identical.

Patron - Merricks

[P]HB761 Workers' Compensation Commission filings. Expands the options for filing materials with the Workers' Compensation Commission to include means of electronic transmission that have been approved by the Commission. SB 610 is identical.

Patron - Marshall, D.W.

[P]HB807 Workers' compensation insurance; proof of coverage. Authorizes workers' compensation insurance carriers to file proof of coverage within 30 days of an insurance policy's inception. The filing shall be made electronically in the form prescribed by, and to the agent designated by, the Workers' Compensation Commission. SB 597 is identical.

Patron - Poindexter

[P]SB597 Workers' compensation insurance; proof of coverage. Authorizes workers' compensation insurance carriers to file proof of coverage within 30 days of an insurance policy's inception. The filing shall be made electronically in the form prescribed by, and to the agent designated by, the Workers' Compensation Commission. HB 807 is identical.

Patron - Wampler

[P]SB610 Workers' Compensation Commission filings. Expands the options for filing materials with the Work-

ers' Compensation Commission to include means of electronic transmission that have been approved by the Commission. HB 761 is identical.

Patron - Edwards

[P]SB611 Workers' Compensation Commission; notices. Authorizes the Workers' Compensation Commission to satisfy its obligations to provide copies of notices, opinions, orders, and awards by sending them by electronic communications in the manner prescribed by the Commission. HB 603 is identical.

Patron - Edwards

[P]SB612 Workers' Compensation Commission; awards. Repeals provisions that require the Workers' Compensation Commission to send copies of awards by priority mail with delivery confirmation or equivalent mailing option. The measure also increases the period in which an application for review of an award may be made from 20 to 30 days. HB 705 is identical.

Patron - Wagner

Failed

[F]HB156 Workers' compensation; occupational disease presumption. Expands the presumption that specific types of cancers in firefighters and certain other public safety employees are occupational diseases compensable under the Workers' Compensation Act to include kidney cancer and any other type of cancer that results from the inhalation, ingestion, or absorption of a toxic substance. A toxic substance is currently defined as a known or suspected carcinogen, as defined by the International Agency for Research on Cancer, that causes, or is suspected to cause, leukemia or pancreatic, prostate, rectal, throat, ovarian, or breast cancer.

Patron - Dance

[F]HB446 Workers' Compensation; exclusion of certain employees. Excludes a person from coverage under the Virginia Workers' Compensation Act if his injury, disability, or death is covered by or eligible for benefits under the Longshore and Harbor Workers' Compensation Act or the Jones Act. The measure provides that such persons continue to be employees for purposes of the Act with respect to injury by accident that occurred prior to July 1, 2010.

Patron - Ware, R.L.

[F]HB955 Workers' compensation; occupational disease presumption. Adds salaried and volunteer lifesaving and rescue squad members to the list of public safety personnel who are entitled to a presumption that hypertension and heart disease are occupational diseases suffered in the line of duty that are covered under the Workers' Compensation Act.

Patron - Lingamfelter

[F]HB1346 Workers' compensation; occupational disease presumption limitation. Establishes a limitations period during which a public safety employee may bring a claim under the Workers' Compensation Act for hepatitis at two years after the employee receives notice of a positive test for exposure to hepatitis. The limitation applies only to those public safety employees who are entitled to the existing presumption that hepatitis is an occupational disease. Existing law provides that the limitations period for claims involving hepatitis is the earlier to occur of (i) two years after a diagnosis of the disease is first communicated to the employee or (ii) five years from the date of the last injurious exposure in employment.

Patron - Barlow

Carried Over

[C]HB1326 Workers' compensation; medical services. Provides that a health care provider rendering medical services outside Virginia to an injured worker whose claim and injuries have been accepted as compensable under the Virginia Workers' Compensation Act shall be reimbursed for authorized, reasonable and necessary medical treatment in an amount equal to the workers' compensation fee schedule, if any, adopted by that state. If the other state does not have a fee schedule, the provider will be reimbursed based on the charges prevailing in the same community for similar treatment when the treatment is paid for by the injured person. The measure also directs the Workers' Compensation Commission to appoint a task force to develop recommendations relating to reductions or discounts for multiple surgical procedures performed during a single operative session, liability for the costs of assistants-at-surgery, and whether prompt payment to medical providers should be required. The Commission shall develop regulations addressing these issues by November 30, 2011.

Patron - Merricks

[C]SB367 Workers' compensation; medical services. Limits the liability of an employer for certain costs of an employee's surgical procedures in connection with an award under the Virginia Workers' Compensation Act. If more than one covered surgical procedure is performed during an operative session, the employer's liability shall be based on the applicable prevailing community rate for the procedure that has the highest prevailing community rate and one-half of the prevailing community rate for other covered surgical procedures performed. If a physician serves as an assistant-at-surgery, the employer's pecuniary liability for the service is capped at 20 percent of the prevailing community rate payable to the primary surgeon. If a nonphysician serves as an assistant-at-surgery, the employer's pecuniary liability for the service is capped at 10 percent of the prevailing community rate payable to the primary surgeon. If a health care provider renders covered medical services to an injured worker in another state, the provider will be reimbursed in accordance with that state's workers' compensation fee schedule if the state has such a schedule or at the prevailing community rate if the state does not have such a schedule.

Patron - Puckett

Constitutional Amendments

Passed

[P]HB16 Constitutional amendment (voter referendum); property exempt from taxation. Provides for a referendum at the November 2010 election on the approval of a proposed constitutional amendment relating to property exempt from taxation. The proposed amendment allows the General Assembly to authorize localities to establish their own income or financial worth limitations for purposes of granting property tax relief for homeowners not less than 65 years of age or permanently and totally disabled. The Constitution presently requires a showing that the homeowners granted property tax relief bear an extraordinary tax burden on the property in relation to their income or financial worth as provided by the General Assembly by state law. This bill is identical to SB 547.

Patron - Cole

[P]HB147 Constitutional amendment (voter referendum); limit on taxes or revenues and the Revenue Stabilization Fund. Provides for a referendum at the November 2010 election on the approval of a proposed constitutional amendment relating to the limit on the size of the Revenue Stabilization Fund. The proposed amendment increases the permissible size of the Fund by 50 percent; i.e., from 10 percent to 15 percent of the Commonwealth's average annual tax revenues derived from income and sales taxes for the preceding three fiscal years. This bill is identical to SB 362.

Patron - O'Bannon

[P]HB149 Constitutional amendment (voter referendum); property tax exemptions. Provides for a referendum at the November 2, 2010, election to approve or reject an amendment requiring the General Assembly to provide a real property tax exemption for the principal residence of a veteran, or his or her surviving spouse, if the veteran has a 100 percent service-connected, permanent, and total disability. This bill incorporates HB 1270 and is identical to SB 31.

Patron - O'Bannon

[P]HJ11 Constitutional amendment (second resolution); property exempt from taxation. Amends the Constitution of Virginia to allow the General Assembly to authorize localities to establish their own income or financial worth limitations for purposes of granting property tax relief for homeowners not less than 65 years of age or permanently and totally disabled. The Constitution presently requires a showing that the homeowners granted property tax relief bear an extraordinary tax burden on the property in relation to their income or financial worth as provided by the General Assembly by state law. This resolution is identical to SJ 97.

Patron - Cole

[P]HJ33 Constitutional amendment (second 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 service-connected, permanent, and total disability. This resolution is identical to SJ 13.

Patron - O'Bannon

[P]HJ34 Constitutional amendment (second resolution); limit on taxes or revenues and the Revenue Stabilization Fund. Increases the permissible size of the Fund by 50 percent; i.e., from 10 percent to 15 percent of the Commonwealth's average annual tax revenues derived from income and sales taxes for the preceding three fiscal years. This resolution is identical to SJ 81.

Patron - O'Bannon

[P]SB31 Constitutional amendment (voter referendum); property tax exemptions. Provides for a referendum at the November 2, 2010, election to approve or reject an amendment requiring the General Assembly to provide a real property tax exemption for the principal residence of a veteran, or his or her surviving spouse, if the veteran has a 100 percent service-connected, permanent, and total disability. This bill is identical to HB 149.

Patron - Puller

[P]SB362 Constitutional amendment (voter referendum); limit on taxes or revenues and the Revenue Stabilization Fund. Provides for a referendum at the November 2010 election on the approval of a proposed constitutional amend-

ment relating to the limit on the size of the Revenue Stabilization Fund. The proposed amendment increases the permissible size of the Fund by 50 percent; i.e., from 10 percent to 15 percent of the Commonwealth's average annual tax revenues derived from income and sales taxes for the preceding three fiscal years. This bill is identical to HB 147.

Patron - Barker

[SB547 Constitutional amendment (voter referendum); property exempt from taxation. Provides for a referendum at the November 2010 election on the approval of a proposed constitutional amendment relating to property exempt from taxation. The proposed amendment allows the General Assembly to authorize localities to establish their own income or financial worth limitations for purposes of granting property tax relief for homeowners not less than 65 years of age or permanently and totally disabled. The Constitution presently requires a showing that the homeowners granted property tax relief bear an extraordinary tax burden on the property in relation to their income or financial worth as provided by the General Assembly by state law. This bill is identical to HB 16.

Patron - Barker

[SJ13 Constitutional amendment (second 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 service-connected, permanent, and total disability. This resolution is identical to HJ 33.

Patron - Puller

[SJ81 Constitutional amendment (second resolution); limit on taxes or revenues and the Revenue Stabilization Fund. Increases the permissible size of the Fund by 50 percent; i.e., from 10 percent to 15 percent of the Commonwealth's average annual tax revenues derived from income and sales taxes for the preceding three fiscal years. This resolution is identical to HJ 34.

Patron - Barker

[SJ97 Constitutional amendment (second resolution); property exempt from taxation. Amends the Constitution of Virginia to allow the General Assembly to authorize localities to establish their own income or financial worth limitations for purposes of granting property tax relief for homeowners not less than 65 years of age or permanently and totally disabled. The Constitution presently requires a showing that the homeowners granted property tax relief bear an extraordinary tax burden on the property in relation to their income or financial worth as provided by the General Assembly by state law. This resolution is identical to HJ 11.

Patron - Barker

Failed

[HB1270 Constitutional amendment (voter referendum); property tax exemptions. Provides for a referendum at the November 2, 2010, election to approve or reject an amendment requiring the General Assembly to provide a real property tax exemption for the principal residence of a veteran, or his or her surviving spouse, if the veteran has a 100 percent service-connected, permanent, and total disability. This bill was incorporated into HB 149.

Patron - Bell, Richard P.

[HJ5 Constitutional amendment (first resolution); Transportation Funds. Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2011, 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 must be repaid with reasonable interest by the end of the fourth fiscal year following the date of the borrowing.

Patron - Oder

[HJ6 Constitutional amendment (first resolution); restoration of civil rights. Authorizes the General Assembly to provide by law for the restoration of civil rights for persons convicted of nonviolent felonies who have completed service of their sentences subject to the conditions, requirements, and definitions set forth in that law. 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 an alternative for restoration of rights pursuant to law for non-violent felons.

Patron - Howell, A.T.

[HJ7 Constitutional amendment (first resolution); health care freedom. Protects an individual's right and power to participate or to decline to participate in a health care system or plan. The amendment prohibits any law that will infringe on an individual's right to pay for lawful medical services. The amendment further prohibits the adoption of any law that imposes a penalty, tax, or fine upon an individual who declines to enter into a contract for health care coverage or to participate in a health care system or plan.

Patron - Marshall, R.G.

[HJ16 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 - Dance

[HJ26 Constitutional amendment (first resolution); limit on appropriations. Limits total appropriations in a year to the preceding year's total appropriations plus a percentage equal to the sum of the percentage increase in the rate of inflation plus the rate of population increase. However, additional appropriations may be made (i) for tax relief, (ii) for deposits to the Revenue Stabilization Fund, or (iii) for nonrecurring capital projects. "Total appropriations" is defined so as not to include appropriated moneys that are received from the federal government or an agency or unit thereof.

Patron - Loupassi

[HJ30 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. Currently, the Constitution provides that all nine members are appointed by the Governor.

Patron - Purkey

[F]HJ31 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 2013 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

[F]HJ42 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 - Morrissey

[F]HJ43 Constitutional amendments (first resolution); Governor's term of office; Board of Education. 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 2013 and thereafter to serve two successive terms. Service for more than two years of a partial term counts as service for one term. A second amendment provides for the appointment of the members of the Board of Education as follows: four members, including a member designated as president, appointed by the Governor; three members appointed by the House of Delegates; and two members appointed by the Senate, in accordance with the rules of each house. Members are to be appointed for four-year terms. Terms are staggered. No person may be appointed to more than two consecutive full terms. Members in office when the amendment takes effect will serve until their successors are appointed. Presently, the Constitution provides that all nine members are appointed by the Governor.

Patron - Purkey

[F]HJ54 Constitutional amendment (first resolution); legislative sessions. Provides that the General Assembly may agree to delay the reconvened session for a period of up to one week. The Constitution now provides that the reconvened session will be held on the sixth Wednesday after adjournment of a regular or special session. The proposed amendment would allow the General Assembly to postpone the reconvened session for a brief period, for example, to avoid convening on a religious holiday.

Patron - Englin

[F]HJ55 Constitutional amendment (first resolution); marriage. Proposes the repeal of the constitutional amendment dealing with marriage that was approved by referendum at the November 2006 election. That amendment to the Bill of Rights: (i) defined marriage as "only a union between one man

and one woman," (ii) prohibited the Commonwealth and its political subdivisions from creating or recognizing "a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage," and (iii) prohibited the Commonwealth or its political subdivisions from creating or recognizing "another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage."

Patron - Englin

[F]HJ64 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 2013 and thereafter to serve two successive terms. Service for more than two years of a partial term counts as service for one term.

Patron - Plum

[F]HJ67 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 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 four years.

Patron - Marshall, R.G.

[F]HJ69 Constitutional amendment (first resolution); Transportation Funds. Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2011, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds. The General Assembly by general law, other than a general appropriation law, may alter 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 must be repaid with reasonable interest within four years. Moneys designated for deposit into funds other than Transportation Funds shall not be used for any transportation-related purpose except for making certain debt service payments on transportation-related bonds and notes.

Patron - Watts

[F]HJ70 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 - Ware, O.

[F]HJ84 Constitutional amendment (first resolution); limit on appropriations. Limits total appropriations in any fiscal year to the preceding year's total appropriations plus a percentage increase equal to the past two years' average increase in the rate of inflation plus the average percentage increase in population. The amendment provides that any revenues collected in excess of the limitation shall be distributed: 75 percent to be refunded to individual income taxpayers and 25 percent to the Revenue Stabilization Trust Fund. "Total appropriations" is defined to exclude moneys appropriated that are received from the federal government or an agency or unit thereof. If the amount in excess of the limitation is less than or equal to one percent of the limitation, the total excess shall be deposited to the Revenue Stabilization Fund if that Fund has not reached its constitutional limit, or if that Fund has reached its limit, the excess shall be appropriated to the general fund.

Patron - Gilbert

[F]HJ86 Constitutional amendment (first resolution); Transportation Trust Fund. Provides that the Transportation Trust Fund established in 1986 will be a permanent fund and receive all revenues generated by the 1986 package of tax and fee increases and any later enactments dedicating additional revenues to the Fund. The amendment limits the use of Trust Fund moneys to purposes of highway construction, maintenance, and improvements; public transportation; railways; seaports; and airports. The General Assembly may use fund proceeds for other purposes only by a two-thirds vote of the members in each house and, fund proceeds thus approved for other purposes must be repaid to the Fund within three years.

Patron - Marshall, D.W.

[F]HJ98 Constitutional amendment (first resolution); recall of Governor, Lieutenant Governor, Attorney General, or General Assembly member. Requires the filing of a petition signed by qualified voters equaling at least 25 percent of the number of votes cast in the last election for the office to initiate the recall of the Governor, Lieutenant Governor, Attorney General, or General Assembly member. The amendment further provides for the holding of an election to recall the officer, an election to replace a recalled officer, and further implementation by the General Assembly to cover local officers.

Patron - Cox, J.A.

[F]HJ113 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 Commission is directed to certify district plans for the General Assembly within 30 days of receipt of the new census data and for the House of Representatives within 60 days of such receipt.

Patron - Barlow

[F]HJ114 Constitutional amendment (first resolution); taking of private property for public uses. Limits the exercise of eminent domain to the purpose of public use and specifies that, with the exception of takings for the provision of any utility or common carrier service, property can only be taken or

damaged where the primary purpose is not private financial gain, private benefit, an increase in tax base or tax revenues, or an increase in employment. No more private property may be taken than that which is necessary to achieve the stated public use. Whenever an attempt is made to take or damage property for a stated public use, the owner shall have the right to a judicial determination that the use is truly public, without regard to any legislative assertion that the use is public.

Patron - Bell, Robert B.

[F]HJ115 Constitutional amendment (first resolution); taking of private property for public uses. Defines the term "public uses" and specifies the instances for which private property may be taken. The measure also specifies that a taking of private property is not for a public use if the primary purpose of the property's acquisition is to increase tax base, tax revenues, or employment or otherwise to facilitate economic development.

Patron - Joannou

[F]HJ116 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 - Carr

[F]HJ117 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 first elected in 2013 and thereafter to serve two successive terms. Service for more than two years of a partial term counts as service for one term.

Patron - Scott, J.M.

[F]HJ118 Constitutional amendment (first resolution); taking of private property for public uses. Limits the exercise of eminent domain to the purpose of public use and specifies that, with the exception of takings for the provision of any utility or common carrier service, property can only be taken or damaged where the primary purpose is not private financial gain, private benefit, an increase in tax base or tax revenues, or an increase in employment. No more private property may be taken than that which is necessary to achieve the stated public use. Whenever an attempt is made to take or damage property for a stated public use, the owner shall have the right to a judicial determination that the use is truly public, without regard to any legislative assertion that the use is public.

Patron - Crockett-Stark

Carried Over

[C]SB113 Constitutional amendment (voter referendum); tax exemptions. Provides for a referendum at the November 2, 2010, election to approve or reject an amendment allowing the General Assembly to authorize legislation that permits localities to exempt or partially exempt certain energy and resource efficient equipment, facilities, or devices from real or personal property taxes. The present Constitution allows exemptions for pollution abatement and solar energy equipment.

Patron - Petersen

CSJ15 Constitutional amendment (first resolution); electoral boards and general registrars. Permits the General Assembly to provide by law that two or more counties and cities may share one electoral board and general registrar if a majority of the voters in each participating county and city so approve. This proposed amendment is patterned after the provision in the present Constitution for the sharing of constitutional officers by consenting localities.

Patron - Martin

CSJ24 Constitutional amendment (first resolution); General Assembly powers; regulations. Provides that the General Assembly may suspend or nullify any or all portions of any administrative rule or regulation by joint resolution agreed to by a majority of the members elected to each house. The General Assembly may designate a joint legislative commission or pair of standing committees representing both houses to suspend any administrative rule or regulation during the interim that the General Assembly is not in session.

Patron - McDougale

CSJ25 Constitutional amendment (second resolution); property exempt from taxation. Authorizes the General Assembly to enact laws to permit localities to exempt from property taxes, any property, including real or personal property, equipment, facilities, or devices, constructed or designed to conserve energy and natural resources in a manner that meets or exceeds performance standards established for such purposes. The amendment also deletes the authorization for the General Assembly by general law to directly exempt from property taxes such property and property designed to abate pollution or transfer or store solar energy.

Patron - Petersen

CSJ27 Constitutional amendment (first resolution); taking of private property for public uses. Limits the exercise of eminent domain for the purpose of public use and specifies that, with the exception of property taken for public service corporations, 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

CSJ62 Constitutional amendment (first resolution); restoration of civil rights. Authorizes the General Assembly to provide by law for the restoration of civil rights for persons convicted of nonviolent felonies who have completed service of their sentences subject to the conditions, requirements, and definitions set forth in that law. 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 law.

Patron - Miller; Y.B.

CSJ69 Constitutional amendment (first resolution); property taxes; relief for certain businesses. Allows the General Assembly to authorize localities to exempt in whole or in part from property taxes (i) the property of a business that is new to the Commonwealth so long as the locality is defined by law to have the capacity to accept the expansion and (ii) the property of a business located in the Commonwealth so long as the business is presently located in an area defined by law as lacking the capacity to accommodate business expansion and so long as the locality granting the exemption is defined by law to have the capacity to accommodate the expansion. The General Assembly is required to provide definitions, restrictions,

and conditions to implement this authorization and to limit the duration of the tax relief to three years.

Patron - Stuart

CSJ92 Constitutional amendment (first resolution); conference committee report for general appropriation bills. Provides that if no conference committee report for the general appropriation bill is agreed to by April 1 in an odd-numbered year or by May 1 in an even-numbered year, the chairmen of the House Committee on Appropriations and the Senate Committee on Finance shall provide a bill that includes all proposed appropriations, general appropriation terms and conditions, anticipated revenues, and other matters in the general appropriation bill for which there is no disagreement to the Clerks of both houses. The bill would then be enrolled and presented to the Governor.

Patron - Wagner

CSJ95 Constitutional amendment (first resolution); property exempt from taxation. Amends the Constitution of Virginia to allow the General Assembly to authorize localities to exempt or partially exempt from taxation forest harvesting and silvicultural activity equipment.

Patron - Hurt

CSJ100 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 established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2013, by general law, other than a general appropriation law, shall be deposited to the 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 must be repaid with reasonable interest within four years.

Patron - Newman

CSJ137 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, 2011, 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 requires Funds be appropriated only for transportation systems and projects. The General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house, and the loan or reduction must be repaid with reasonable interest within three years. The amendment also limits the use of general and other nontransportation funds for transportation purposes except for certain debt service payments.

Patron - Norment

Other Resolutions

Passed

[P]HJ25 Designating the Virginia Rail Heritage Region in the Commonwealth. Designates the Virginia Rail Heritage Region in the Commonwealth, consisting of the Counties of Allegheny, Amherst, Bedford, Botetourt, Campbell, and Roanoke, and the Cities of Bedford, Covington, Lynchburg, Roanoke, and Salem, as well as the Towns of Buchanan, Clifton Forge, Troutville, Amherst, Iron Gate, and Vinton.
Patron - Putney

[P]HJ32 Recognition of the Nottoway Indian Tribe. Recognizes the existence of the Nottoway Indian Tribe of Virginia within the Commonwealth and grants the Nottoway Indian Tribe of Virginia, Incorporated, representation on the Virginia Council on Indians.
Patron - Tyler

[P]HJ50 Textile Heritage Week in Virginia. Designates the first week of September, in 2010 and in each succeeding year, as Textile Heritage Week in Virginia.
Patron - Merricks

[P]HJ52 Designating Hurricane Awareness and Preparedness Week in Virginia. Designates the last week of May, in 2010 and in each succeeding year, as Hurricane Awareness and Preparedness Week in Virginia.
Patron - Sherwood

[P]HJ95 Virginia Farm-to-School Week. Designates the second full week of November, in 2010 and in each succeeding year, as Virginia Farm-to-School Week in the Commonwealth.
Patron - Scott, E.T.

[P]HJ101 Resolution; Virginia Workplace Readiness Skills; report. Requests that the Board of Education approve the revised Virginia's Workplace Readiness Skills and test. The Board of Education must submit an executive summary and report of its progress in meeting the request of this resolution to the Governor and 2011 Regular Session of the General Assembly.
Patron - Peace

[P]HJ132 Resolution; establishing a mechanism for the coordination of services for senior citizens in Virginia; report. Requests the Secretary of Health and Human Resources to establish a mechanism for the coordination of services to senior citizens in Virginia. The Secretary of Health and Human Resources must submit an executive summary and report of his progress in meeting the request of this resolution to the 2011 Regular Session of the General Assembly.
Patron - McQuinn

[P]HJ133 Resolution; breast cancer detection. Requests the State Health Commissioner to promote and emphasize yearly mammograms as an effective tool in breast cancer prevention. The State Health Commissioner must submit an executive summary and report of his progress in meeting the request of this resolution to the 2011 Regular Session of the General Assembly.
Patron - McQuinn

[P]HJ136 Welcome Home Vietnam Veterans Day. Designates March 30, in 2010 and in each succeeding year, as Welcome Home Vietnam Veterans Day in Virginia to celebrate the

service and numerous contributions of the Commonwealth's Vietnam-era veterans and to coincide with the national observance of the day.

Patron - Bulova

[P]HJ137 Veterans; Honor and Remember Flag. Designates the Honor and Remember Flag as the Commonwealth's emblem of service and sacrifice by the brave men and women of the United States Armed Forces who have given their lives in the line of duty.

Patron - Cosgrove

[P]HJ138 Preservation of Lumpkin's Slave Jail and slave burial ground. Encourages the preservation of the historic site of Lumpkin's Slave Jail and Burial Ground for Negroes in Richmond's Shockoe Bottom, and encourages the Governor to help promote the preservation of the historic sites.

Patron - McQuinn

[P]HJ150 Recognition of the Patawomeck Indian Tribe. Extends official state recognition to the Patawomeck Indian Tribe of Virginia and grants the Patawomeck Indian Tribe of Virginia representation on the Virginia Council of Indians.

Patron - Howell, W.J.

[P]HJ156 Earned Income Tax Credit Awareness Day. Designates January 29, in 2010 and in each succeeding year, as National Earned Income Tax Credit Awareness Day.

Patron - Toscano

[P]HJ161 Nonprofit employment service organizations. Recognizes the services provided by nonprofit employment services organizations, vended through the Virginia Department of Rehabilitative Services through the Virginia Public Procurement Act.

Patron - Oder

[P]HJ171 Recognition of the Cheroenhaka (Nottoway) Indian Tribe. Extends state recognition of the Cheroenhaka (Nottoway) Indian Tribe of Southampton County, Virginia.

Patron - Tyler

[P]HJ182 Contributions of Philanthropy. Recognizes the importance of philanthropy and its contributions to the Commonwealth. This resolution also recognizes the generosity of philanthropic organizations and private individuals and encourages the General Assembly to promote laws and policies to facilitate the creation and protect the work of philanthropies. This resolution is identical to SJR 164.

Patron - Howell, W.J.

[P]HJ190 Teen Organ Donation Awareness Day. Designates April 9, in 2010 and in each succeeding year, as Teen Organ Donation Awareness Day in Virginia to honor teen donors, educate teens on organ donation, and encourage organizations to embrace organ donation education.

Patron - Lohr

[P]HJ195 Lupus Awareness Month. Designates May, in 2010 and in each succeeding year, as Lupus Awareness Month in Virginia.

Patron - Sickles

[P]HJ198 Youth Fitness Day. Designates April 25, in 2010 and in each succeeding year, as Youth Fitness Day in Virginia.

Patron - Toscano

[P]HJ259 American Heart Month. Designates the month of February, in 2010 and in each succeeding year, as American Heart Month in Virginia.

Patron - Hope

[P]HJ275 Memorial at Chickamauga and Chattanooga National Military Park. Recognizes the 63rd Virginia Infantry/54th Virginia Infantry Descendants Association as Virginia's agent to fund and erect a monument to the Virginia Confederate soldiers at Chickamauga and Chattanooga National Military Park.

Patron - Carrico

[P]HR19 U.S. Navy's East Coast aircraft carriers. Encourages the Governor of Virginia and Virginia Congressional Delegation to take action to ensure that the U.S. Navy's East Coast aircraft carriers remain in Hampton Roads.

Patron - Stolle

[P]SJ11 Commemorative commission; honoring the contributions of the women of Virginia with a monument on the grounds of Capitol Square. Establishes a commemorative commission consisting of the Governor, the Chairwoman of the Senate Committee on Rules, the Speaker of the House of Delegates, representatives from the Senate and the House of Delegates, the Clerk of the Senate, the Clerk of the House of Delegates, and nonlegislative citizen members. The Secretary of Administration or his designee, the Librarian of Virginia or her designee, the Executive Director of the Capitol Square Preservation Council, and the Executive Director of the Virginia Capitol Foundation shall serve ex officio with nonvoting privileges. The Commission shall determine and recommend to the General Assembly an appropriate monument in Capitol Square to commemorate the contributions of the women of Virginia. The Commission shall seek private funding for the operation and support of the Commission and the erection of an appropriate monument. The costs of implementation of the Commission, its work, and the compensation and reimbursement of members shall be borne by the Commission from such private funds as it may acquire to cover the costs of its operation and work. Until completion of the Commission's work or the erection of the monument, whichever occurs later, the Commission shall report annually by December 1, the status of its work, including any findings and recommendations, to the General Assembly, beginning on December 1, 2010.

Patron - Stosch

[P]SJ12 Recognition of the Nottoway Indian Tribe. Extends state recognition to the Nottoway Indian Tribe of Virginia Incorporated, and provides for representation of the Nottoway Indian Tribe on the Virginia Council of Indians.

Patron - Lucas

[P]SJ23 Professional Social Work Month. Designates the month of March, in 2010 and in each succeeding year, as Professional Social Work Month in Virginia.

Patron - Quayle

[P]SJ42 Welcome Home Vietnam Veterans Day. Designates March 30, in 2010 and in each succeeding year, as Welcome Home Vietnam Veterans Day in Virginia to celebrate the service and numerous contributions of the Commonwealth's Vietnam-era veterans and to coincide with the national observance of the day.

Patron - Petersen

[P]SJ45 Department of Social Services; awareness of abuse of adults and children with disabilities. Encourages the Department of Social Services to work together with public

and private partners to conduct a comprehensive public awareness and education program on the identification, prevention, and reporting of abuse, neglect, and exploitation of adults and children who have a disability.

Patron - Puller

[P]SJ50 Resolution; Virginia Workplace Readiness Skills; report. Requests that the Board of Education approve the revised Virginia's Workplace Readiness Skills and test. The Board of Education must submit an executive summary and report of its progress in meeting the request of this resolution to the Governor and 2011 Regular Session of the General Assembly.

Patron - Miller, Y.B.

[P]SJ65 Youth Art Month. Designates March, in 2010 and in each succeeding year, as Youth Art Month in Virginia.

Patron - Miller, J.C.

[P]SJ124 Healthy Youth Day. Designates January 20, in 2010 and in each succeeding year, as Healthy Youth Day in Virginia.

Patron - Northam

[P]SJ127 Recognition of the Cheroenhaka (Nottoway) Indian Tribe. Extends state recognition to the Cheroenhaka (Nottoway) Indian Tribe of Southampton County, Virginia and provides for their representation on the Virginia Council on Indians.

Patron - Ruff

[P]SJ149 Revocation of transfer of Jens Soering. Expresses support of the revocation of the Commonwealth's consent to the transfer of Jens Soering to the Federal Republic of Germany.

Patron - Newman

[P]SJ164 Resolution; philanthropy. Recognizes the important contributions of philanthropy and private foundations.

Patron - McWaters

[P]SJ167 Commemorating the fiftieth anniversary of the Thalhimer's Department Store Lunch Counter Sit-In. Commemorates the fiftieth anniversary of the Thalhimer's Department Store Lunch Counter Sit-In, a historic event in the history of the Civil Rights Movement, when 34 Virginia Union University students were arrested for protesting racial discrimination and Jim Crow laws.

Patron - Marsh

Failed

[F]HJ53 Honor and Remember Flag. Memorializes the Congress of the United States to designate the Honor and Remember Flag as a national emblem of the service and sacrifice by the brave men and women of the United States Armed Forces who have given their lives in the line of duty.

Patron - Sherwood

[F]HJ81 Implementation of Hampton Roads Bridge-Tunnel study recommendations; report. Requests the Virginia Department of Transportation to implement the recommendations of the Independent Review Panel and report on the status of such implementation to the Joint Commission on Transportation Accountability.

Patron - Oder

FHJ88 Memorializing Congress to propose an amendment to the Constitution of the United States for a balanced budget requirement. Expresses the General Assembly's support for a balanced budget amendment and urges Congress to submit such an amendment to the states for ratification in order to promote fiscal integrity at the federal level.

Patron - Cole

FHJ96 Commission on Virginia's Transportation Needs. Establishes the Commission on Virginia's Transportation Needs to look at transportation needs in Virginia and alternatives for planning and financing Virginia's transportation system.

Patron - May

FHJ125 State sovereignty; Tenth Amendment of the United States Constitution. Urges Congress to honor state sovereignty under the Tenth Amendment of the Constitution of the United States and claims sovereignty for the Commonwealth under the Tenth Amendment over all powers not otherwise enumerated and granted to the federal government by the United States Constitution.

Patron - Athey

FHJ183 United States Constitution; constitutional convention. Urges the Congress of the United States to call a constitutional convention for the purposes of amending the Constitution of the United States to require (i) a balanced federal budget, (ii) line item veto authority to the President, and (iii) prohibition of unfunded mandates to the various states.

Patron - LeMunyon

FHJ191 Resolution; health insurance choice; report. Requests the Secretary of Commerce and Trade, in consultation with the State Corporation Commission, appropriate business and trade associations, and independent agent trade organizations to develop a blueprint for greater health insurance choice in the Commonwealth. The Secretary of Commerce and Trade must submit an executive summary and report of his progress in meeting the request of this resolution to the Governor and the 2011 Session of the General Assembly.

Patron - Peace

FHJ193 Memorializing the Congress; Parental Rights Amendment. Urges Congress to pass the Parental Rights Amendment to the U.S. Constitution and submit it to the states for ratification. By this resolution, the Virginia General Assembly also affirms the Parental Rights Amendment to the United States Constitution.

Patron - Pogge

FHR5 State sovereignty; Tenth Amendment of the United States Constitution. Urges Congress to honor state sovereignty under the Tenth Amendment to the Constitution of the United States and claims sovereignty for the Commonwealth under the Tenth Amendment over all powers not otherwise enumerated and granted to the federal government by the United States Constitution.

Patron - Landes

FSJ17 Memorializing Congress; state sovereignty. Urges the Congress of the United States to honor state sovereignty under the Tenth Amendment to the Constitution of the United States.

Patron - Martin

FSJ96 Honor and Remember Flag. Memorializes the Congress of the United States to designate the Honor and Remember Flag as a national emblem of the service and sacri-

fice by the brave men and women of the United States Armed Forces who have given their lives in the line of duty.

Patron - Hurt

Miscellaneous (Including Budget and Bonds)

Passed

PHB5 Claims; Victor Anthony Burnette. Provides relief in the amount of \$226,065 to Victor Anthony Burnette, who was incarcerated from October 1979 to November 1987 after being convicted of rape and burglary. Forensic testing conducted in 2006 using previously unavailable technology excluded Burnette as a contributor of evidence samples recovered from the victim. The compensation award is in an amount equal to 90 percent of the Virginia per capita personal income as reported by the Bureau of Economic Analysis of the United States Department of Commerce for each year of Burnette's incarceration. The payment of the award will be in an initial lump sum equal to 20 percent of the total compensation award to be paid on August 1, 2010, and the remaining 80 percent to purchase an annuity to be paid out in monthly payments over 25 years commencing August 1, 2011. In addition, the bill entitles Burnette to receive up to \$10,000 for tuition for career and technical training within the Virginia Community College System. Under the bill, Burnette will immediately be ineligible to receive any unpaid amounts from the compensation award if he is subsequently convicted of any felony.

Patron - Loupassi

PHB29 Budget Bill. Amending Chapter 781, 2009 Acts of Assembly.

Patron - Putney

PHB30 Budget Bill. Appropriations of the Budget submitted by the Governor of Virginia providing a portion of revenues for the two years ending respectively on the thirtieth day of June, 2011, and the thirtieth day of June, 2012.

Patron - Putney

PHB41 Bonds; capital projects at colleges and universities. Authorizes the Treasury Board to issue bonds pursuant to Article X, Section 9 (c) of the Constitution of Virginia in an amount up to \$206,870,000 plus financing costs to finance revenue-producing capital projects at institutions of higher education. The bill declares that an emergency exists and that the bill is effective upon passage.

Patron - Putney

PSB1 Relief for purchaser of property sold at treasurers' sales; Charles L. Kingrea. Provides relief to Charles L. Kingrea. In 1970 and 1971, Mr. Kingrea purchased real property in Floyd County pursuant to the treasurer's delinquent tax sale. Under law at the time, Mr. Kingrea would have been eligible after a number of years to make application to obtain clear title; however, a statute that would have permitted him to continue the process to completion was repealed in 1984 pursuant to the recodification of Title 58 of the Code of Virginia because it was deemed "obsolete." The bill would allow Mr. Kingrea to complete the process to obtain clear title to the properties. The bill has a July 1, 2014, sunset clause. This bill also contains an emergency clause.

Patron - Reynolds

[P]SB15 Bonds; capital projects at colleges and universities. Authorizes the Treasury Board to issue bonds pursuant to Article X, Section 9 (c) of the Constitution of Virginia in an amount up to \$206,870,000 plus financing costs to finance revenue-producing capital projects at institutions of higher education. The bill declares that an emergency exists and that the bill is effective upon passage.

Patron - Colgan

Failed

[F]HB481 Claims; Lois Ann Grimes. Provides relief in the amount of \$52,293.24 to Lois Ann Grimes for medical bills and other health care costs incurred between 2000 and 2008. Mrs. Grimes was married to Rodney Dean Grimes, who was a Special Agent in Charge with the Virginia State Police, was killed in an automobile accident in 1983. Mrs. Grimes discovered in 2008 that she was eligible to receive assistance under the Line of Duty Act beginning in 2000, but had never been notified of the eligibility.

Patron - Carrico

[F]HB611 Budget Bill; estimate of impact on the number of state employees. Requires the Director of the House Appropriations Committee staff to estimate the net change in the number of state employees resulting from Budget Bills pending before the House of Delegates.

Patron - Purkey

[F]HB962 Claims; Daniel and Brenda Brewer. Provides relief in the amount of \$214,967.22 to Daniel and Brenda Brewer to correct structural problems with their home. The home contains several structural problems that were not noted by the local building official during any of the inspections conducted by the Uniform Statewide Building Code. In addition, the building official issued a certificate of occupancy despite the existence of the structural problems

Patron - Carrico

[F]HB1059 Bonds for transportation projects. Authorizes the Commonwealth Transportation Board to issue bonds in an aggregate amount not to exceed \$3,963,000,000 for specific transportation projects throughout the Commonwealth. The bonds will be paid for by the revenues collected for each project through tolls and other fares or fees.

Patron - Marshall, R.G.

[F]HB1061 General obligation bonds for transportation projects. Authorizes issuance of general obligation bonds in an amount not to exceed \$3,963,000,00 to finance capital transportation projects.

Patron - Marshall, R.G.

[F]SB11 Claims; Botswana Imani. Provides \$1,000 in relief to Botswana Imani for damages to her home caused by forced entry attempts by the Sheriff's Department of Washington County.

Patron - Wampler

[F]SB29 Budget Bill. Amending Chapter 781, 2009 Acts of Assembly.

Patron - Colgan

[F]SB30 Budget Bill. Appropriations of the Budget submitted by the Governor of Virginia providing a portion of revenues for the two years ending respectively on the thirtieth day of June, 2011, and the thirtieth day of June, 2012.

Patron - Colgan

[F]SB62 Claims; Howard M. and Inez O. Berry. Provides \$400,000 in relief to Howard M. and Inez O. Berry of Midlothian, Virginia. The Berrys' daughter, Jo Ann Berry, was killed in an automobile accident in 1977 caused by a juvenile driver. The driver was charged with involuntary manslaughter, but the case never went to trial. The Berrys could not get any information on the disposition of the case because of the driver's status as a minor and were told they would have to wait for 20 years. When the Berrys attempted to get the information in 1999, they discovered that the records had been destroyed.

Patron - Martin

Carried Over

[C]HB338 Claims; Mr. and Mrs. Brian Cebula. Provides relief in the amount of \$1.2 million to compensate Mr. and Mrs. Brian Cebula for property that was damaged and made unsuitable for development by an inadequate storm water management system installed by VDOT.

Patron - Marshall, R.G.

Charters

Passed

[P]HB6 Charter; Town of Duffield. Amends the charter of the Town of Duffield to allow elections for members of the town council to be held every four years, effective 2010, rather than every two years as the current charter provides. This bill is identical to SB 2.

Patron - Kilgore

[P]HB337 Charter; Town of Middleburg. Updates the town boundaries, clarifies powers of appointed council members, conforms meeting frequency requirements and quorum requirements with general law, and deletes provisions related to the town sergeant.

Patron - Marshall, R.G.

[P]HB751 Charter; City of Charlottesville. Eliminates the requirement that the clerk of the city council of Charlottesville must reside in the city of Charlottesville.

Patron - Toscano

[P]HB763 Charter; City of Richmond. Amends the city's charter to clarify that the Council has the authority to appoint legislative, oversight and constituent relations employees and that the chief administrative officer has the authority to supervise only administrative personnel. The bill further amends the charter to clarify that the personnel of the Richmond Retirement System are under the control of the Retirement System's Board of Trustees and the Board-appointed executive director. The proposed changes also remove limitations on the mayor's current veto power. Lastly, the proposed changes to the charter allow residential property owners to receive waivers of stormwater charges for certain stormwater-related improvements, replacing the credit system currently in place. This bill is identical to SB 594.

Patron - McClellan

[P]HB875 Charter; Town of Amherst. Replaces a boundary description with a reference to the survey plat, removes salary limits for the mayor and council members, deletes the reference to the treasurer's term of office and cor-

rects inconsistencies between council terms and appointment dates.

Patron - Cline

HB895 Charter; Town of Windsor. Repeals the existing charter and provides a new charter containing powers typically granted to towns.

Patron - Barlow

HB922 Charter; Town of Scottsville. Updates the town boundaries and adds Fluvanna County courts as having jurisdiction within the town.

Patron - Bell, Robert B.

HB994 Charter; Town of Christiansburg. Amends the charter of the Town of Christiansburg to change the date of the town council member and mayoral election to the general election date in November. The changes provide that three council members shall be elected on the November 2011 general election date and every four years thereafter and a mayor and three other council members shall be elected on the November 2013 general election date and every four years thereafter. The terms of office of the council members and mayor begin on the January following their election, instead of the September following their election.

Patron - Nutter

SB2 Charter; Town of Duffield. Amends the charter of the Town of Duffield to allow elections for members of the town council to be held every four years, effective 2010, rather than every two years as the current charter provides. This bill is identical to HB 6.

Patron - Wampler

SB38 Charter; City of Norfolk. Amends the charter for the City of Norfolk to authorize the city council to supplement the salary paid by the Commonwealth to Norfolk's Director of Public Health.

Patron - Miller, Y.B.

SB73 Charter; Town of Floyd. Updates a reference to the town's boundaries.

Patron - Reynolds

SB91 Charter; Town of Windsor. Repeals the existing charter and provides a new charter containing powers typically granted to towns.

Patron - Quayle

SB292 Charter; City of Charlottesville. Eliminates the requirement that the clerk of the city council of Charlottesville must reside in the city of Charlottesville.

Patron - Deeds

SB324 Charter; Town of Amherst. Replaces a boundary description with a reference to the survey plat, removes salary limits for the mayor and council members, deletes the reference to the treasurer's term of office, and corrects inconsistencies between council terms and appointment dates.

Patron - Ruff

SB496 Charter; Town of Chatham. Amends the charter for the Town of Chatham to change council member and mayoral elections from May to November. Further changes are made to the appointment procedure and qualification of the town manager. This legislation contains an emergency provision. EMERGENCY

Patron - Hurt

SB497 Charter; Town of Gretna. Amends the current charter to allow for elections for mayor and council members to be held at the November general election, rather than the first Tuesday of May, effective 2010. This legislation contains an emergency provision.

Patron - Hurt

SB503 Charter; Town of Fincastle. Amends the charter for the Town of Fincastle by making technical changes regarding the number of council members, staggering elections of the mayor and town council members, granting the mayor the power to vote, and allowing the town council to hire a town manager, who shall have the powers of the town mayor when appointed. The charter is further amended by adding a section detailing the appointment procedure and duties of the town manager.

Patron - Smith

SB509 Charter; Town of Vinton. Amends the charter for the town of Vinton by changing the number of days that vacancies on the council shall be filled from within 30 days of when the vacancy occurs to within 45 days of when the vacancy occurs.

Patron - Smith

SB572 Charter; City of Alexandria. Amends the charter of the City of Alexandria so that the board of review of real estate assessment is composed of nine members rather than five members, with five members appointed by the circuit court and four members appointed by city council. The bill further amends the charter to allow the board of review to sit in panels of at least three members each, with each panel performing its duties independently of the others. This legislation also changes the standard by which a variance can be granted by eliminating the "approaching confiscation requirement."

Patron - Ticer

SB594 Charter; City of Richmond. Amends the city's charter to clarify that the Council has the authority to appoint legislative, oversight and constituent relations employees and that the Chief Administrative Officer has the authority to supervise only administrative personnel. Further amends the charter to clarify that the personnel of the Richmond Retirement System are under the control of the Retirement System's Board of Trustees and the Board-appointed Executive Director. The proposed changes also remove limitations on the mayor's current veto power. Lastly, the proposed changes to the charter allow residential property owners to receive waivers of stormwater charges for certain stormwater-related improvements, replacing the credit system currently in place. This bill is identical to HB 793.

Patron - Marsh

Failed

HB466 Charter; City of Hampton. Provides that the city council and its members shall deal with the administrative services solely through the city manager. Any councilman violating the provisions of this section shall be guilty of a Class 4 misdemeanor, and upon conviction thereof shall cease to be a councilman.

Patron - Ward

SB231 Charter; County of Chesterfield. Amends the county charter to authorize the county administrator to obtain the same information that the commissioner of revenue obtains from the state tax department and that the commissioner of revenue provides to the state tax department.

Patron - Watkins

[F]SB734 Charter; Town of Dumfries. Amends the charter for the Town of Dumfries to allow the Town to levy personal property tax on motor vehicles, trailers, and semitrailers.

Patron - Colgan

Study Resolutions

Passed

[P]HJ27 Study; indigent health care in the Commonwealth; report. Directs the Joint Commission on Health Care 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

[P]HJ60 Study; JLARC; local school divisions to contract collectively in certain areas of procurement; report. Directs the Joint Legislative Audit and Review Commission to study the feasibility and effectiveness of requiring local school divisions to contract collectively in certain areas of procurement.

Patron - Cox, M.K.

[P]HJ82 Study; Joint Commission on Health Care to study chronic health care homes; report. Directs the Joint Commission on Health Care to review available information including information about chronic health care home systems in other states to develop recommendations related to the development of a system of chronic health care homes in the Commonwealth.

Patron - Hope

[P]HJ90 Department of Health Professions; medication aides in nursing homes; report. Requests that the Department of Health Professions study the advisability of permitting the use of medication aides to administer medications that would normally be self-administered to residents of nursing homes.

Patron - O'Bannon

[P]HJ97 Study; Virginia State Crime Commission to study prostitution-related offenses involving children; report. Directs the Virginia State Crime Commission to study the penalties for taking indecent liberties with children and prostitution-related offenses involving children.

Patron - Bulova

[P]HJ99 Study; catastrophic health insurance coverage; report. Directs the Joint Commission on Health Care to study catastrophic health insurance coverage options. In conducting its study, the Commission shall (i) determine the availability and usage of catastrophic health insurance policies in the Commonwealth, (ii) examine the results of efforts in other states to increase the use of catastrophic health insurance policies, and (iii) evaluate the potential benefits and risks of facilitating the offering within the Commonwealth of health insurance policies or plans that provide catastrophic coverage only.

Patron - Stolle

[P]HJ121 Ownership of coalbed methane and other natural gases; study. Directs the Virginia Coal and Energy Commission to study ownership rights of coalbed methane and other natural gases under the Virginia Gas and Oil Act and opportunities to encourage production and use of natural gas in Virginia.

Patron - Griffith

[P]HJ126 Study; privatizing Commonwealth's rest areas; report. Requests that the Virginia Transportation Research Council study the privatization of all or portions of the Commonwealth's rest areas.

Patron - Nutter

[P]HJ127 Study; JLARC to study the Commonwealth's Medicaid program to identify opportunities to reduce waste, inefficiency, fraud, and abuse; report. Directs the Joint Legislative Audit and Review Commission to study the Commonwealth's Medical Assistance program to identify opportunities to reduce waste, inefficiency, fraud, and abuse.

Patron - Cox, M.K.

[P]HJ130 Study; feasibility of developing a standard software package for local governments; report. Requests the Secretary of Technology to study the feasibility of developing a standard software package for local governments. The Secretary of Technology shall also study the feasibility of identifying, developing, and customizing software applications that will improve the administration and operation of local programs and services, while providing cost savings.

Patron - Poindexter

[P]HJ134 Study; transportation network of Hampton Roads; report. Extends the Joint Subcommittee to Study the Transportation Network of Hampton Roads for a third year.

Patron - Jones

[P]HJ135 Study; Joint Subcommittee to Study Development and Land Use Tools in Virginia's Localities; report. Continues the Joint Subcommittee to Study Development and Land Use Tools in Virginia's Localities for one year to 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 continue to make a comprehensive evaluation of all existing land use planning tools and infrastructure financing options and make any recommendations deemed appropriate.

Patron - Athey

[P]SJ21 Study; Joint Legislative Audit and Review Commission; report. Directs the Joint Legislative Audit and Review Commission to study the effectiveness of tax preferences.

Patron - Howell

[P]SJ31 Study; JLARC to study reading proficiency among third grade public school students. Directs the Joint Legislative Audit and Review Commission to study ways to promote and ensure early reading proficiency and comprehension among third graders in the public schools. In conducting its study, JLARC 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 Legislative Audit and Review Commission must submit an executive summary of its findings and recommendations to the Governor and 2011 and 2012 Sessions of the General Assembly.

Patron - Miller, J.C.

[P]SJ32 Study; directing the Joint Legislative Audit and Review Commission to study the role of the Secretary of Education in improving coordination between K-12, community colleges, and four-year institutions of higher education; report. Directs the Joint Legislative Audit and Review Commission to study the role of the Secretary of Education in improving coordination between K-12, community colleges, and four-year institutions of higher education. In conducting its study, JLARC shall (i) examine the statutory authority and duties of the Secretary of Education in overseeing education in the Commonwealth from K-12 through higher education, (ii) consider possible ways of expanding such authority or duties in order to better coordinate education at all levels throughout the Commonwealth, (iii) emphasize the need to better anticipate the workforce needs of the Commonwealth, and ways to direct students toward education and training that will fulfill those needs, and (iv) make recommendations as to how to accomplish these objectives legislatively or otherwise.

Patron - McDougale

[P]SJ35 Study; Virginia Institute of Marine Science; tidal shoreline management. Requests the Virginia Institute of Marine Science to review tidal shoreline management in the Commonwealth and similarly situated states; identify potential changes to the regulatory structure of tidal shoreline management to reduce the cost and time required to issue a permit; identify regulatory innovations that would increase adoption of living shorelines among shoreline landowners; and make specific recommendations to achieve the sustained protection of tidal shoreline resources.

Patron - Northam

[P]SJ63 Study; expansion and funding of high-speed passenger rail service; report. Creates a 10-member joint subcommittee to study funding of high speed and intercity passenger rail operations in Virginia.

Patron - Miller, Y.B.

[P]SJ73 Continuing the Joint Subcommittee to Study Substance Abuse Treatment and Prevention. Continues the Joint Subcommittee to Study Strategies and Models for Substance Abuse Prevention and Treatment for one additional year. This bill incorporates SJ 74 and SJ 75.

Patron - Hanger

[P]SJ87 Study; dyslexia screening in kindergarten; report. Requests the Department of Education to study dyslexia screening for kindergarteners. In conducting its study, the Department shall (i) examine available scientific data on the success of early screening for dyslexia, (ii) consider the cost-effectiveness of such strategy, and (iii) make recommendations as to whether such screening is advisable and, if so, the particular method that is most effective.

Patron - Vogel

[P]SJ89 Study; Joint Subcommittee to Study Development and Land Use Tools in Virginia's Localities; report. Continues the Joint Subcommittee to Study Development and Land Use Tools in Virginia's Localities for one year to 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 continue to make a comprehensive evaluation of all existing land use planning tools and infrastructure financing options and make any recommendations deemed appropriate.

Patron - Vogel

[P]SJ99 Study; JLARC; privatizing Commonwealth's rest areas; report. Requests the Virginia Transportation Research Council to study alternatives to the public funding and operation of all or portions of the Commonwealth's interstate safety rest areas.

Patron - Herring

[P]SR10 Study; investment portfolio managed by VRS; report. Directs the Senate Committee on Finance to study the investment portfolio managed by the Virginia Retirement System. In conducting its study, the committee shall examine how the Virginia Retirement System selects firms to manage its investment portfolio and determine if more minority-owned firms should be used to help the Virginia Retirement System manage its investment portfolio.

Patron - McEachin

Failed

[F]HJ14 Study; defensive medicine. Establishes a joint subcommittee to study alternatives to the existing medical liability system that will reduce the costs of defensive medicine. The joint subcommittee is directed to (i) determine the extent to which defensive medicine is practiced by health care providers in the Commonwealth; (ii) quantify the cost of defensive medicine and the effect of such costs on the health care system; (iii) determine the extent to which aspects of Virginia's medical malpractice system, including the cap on liability, contribute to the amount of defensive medicine practiced in Virginia; (iv) determine the extent to which the implementation of an administrative compensation system or other alternatives to the existing system would reduce defensive medicine practices, and (v) address potential challenges to the implementation of an administrative compensation system, such as its abrogation of the traditional role of juries and the judiciary.

Patron - Marshall, R.G.

[F]HJ22 Study; establishing a joint committee of the House Committee on Education and the Senate Committee on Education and Health to study the impact of No Child Left Behind on the Standards of Learning and high school graduation rates in Virginia; report. Establishes a joint committee of the House Committee on Education and the Senate Committee on Education and Health to study the impact of No Child Left Behind on the Standards of Learning and high school graduation rates in Virginia. In conducting its study, the joint committee shall (i) review the requirements of No Child Left Behind and monitor proposed changes in the federal law; (ii) review and compare the requirements of the Standards of Learning for the core subjects vis-à-vis the current requirements of NCLB, and evaluate the effect of the federal law on the implementation of the Standards of Learning and dropout and graduation rates across the Commonwealth; (iii) recommend appropriate alternatives to address any problems identified and to facilitate the requirements of the Standards of Learning and compliance with NCLB; and (iv) consider such other related matters as the joint subcommittee deems appropriate to the conduct of the study. In its deliberations, the joint committee shall provide opportunity for the participation of classroom teachers, school administrators, state and local edu-

cation entities, and other interested persons in the manner deemed appropriate by the joint committee. The joint committee must submit its final findings and recommendations to the Governor and the 2012 Session of the General Assembly.

Patron - Bell, Richard P.

FHJ23 Study; Virginia Unemployment Compensation Act; report. Directs the Joint Legislative Audit and Review Commission to study the effectiveness of deputy-level hearings on claims under the Virginia Unemployment Compensation Act. The resolution recites that it is appropriate to determine the rate at which decisions at the deputy level approving benefits claims are overturned and whether the reasons for the rate of reversals on appeal indicate a failure of decision makers at the deputy level properly to interpret and to implement the applicable provisions of the Virginia Unemployment Compensation Act.

Patron - Marshall, R.G.

FHJ28 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

FHJ29 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 preliminary findings and recommendations to the 2010 Session and its final findings and recommendations to the 2011 Session of the General Assembly.

Patron - Purkey

FHJ35 Study; reforms to the Commonwealth's private health insurance system; report. Establishes a joint subcommittee on Healthcare Reform to recommend reforms to the Commonwealth's private health insurance system. The joint subcommittee is directed to identify strategies to reduce the rate of increases in the cost of health insurance and related products through mechanisms that allow Virginians to exercise greater control over decisions involving expenditures on health insurance and other aspects of health care. In conducting its study, the joint subcommittee shall examine (i) the need to improve health insurance literacy; (ii) the feasibility of implementing a health insurance exchange; (iii) measures to increase transparency within the health care and health insurance systems; (iv) options to increase the level of competition and decrease market concentration among health insurers in the Commonwealth; (v) the advisability of requiring health insurers and providers to disclose certain changes to provider agreements; (vi) ways to increase the use by Virginia's health insurers of uniform forms; (vii) the rate by which Virginia's

health insurers are implementing recent legislative initiatives that sought to make health insurance more affordable for small employers and more accessible to their employees; (viii) the desirability of amending Virginia's health insurance laws in response to federal health care reform legislation; and (ix) the potential benefits and detriments of the Commonwealth's opting out of including a federally sponsored health plan in a health insurance exchange or market, if federal legislation provides states with such an option.

Patron - O'Bannon

FHJ48 Study; joint subcommittee to study the extent and cost of hunger and malnutrition in the Commonwealth; report. Establishes a joint subcommittee to study the extent and cost of hunger and malnutrition in the Commonwealth, including the scope and nature of hunger in the Commonwealth, the impacts of hunger on the Commonwealth, and promising practices for reducing hunger.

Patron - Alexander

FHJ57 Study; Administration of animal welfare and enforcement. Creates a legislative study to examine best management practices in Virginia and other states for animal humane law enforcement and regulation; the most effective standards for training and supervision of animal control officers; the real and potential conflicts between animal welfare and animal health professionals; the appropriate oversight agency and division of responsibilities for animal health and humane laws and regulatory programs; and the perceived and actual costs of shifting from the existing institutional design.

Patron - Griffith

FHJ61 Study; Commission on Virginia's Transportation Needs; report. Establishes the Commission on Virginia's Transportation Needs to look at transportation needs in Virginia and alternatives for planning and financing Virginia's transportation system.

Patron - Plum

FHJ62 Study; whether to establish a bank operated by the Commonwealth; report. Establishes a joint subcommittee to study whether to establish a bank operated by the Commonwealth. The study shall consider recommendations for legislation to establish a state owned, controlled, and operated bank.

Patron - Marshall, R.G.

FHJ63 Study; state government efficiency; report. Establishes a joint subcommittee to review each of the ten organizational secretariats of state government to identify efficiencies and determine specific operational areas where savings may be realized among the agencies within individual secretariat, including identifying (i) monetary savings among agencies within the secretariat, (ii) changes in management practices among agencies within the secretariat, and (iii) specific actions involving elimination, realignment, or consolidation of programs or activities within the secretariat.

Patron - Marshall, R.G.

FHJ68 Study; tolling of highways; report. Directs the Joint Commission on Transportation Accountability to develop a plan to toll certain highways.

Patron - Rust

FHJ74 Study; Eastern Shore bottomland habitat; report. Requests the Virginia Institute of Marine Science to study management options for state-owned submerged lands on the seaside of the Eastern Shore.

Patron - Lewis

FHJ79 Study; Joint Legislative Audit and Review Commission; report. Directs the Joint Legislative Audit and Review Commission to study the costs and benefits to the Commonwealth of providing financial and other incentives to localities that collaborate on capital facilities, construction projects, and other operating services.

Patron - Dance

FHJ80 Study; zero-based budgeting; report. Establishes a joint subcommittee to study implementing zero-based budgeting to determine its utility in the Commonwealth. The joint subcommittee shall identify a limited number of state agencies to implement zero-based budgeting, determine if cost savings from this budget technique could be realized, and make recommendations about the implementation of zero-based budgeting by all state agencies.

Patron - Bell, Richard P.

FHJ83 JLARC; study the costs and benefits of implementing the Home and Community-Based Services State Plan Option; report. Directs the Joint Legislative Audit and Review Commission to study the costs and benefits of implementing the Home and Community-Based Services State Plan Option.

Patron - Brink

FHJ87 Study; JLARC study of costs and benefits of drug testing recipients of TANF cash assistance; report. Directs the Joint Legislative Audit and Review Commission to study the costs and benefits of drug testing recipients of Temporary Assistance for Needy Families cash assistance in the Commonwealth in order to reduce costs associated with substance abuse.

Patron - Marshall, D.W.

FHJ89 Study; children's mental health services; report. Establishes a joint subcommittee to study options for improving the availability and accessibility of children's mental health services through increased coordination and integration among state agencies. In conducting its study, the joint subcommittee shall (i) examine the current structure of all state agencies responsible for providing children's mental health services or funding for such services and how those services and funding pass down to the local level, (ii) review models of state government organization and structure used in other states for improving coordination of the mental health service delivery and funding system to result in greater access for children and families, (iii) make a recommendation about which entity within state government should have the authority and responsibility for children's mental health services, and (iv) make recommendations about needed improvements and opportunities for coordination or consolidation of funding and service delivery functions within the other entities in state government currently responsible for providing these services.

Patron - O'Bannon

FHJ91 Study; Alcoholic Beverage Control Board; disposition of real estate used for government stores. Directs the Alcoholic Beverage Control Board to, on or before December 31, 2010, complete an implementation study for the discontinuation of government stores and for the disposition of all real property owned or leased by the Board upon which government stores are operated. The resolution also directs the Board to submit an implementation plan for the disposition of the real property owned or leased by the Board and operated as government stores to the chairs of the House Committee on General Laws and to the Senate Committee on Rehabilitation and Social Services on or before December 31, 2010.

Patron - Purkey

FHJ92 Study; establishes a joint subcommittee to study ways to increase college graduates with science, technology, engineering, and mathematics related baccalaureate degrees; report. Establishes a joint subcommittee to study ways to increase college graduates with science, technology, engineering, and mathematics related baccalaureate degrees; report. In conducting its study, the joint subcommittee shall: (i) review current statistics on the number of STEM-related degrees awarded annually at higher education institutions in Virginia; (ii) explore the creation of individual income tax incentives; (iii) identify impediments to STEM education; (iv) review existing and successful Virginia Community College programs; (v) consider future industry needs in STEM fields; and (vi) examine ways to encourage partnerships between STEM-related departments at institutions of higher education and science and technology based businesses in the Commonwealth.

Patron - Purkey

FHJ93 Study; impact of federal stimulus spending; report. Establishes a joint subcommittee to study the impact of federal stimulus spending in the Commonwealth.

Patron - Purkey

FHJ94 Study; Department of Health Professions; access to health care and health care professions in Southwest Virginia; report. Requests the Department of Health Professions to study current access to health care and health care professionals in Southwest Virginia, the need for increased access to health care and additional health care professionals in the region, and methods to increase the number of health care professionals and access to health care in the region. This bill has been incorporated into HJR 124.

Patron - Kilgore

FHJ119 Study; U.S. Route 1 Corridor; report. Establishes a joint subcommittee to study the creation of a U.S. Route 1 Corridor.

Patron - Surovell

FHJ120 Study; establishes a joint subcommittee to study ways to increase the number of bachelor's degrees awarded annually by public institutions of higher education in the Commonwealth; report. Establishes a joint subcommittee to study ways to increase the number of bachelor's degrees awarded annually by public institutions of higher education in the Commonwealth. In conducting its study, the joint subcommittee shall (i) identify the economic impact of a more educated population on the Commonwealth; (ii) identify any capacity issues confronting the public institutions of higher education in the Commonwealth; (iii) examine ways to attract nontraditional student populations to pursue higher education degrees and enroll in bachelor's degree programs; (iv) consider expansion of dual enrollment programs at community colleges or distance learning programs to increase capacity in bachelor's degree programs; (v) make recommendations regarding how Virginia public institutions of higher education can increase the number of bachelor's degrees awarded annually by 10,000 over the next 10 years; and (vi) explore such other issues as it deems appropriate.

Patron - Athey

FHJ122 Study; minimum standards for supervised visitation of children; report. Establishes a joint subcommittee to study the feasibility of establishing statewide minimum standards for the oversight of supervised visitation with children.

Patron - Crockett-Stark

FHJ123 Study; local revenue sources; report. Establishes a joint subcommittee to study ways to improve the balance of local revenue sources.

Patron - Morgan

FHJ128 JLARC; study the feasibility of a gross receipts assessment on pharmaceutical manufacturers to fund substance abuse treatment and prevention in the Commonwealth; report. Directs the Joint Legislative Audit and Review Commission to study the feasibility of establishing a gross receipts assessment on pharmaceutical manufacturers doing business in the Commonwealth, and allocation of funds collected to support substance abuse treatment and prevention programs.

Patron - Phillips

FHJ129 Study; Virginia Indigent Defense Commission; public defender office to serve Montgomery County; report. Requests the Virginia Indigent Defense Commission to study the creation of a public defender office to serve Montgomery County.

Patron - Nutter

FHJ131 Study; International Baccalaureate Diploma Programme; report. Requests the State Council of Higher Education for Virginia (SCHEV) to study the feasibility and appropriateness of the International Baccalaureate Diploma Programme as a continuum of education in Virginia. In conducting its study, SCHEV shall (i) review the requirements and organizational structure of the IB program; (ii) evaluate the systems of public and higher education in Virginia to identify areas of commonality with the IB program, including, but not limited to, curriculum offerings and diploma requirements, teacher preparation and licensure, student assessments, NCLB, school accountability, and professional development; (iii) identify and assess IB programs offered by local school divisions; (iv) determine whether and how the IB program complements higher education in Virginia and prepares students for high academic achievement and success in higher education programs; (v) assess the IB program's ability to groom students for positive interactions with other cultures and participation in a global community; and (vi) consider such other issues necessary to determine the efficacy of the IB program as a continuum of education in Virginia. SCHEV must submit an executive summary and report of its findings and recommendations to the Governor and 2011 General Assembly, and report its final findings and recommendations to the Governor and 2012 General Assembly.

Patron - Scott, J.M.

FHJ151 Norfolk's Light Rail project. Directs the Auditor of Public Accounts to conduct a financial audit of Norfolk's Light Rail project to be completed by September 1, 2010.

Patron - Miller, P.J.

FHJ154 Study; costs and benefits of establishing mental health courts; report. Directs the Virginia State Crime Commission to study the costs and benefits associated with establishing mental health courts designed to divert nonviolent offenders with mental illnesses from local jails and state prisons and place them into judicially monitored treatment programs.

Patron - Loupassi

FHR1 Study; state government efficiency; report. Establishes a House of Delegates subcommittee to review each of the ten organizational secretariats of state government to identify efficiencies and determine specific operational areas

where savings may be realized among the agencies within individual secretariat, including identifying (i) monetary savings among agencies within the secretariat, (ii) changes in management practices among agencies within the secretariat, and (iii) specific actions involving elimination, realignment, or consolidation of programs or activities within the secretariat.

Patron - Marshall, R.G.

F SJ26 Study; effects of the economic recession on public schools and families in Virginia. Directs the Virginia Commission on Youth to study the effects of the economic recession on public schools and families in Virginia. In conducting its study, the Commission on Youth shall (i) evaluate the effects of the economic crisis on public schools in Virginia; (ii) determine the number of school-age children affected by recent home foreclosures with the decline of the housing industry, the unemployment of a parent, and homelessness, and, if possible, correlate these events in the lives of school children to academic performance; (iii) determine whether the economic crisis has contributed to an increase in family dysfunction, unemployment, crime, familial breakdown, divorce and separation, substance abuse, mental health problems, school and college dropout rates, and domestic violence; (iv) ascertain how and which educational programs and services have been reduced or eliminated by public schools as a result of funding reductions due to the economic crisis; (v) determine whether there has been an increase in the number of homeless students in Virginia public schools, and the fiscal and programmatic effect of such increase; and (vi) determine ways to assist public schools, children, and their families in coping with the economic crisis so as to minimize adverse consequences to them and governmental agencies. In the course of its deliberations, the Commission on Youth shall provide opportunities for the participation of professional and community organizations, the corporate and faith communities, and other persons with expertise and interest in public and higher education, and the welfare of children and their families.

Patron - Marsh

F SJ30 Study; costs incurred resulting from tort claims brought against the Commonwealth and localities; report. Directs the Joint Legislative Audit and Review Commission to study the costs incurred by the Commonwealth and localities resulting from tort claims brought against such entities. This resolution is a recommendation of the Boyd-Graves Conference.

Patron - Edwards

F SJ34 Study; uniform grading in public schools; report. Requests the Department of Education to study the impact of a uniform grading policy in the Commonwealth. In conducting its study, the Department shall (i) examine other states' uniform grading policies and their effects on the public school systems in those states, (ii) consider the implication of implementing a similar policy in the Commonwealth, and (iii) if such a policy is found to be desirable, consider and make recommendations on specific elements of such a policy, including (a) consistent numerical breaks for letter grades, (b) standards to define honors courses, (c) a methodology for appropriately weighting advanced and honors courses, and (d) a determination of courses and weightings to be used in the calculation of class rank.

Patron - Northam

F SJ46 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

[F]SJ51 Study; Joint Legislative Audit and Review Commission; State Office of the State Long-Term Care Ombudsman. Requests the Joint legislative Audit and Review Commission to examine the need for additional state funding for the Office of the State Long-Term Care Ombudsman and the local offices and whether the state Office should have greater administrative control over resource allocation and other administrative decisions.

Patron - Puller

[F]SJ64 Study; healthy lifestyle SOL; report. Requests the Department of Education to study the feasibility of adding a curriculum and Standard of Learning relating to healthy lifestyle choices and reducing childhood obesity. In conducting its study, the Department shall (i) examine existing Standards of Learning to see where such curriculum might fit within the existing framework, (ii) consider the feasibility of adding a new curriculum and Standard of Learning to address this need, (iii) consider other ways of implementing this type of curriculum outside of the Standards of Learning, and (iv) consider input from local school divisions on this issue.

Patron - Miller, J.C.

[F]SJ74 Resolution; Bureau of Insurance to collect information on substance abuse treatment services insurance parity; report. Requests the Bureau of Insurance of the State Corporation Commission to collect and report on data and information on the coverage provided by health insurers, health service plans, and health maintenance organizations for substance abuse treatment services. This bill is incorporated into SJR 73.

Patron - Hanger

[F]SJ75 Study; Prescription Monitoring Program; report. Requests that the Department of Health Professions collect data on and information about use of the Prescription Monitoring Program by prescribers and dispensers of controlled substances and responses to notifications of substantial or unusual activity or potential misuse of prescription drugs sent by the Department to prescribers. This bill is incorporated into SJR 73.

Patron - Hanger

[F]SJ80 Study; Department of Health Professions; medication aides in nursing homes; report. Requests the Department of Health Professions to study the advisability of permitting the use of medication aides in nursing homes. In conducting its study, the Department shall (i) research the prevalence of medication aides in nursing homes in other states, (ii) examine the potential for such additional level of staff in nursing homes to enhance team care and extend licensed nursing care for residents, (iii) consider the regulatory protections and safeguards needed if medication aides were permitted to administer certain medications in nursing homes in the Commonwealth, and (iv) consult with nursing home, pharmacy, and nursing professionals in each aspect of the study.

Patron - Barker

[F]SJ90 Study; distribution of state funds to community services boards; report. Requests the Department of Behavioral Health and Developmental Services to study the funding formula used to distribute resources to community services boards. In conducting its study, the Department shall (i) review the various programs and services being provided by community services boards across the state, including any voluntary or pilot programs, and how such programs and services are funded, (ii) examine the effectiveness of the current formula in adequately funding such programs and services, and (iii) consider the most effective use of limited funds in provid-

ing the most essential services through the community services boards to meet the needs of citizens of the Commonwealth.

Patron - Herring

[F]SJ91 Study; JLARC; methodology employed to develop the Biennial Report on Public School Teacher Compensation; report. Directs the Joint Legislative Audit and Review Commission to study the methodology employed by the Director of Human Resource Management to develop the Biennial Report on Public School Teacher Compensation. In conducting its study, JLARC shall (i) review the current methodology used to develop this biennial report for scientific accuracy, (ii) compare this methodology with that used by private entities that have produced similar reports with substantially different results, and (iii) make recommendations as to how to improve this methodology to produce unbiased, accurate results.

Patron - Houck

[F]SJ94 Study; replacement of the state motor fuel tax; report. Requests the Virginia Transportation Research Council to study the desirability and feasibility of replacing the state motor fuel tax with a mileage-based fee predicated on vehicle-miles traveled in Virginia.

Patron - Miller, J.C.

[F]SJ98 Joint Subcommittee to Study the Feasibility of Creating a Regional Rapid Transit Network for Connecting Existing and Emerging Population Centers in Major Transportation Corridors; report. Continues the work of the joint subcommittee for a third year.

Patron - Barker

[F]SJ147 Study; ethics issues affecting the General Assembly. Establishes a joint committee of the General Assembly and Senate and House Ethics Advisory Panels to evaluate the adequacy of the current law in spelling out ethics rules, defining improper behavior, and providing for the proper disposition of complaints alleging that the General Assembly Conflicts of Interests Act has been violated.

Patron - Norment

Carried Over

[C]HB1123 Second Chance Act. Directs the Secretaries of Public Safety and Health and Human Resources to study and make recommendations related to implementation of the Second Chance Act.

Patron - Keam

[C]HJ49 Study; overpayment of unemployment compensation benefits; report. Directs the Joint Legislative Audit and Review Commission (JLARC) to study the overpayment of unemployment compensation benefits as a result of administrative errors by the Virginia Employment Commission. In conducting its study, JLARC shall (i) identify the number of instances of unemployment compensation benefit overpayments occurring in each of the past five years and the aggregate amount of such overpayments; (ii) identify the number of such overpayments, and the aggregate amount thereof, that resulted from administrative error by the Virginia Employment Commission; (iii) determine the amount of the overpayments described in clause (ii) that has been recovered from the payees; (iv) identify the causes of the Virginia Employment Commission's administrative errors resulting in overpayments of benefits; and (v) recommend measures to prevent the causes of such administrative errors, including means of making responsible parties accountable for such errors.

Patron - Merricks

☐HJ124 Directing the Joint Commission on Health Care to study access to medical care in rural Southwest Virginia; report. Directs the Joint Commission on Health Care to study access to medical care in Southwest Virginia. In conducting the study, the Joint Commission on Health Care shall examine (i) the feasibility and effectiveness of a pilot program narrowly tailored to the coalfield region whereby a mechanism would be set up to temporarily allow naturopaths who have graduated from, and met the residency requirements of, a naturopathic medical school accredited by the Association of Accredited Naturopathic Medical Colleges to provide health counseling to the adult citizens of this region in the area of preventative medicine, including smoking cessation, diabetes prevention, and diet and nutrition management, and (ii) ways to encourage more licensed medical doctors and doctors of osteopathy to practice medicine in these traditionally underserved areas, including fully funding the Physician Loan Repayment Program for physicians practicing in these underserved areas. The Commission shall also determine current access to health care and health care professionals in Southwest Virginia, the need for increased access and additional health care professionals in the region, and methods to increase the number of professionals and improve access to health care in the region. This bill incorporates HJR 94.

Patron - Kilgore

☐SJ52 Study; SCC; management of continuing care retirement communities and the need for resident representation in management and governance; report. Requests the State Corporation Commission to study the management of continuing care retirement communities and the need for resident representation in management and governance including the various management and governance structures of continuing care retirement communities in the Commonwealth, and the need for and any benefits associated with requiring resident participation in management and governance of continuing care retirement communities. If the State Corporation Commission determines that a need exists and benefits would result from requiring resident participation in management and governance of continuing care retirement communities, the State Corporation Commission is further directed to study and make recommendations related to the best method for implementing such requirement, including any statutory or regulatory changes that may be required.

Patron - Barker

☐SJ68 Study; voter registration and election system. Establishes a joint subcommittee to study the structure and operation of the registration and election processes. The joint subcommittee is to examine (i) measures that might be necessary or desirable in enhancing the authority of the State Board of Elections to establish and enforce uniform administration of state and federal laws by local election officials; (ii) methods by which the State Board might improve the training of local election officials and verify that local officials have participated in the appropriate level of training; (iii) measures to promote stability and reduce turnover among those responsible at the state level for administering the voter registration and election system; (iv) the desirability of establishing the position of professional agency director for the Board of Elections; and (v) any other matters that might promote the efficiency, uniformity, and integrity of the administration of the voter registration and election processes.

Patron - Martin

☐SJ88 Study; joint subcommittee to study local government reorganization; report. Establishes a nine-member joint subcommittee to recommend methods for modernizing local government structure and organization, including the

potential benefits of regional solutions to local problems and regional delivery of local services. This is a two-year study.

Patron - Vogel

☐SJ145 Study; Appalachian Power; report. Directs the Commission on Electric Utility Regulation to study alternatives to the monopoly service provided by Appalachian Power, which is the existing investor-owned electric utility serving portions of Southwest and Southside Virginia. The Commission is specifically directed to determine if customers within Appalachian Power's certificated service territory should be provided the option to purchase electric generation and other services from other providers of such services, including electric distribution cooperatives, investor-owned electric utilities, or licensed competitive service providers, and to determine if it would be in the best interests of the Commonwealth if Appalachian Power were to be replaced by another entity, which may be a new or existing investor-owned electric utility or electric cooperative, as the certificated provider of electric utility services within Appalachian Power's service territory.

Patron - Wampler