

Introduction

This publication presents a summary of legislation considered by the Virginia General Assembly at its 2012 Regular Session through adjournment *sine die* on March 10, 2012. Detailed information on any piece of legislation in Virginia may be found on the Virginia Legislative Information System (<http://lis.virginia.gov>).

Bill summaries are organized by alphabetical subject areas that correspond to titles in the Code of Virginia. Bills that affect more than one Code title have been placed under the dominant subject area of the legislation. Bills that do not amend the Code of Virginia are also listed under the subject headings.

Within each subject heading, the bills are further differentiated as *Passed*, *Failed*, or *Carried Over*. Passed bills are subject to review and veto by the Governor; thus, some of the bills listed as passed in this volume may be amended, and some may not become law. The General Assembly sometimes incorporates provisions from one bill into another bill, so even if a bill has failed, one or more of its provisions may exist in legislation that has passed or been carried over for consideration by the General Assembly at its next regular session.

Five special categories of legislation follow the bills listed by subject area: constitutional amendment resolutions, other resolutions, miscellaneous noncodified bills (including budget and bonds), charter bills, and study resolutions.

Administration of Government

Passed

[P]HB33 Public procurement; agreements with labor organizations. Requires state agencies to ensure that neither the state agency nor any construction manager acting on behalf of the state agency shall, in its bid specifications, project agreements, or other controlling documents relating to the operation, erection, construction, alteration, improvement, maintenance, or repair of any public facility of public works, (i) require or prohibit bidders, offerors, contractors, or subcontractors to enter into or adhere to agreements with one or more labor organizations, on the same or related projects, or (ii) discriminate against bidders, offerors, contractors, subcontractors, or operators for becoming or refusing to become or remain signatories or otherwise to adhere to agreements with one or more labor organizations, on the same or other related public works projects.

Patron - Comstock

[P]HB135 Comprehensive Services for At-Risk Youth and Families; State Executive Council; membership. Adds two local government representatives, chosen from the members of a county board of supervisors or a city council and a county administrator or city manager, to the State Executive Council for Comprehensive Services for At-Risk Youth and Families, increasing the number of local government representatives from three to five. The bill also provides that alternates may be designated by and vote on behalf of local government representatives. This bill is identical to SB 396.

Patron - Kilgore

[P]HB141 Freedom of Information Act; personal information in constituent correspondence. Provides an exemption from the mandatory disclosure provisions of the Freedom of Information Act (FOIA) for the names, physical addresses, telephone numbers, and email addresses contained in correspondence between an individual and a member of the governing body, school board, or other public body of the locality in which the individual is a resident, unless the correspondence relates to the transaction of public business. The bill provides that no record that is otherwise open to inspection under FOIA shall be deemed exempt by virtue of the fact that it has been attached to or incorporated within any such correspondence.

Patron - Cole

[P]HB211 Procurement; forward energy pricing. Authorizes, subject to available appropriation, any public body to use forward pricing mechanisms for budget risk reduction. Forward pricing mechanisms are contracts or financial instruments that obligate the public body to buy or sell a specified quantity of energy at a future date at a set price or provide the option to buy or sell the contract or financial instrument. Forward pricing mechanism transactions may be made only if (i) the quantity of energy affected by the mechanism does not exceed the estimated energy use for the public body for the same period, (ii) the period of the mechanism does not exceed 48 months, (iii) a separate account is established for operational energy for the public body, (iv) the public body develops written policies and procedures, and (v) the public body establishes an oversight process. This bill is identical to SB 539.

Patron - Miller

[P]HB217 Government Data Collection and Dissemination Practices Act; not applicable to certain records of

the Department of Social Services. Provides that the provisions of the Government Data Collection and Dissemination Practices Act do not apply to personal information systems maintained by the Department of Social Services related to child welfare, adult services or adult protective services, or public assistance programs when requests for personal information are made to the Department of Social Services. Such personal information requests are required to be made to the appropriate local department of social services.

Patron - Bell, Richard P.

[P]HB243 Virginia Investment Partnership Act; definitions. Decreases from five to three years the legal presence requirement to be considered an existing Virginia manufacturer under the Virginia Investment Partnership Act. The bill contains a technical amendment. This bill is identical to SB 338.

Patron - Cline

[P]HB253 Virginia Personnel Act; hiring preference for veterans; surviving spouses and children. Adds the surviving spouse or child of a veteran killed in the line of duty to the preference in state employment for veterans. The bill defines child to mean a person under the age of 27 years. The bill contains technical amendments.

Patron - Stolle

[P]HB270 Department for the Aging; public guardianship and conservator program. Requires the Department for the Aging to adopt, as part of its public guardianship and conservator program, person-centered practice procedures that shall (i) focus on the preferences and needs of the individual receiving public guardianship services and (ii) empower and support the individual receiving public guardianship services, to the extent feasible, in defining the direction for his life and promoting self-determination and community involvement.

Patron - Peace

[P]HB292 Virginia Economic Development Partnership Authority; board of directors; membership. Adds the Secretary of Agriculture and Forestry and the Secretary of Technology as voting members of the board of directors of the Virginia Economic Development Partnership Authority. This bill is identical to SB 405.

Patron - Scott, E.T.

[P]HB302 Exemption from environmental laboratory certification program. Exempts laboratories from the Division of Consolidated Laboratory Services' environmental certification program when the laboratories are using the protocols established by the Department of Conservation and Recreation's voluntary nutrient management training and certification program in determining soil fertility, animal manure nutrient content, or plant tissue nutrient uptake. This bill is identical to SB 52.

Patron - Scott, E.T.

[P]HB324 Tax-supported debt of the Commonwealth. Establishes the method of calculating the total principal amount of debt issued by any state agency, institution, board, or authority when the authority to issue the debt restricts the maximum principal amount of debt that may be issued.

Patron - Massie

[P]HB329 Government Data Collection and Dissemination Practices Act; exemptions. Exempts personal information systems maintained by auditors appointed by the local governing body of any county, city, or town or a school board that deals with local investigations.

Patron - Villanueva

HB384 Virginia Personnel Act; hiring preference in state employment for members of the Virginia National Guard. Establishes a preference in state hiring for members of the Virginia National Guard. Under the bill, when a member of the Virginia National Guard or a veteran applies for a position or job classification requiring an assessment using numerical ratings, points equal to five percent of the total points available from the assessment device or devices shall be added to the member's passing score. The preference shall not be applied if recruitment for the position is limited to state employees or over an applicant who is (i) a veteran or (ii) a former prisoner of war.

Patron - Cole

HB465 Secretary of the Commonwealth; organizational chart of state government. Requires the Secretary of the Commonwealth to include in the Secretary's annual report an organizational chart of state government. The bill specifies what information is to be contained in the organizational chart and that it is to be posted on the Commonwealth's website.

Patron - Albo

HB480 Virginia Freedom of Information Act (FOIA); attendance by certain members in a closed meeting. Provides that a member of a public body shall be permitted to attend a closed meeting held by any of its committees or subcommittees, provided such member does not participate in any discussions held by the committee or subcommittee conducting the closed meeting. The bill requires that the minutes of the committee or subcommittee include the identity of such member who attended the closed meeting.

Patron - Albo

HB481 State and Local Government Conflict of Interests Act; disclosure forms. Removes the signature notarization requirement from the Statement of Economic Interests disclosure form filed by certain state and local officers and employees. In addition, the bill clarifies that no person shall be mandated to file any disclosure under the State and Local Government Conflict of Interests Act unless specifically required by the Act. The bill also makes technical changes.

Patron - Iaquinto

HB490 Certain executive branch boards and councils; staggering of terms; membership; name change. Provides for the staggering of terms for the membership of the Modeling and Simulation Advisory Council, the Asian Advisory Board, and the State Emergency Medical Services Advisory Board. The bill also reduces the membership of the Board of Trustees of the Virginia Museum of Natural History from 25 to 15. The bill also changes the name of the Council on the Status of Women to the Council on Women and adds certain duties. The bill also changes the membership of the Virginia Offshore Wind Development Authority and reduces its number from 11 to nine. The bill contains technical amendments.

Patron - Cole

HB550 Submission of agency reports; electronic format. Allows agency reports to be submitted in written or electronic format.

Patron - Comstock

HB580 Fort Monroe Authority Act; declaration of policy. Removes the requirement for the consent of both the Governor and the General Assembly in cases where real property interests in the Area of Operation at Fort Monroe are sold. The bill retains, however, the requirement that such sale may only be accomplished under covenants, historic conservation easements, or other appropriate legal restrictions approved as to form by the Attorney General that protect these historic and

natural resources, and adds historic preservation easements to these conditions. The bill provides that insofar as the provisions of the Fort Monroe Authority Act are inconsistent with the provisions of any other law, general, special, or local, or parts thereof, the provisions of the Act shall be controlling. The bill provides that the Fort Monroe Master Plan shall be consistent with all preservation commitments and obligations agreed to by the Commonwealth, and further that the Plan shall be approved by the Governor before it becomes effective. The bill provides that properties in the Wherry Quarter and Inner Fort areas identified in the Fort Monroe Reuse Plan may only be sold with the consent of both the Governor and the General Assembly, except that any transfer to the National Park Service shall require only the approval of the Governor. The bill adds definitions of the terms "Fort Monroe Master Plan" and "State Memorandum of Understanding" and gives the Authority the power to exercise the Commonwealth's powers regarding the State Memorandum of Understanding. The bill also provides that the Authority is solely responsible for regulating the operation of golf carts and utility vehicles within the Area of Operation. Authority regulation shall provide that the operation of golf carts and utility vehicles is limited to Authority staff and contractors engaged by the Authority while such staff and contractors are conducting the official business of the Authority. By its terms, certain parts of the bill will not become effective until the completion of the Fort Monroe Master Plan, and it instructs the Authority's Executive Director to advise the Governor and others when the Master Plan is completed. This bill is identical to SB 473.

Patron - Helsel

HB585 Small business investment grant program. Creates the small business investment grant fund and program which would provide a grant equal to 10 percent of a qualified investment in a small business for an eligible investor. Grants would be paid from such funds as may be appropriated by the General Assembly. This bill is identical to SB 344.

Patron - Merricks

HB595 Four-year plan for aging services; deadlines for plan submission. Changes the deadline for submission of a four-year plan for aging services from June 30, 2013, to October 1, 2015, and the deadline for submission of an update to the current plan from October 1, 2011, to October 1, 2013, in order to align state deadlines for the four-year plan for aging services with federal deadlines for such plans.

Patron - Crockett-Stark

HB620 Virginia Information Technologies Agency; internal service funds. Establishes the Information Technology and Management Internal Service Fund for the Virginia Information Technologies Agency. The newly established fund will replace the three funds currently administered by VITA. The bill also authorizes the Comptroller to establish, upon the request of the Chief Information Officer of the Commonwealth and the Joint Legislative Audit and Review Commission, other internal service fund accounts for receipts and expenditures of appropriate functions of VITA. This bill is identical to SB 427.

Patron - LeMunyon

HB637 State Grievance Procedure. Eliminates certain steps in the grievance procedure by mandating that grievances following terminations due to formal discipline or unsatisfactory job performance proceed directly to a hearing. The bill also (i) allows either party to petition the circuit court to order only the implementation of the final decision of the hearing officer and not any recommendations of the hearing officer, (ii) reduces from 60 to 30 days the administrative review of the hearing decision by the Director of the Department of Human Resource Management, and (iii) removes the

ability of the employee filing the grievance to have judicial review of the decision of the Director of the Department of Employment Dispute Resolution on whether the grievance qualifies for a hearing. The bill contains a technical amendment. The bill is identical to SB 417.

Patron - Iaquinto

HB658 State and Local Conflict of Interests Act; definition of personal interest in a transaction. Clarifies that there is no personal interest in a transaction where an officer or employee of a local governing body is appointed by the local governing body to serve on a governmental agency and the personal interest in the transaction of the governmental agency is a result of the salary, other compensation, fringe benefits, or benefits provided by the local governing body to the officer or employee or a member of his immediate family.

Patron - Toscano

HB715 Department of Human Resource Management; state health plan. Makes necessary changes to the appeals process for complaints relating to the state health plan to conform Virginia law to federal health care reform. The bill removes the provision that coverage for certain mental disorders not be diminished or reduced below the coverage in effect for such disorders on January 1, 1999. This bill is identical to SB 499.

Patron - Kilgore

HB730 Board of Veterans Services; voting by ex officio members. Grants full voting privileges to the ex officio members of the Board of Veterans Services. Currently, only the Commissioner of the Department of Veterans Services has voting privileges. As a result of the provisions of the bill, the Chairman of the Board of Trustees of the Veterans Services Foundation and the Chairman of the Joint Leadership Council of Veterans Service Organizations, or their designees, will have full voting privileges on the Board of Veterans Services.

Patron - Dudenhefer

HB737 Modeling and Simulation Advisory Council; membership. Adds to the Modeling and Simulation Advisory Council two citizen members representing Virginia public institutions of higher education that have modeling and simulation capabilities.

Patron - Jones

HB738 Department of Human Resource Management; health and related insurance for state employees. Clarifies that the Department of Human Resource Management has exclusive authority to establish and enforce employer contribution rates for some state employee health plans.

Patron - Jones

HB764 Division of Risk Management; risk management plans for public liability; indemnification agreements by public institutions of higher education. Provides that no Virginia public institution of higher education shall be authorized to enter into an indemnification agreement to indemnify any person or entity against damages arising from a sponsored project conducted by such institution. The bill contains technical amendments.

Patron - Peace

HB767 Virginia Department of Business Assistance; Small Business Jobs Grant Fund. Clarifies that the Small Business Jobs Grant Fund Program is a component of the Virginia Jobs Investment Program. The bill also (i) authorizes the Secretary of Commerce and Trade to waive eligibility requirements, (ii) changes from 12 to 24 months the time period within which the five new positions must be created in order to

qualify for a grant, (iii) requires a small business to be organized under Virginia law or maintain a principal place of business in Virginia, (iv) prohibits receiving more than one grant for the same position, and (v) requires the employee to be employed in the new full-time position for at least 90 days prior to the award of the grant.

Patron - Landes

HB768 Department of Business Assistance; Virginia Jobs Investment Program. Codifies the Virginia Jobs Investment Program administered by the Department of Business Assistance and changes the name to the Virginia Jobs Investment Plan. The Plan comprises the following component programs: (i) the Virginia New Jobs Program, (ii) the Workforce Retraining Program, (iii) the Small Business New Jobs Program, and (iv) the Small Business Jobs Grant Fund Program. The bill also establishes general eligibility requirements for obtaining assistance under the Plan as well as requirements for the component programs under the Program.

Patron - Landes

HB813 Commercial space flight; funding and oversight. Reconstitutes the Board of the Virginia Commercial Space Flight Authority by reducing the number of Board members from 13 to nine and providing for all current appointments to the Board to expire on July 1, 2012. The bill provides that as of a certain date current employees of the Authority could elect not to be employed by the Authority. Any employee (i) making such election who is not rehired by another state agency or (ii) not making the election but who is not offered an opportunity to remain with the Authority would be eligible for severance benefits under the Workforce Transition Act. The bill allows the Authority to establish an alternative to the Virginia Retirement System defined benefit retirement plan for its employees as well as alternative health insurance, deferred compensation, and disability benefit plans. The bill makes several other changes to the administrative powers and duties of the Authority.

The bill limits to \$50 million the outstanding principal amount of non-revenue bonds issued by the Authority at all times. Each fiscal year the bill transfers \$7.5 million from the Transportation Trust Fund to the Commonwealth Space Flight Fund administered by the Board of Directors of the Authority to support the capital needs, maintenance, and operating costs of facilities owned and operated by the Authority.

This bill incorporates HB 18 and is identical to SB 284.

Patron - May

HB917 Required meetings of regulatory boards at the Department of Professional and Occupational Regulation. Replaces specified intervals and number of meetings for regulatory boards under the Department of Professional and Occupational Regulation with the requirement that such boards meet at least once each year.

Patron - Minchew

HB939 Department of Accounts; recovery of erroneous or improper payments to state employee. Provides that when a state officer or employee receives compensation or payments in error such officer or employee will be liable for repayment unless the state officer or employee proves by a preponderance of the evidence that the recipient officer or employee was not at fault for the error and did not have actual knowledge of or could not have reasonably detected the error. The bill provides that if the officer or employee (i) does not dispute liability, (ii) receives overpayments stemming from erroneous good faith under-withholdings for retirement or other benefits, (iii) receives overpayments of less than \$500

from erroneous good faith wage, salary, or expense reimbursements, or (iv) is determined to be liable by a court of competent jurisdiction, then the employer shall be authorized to use payroll deductions limited to 25 percent of disposal earnings to effect repayment. If the officer or employee leaves state service, liability is disputed, or recovery cannot otherwise be accomplished, the employer shall request the Attorney General to bring an action for restitution.

Patron - Lingamfelter

HB945 Public Procurement; performance and payment bonds on transportation-related projects. Raises from \$250,000 to \$350,000 the contract amount for which performance and payment bonds are required on transportation-related projects partially or wholly funded by the Commonwealth. The bill further provides that for such projects valued in excess of \$250,000 but less than \$350,000, the payment and performance bond can only be waived by a public body if the bid is accompanied by evidence that a surety company has declined an application from the contractor for a bid bond. The bill requires the Commissioner of Highways and the Department of the Treasury to establish a prequalification program that is agreeable to both agencies, pursuant to the Department of the Treasury, Division of Risk Management, VaWorks Program (self-bonding program). The bill further provides that prospective bidders for transportation-related construction projects that are valued in excess of \$250,000 but less than \$350,000 who have submitted evidence of denial of a bid bond shall participate in the prequalification program agreed to by the Commissioner of Highways and the Department of the Treasury. The bill requires the Virginia Department of Transportation to report by December 1 of each year to the Chairmen of the House Committee on General Laws and the Senate Committee on Transportation (i) the number of companies that were unable to procure a bid bond, (ii) the number of waivers granted by the Department, and (iii) the number of companies that were enrolled in any Department of the Treasury, Division of Risk Management self-bonding program for Department projects.

Patron - Villanueva

HB994 Broadband Advisory Council; designees to serve on the Council. Permits the Secretary of Commerce and Trade and the Secretary of Technology to appoint designees to serve on their behalf on the Broadband Advisory Council.

Patron - Robinson

HB996 Department of Minority Business Enterprise; electronic certification process. Authorizes the Department of Minority Business Enterprise to accept applications for certification as a small, women-owned, or minority-owned business through electronic means.

Patron - Ransone

HB1016 Alternative Fuel Vehicle Conversion Fund. Establishes the Alternative Fuel Vehicle Conversion Fund to assist state agencies with the incremental cost of converting an existing state-owned vehicle to use an alternative fuel or of purchasing a new vehicle equipped to operate on alternative fuel over a similar conventional-fuel-powered vehicle. The Fund would be administered by the Department of General Services.

Patron - Poindexter

HB1034 Withdrawal from certain interstate agreement; Southern Growth Policies Agreement. Withdraws the Commonwealth from the Southern Growth Policies Agreement. The bill has a delayed effective date of July 1, 2013.

Patron - Landes

HB1121 Department of Veterans Services; personnel. Provides that a ratio of claims agents with the Department of Veterans Services to the number of veterans in the Commonwealth shall be one agent for every 23,000 veterans. Current law requires sufficient staff to maintain a ratio of one claims agent for every 26,212 veterans. This bill is identical to SB 254.

Patron - Cox, M.K.

HB1167 High Performance Buildings Act. Requires executive branch agencies and institutions entering the design phase for the construction of a new building greater than 5,000 gross square feet in size, or renovating such a building where the cost of renovation exceeds 50 percent of the value of the building, to conform to Virginia Energy Conservation and Environmental Standards developed by the Department of General Services considering the U.S. Green Building Council (LEED) green building rating and other appropriate requirements. Exemptions from the requirement may be granted by the Director of the Department of General Services upon a finding of special circumstances that make construction or renovation to the standards impracticable. The bill incorporates HB 788.

Patron - Jones

HB1199 Administrative Process Act; right to counsel in rule-making proceedings. Provides that in formulating any regulation or in evidentiary hearings on regulations, an interested party shall be entitled to be accompanied by and represented by counsel or other qualified representative. The bill contains technical amendments.

Patron - Herring

HB1203 Research and Technology Investment Advisory Committee. Provides that the Innovation and Entrepreneurship Investment Authority shall administer the Research and Technology Investment Advisory Committee.

Patron - Dudenhefer

HB1222 Virginia Public Procurement Act; definition of employment services organizations. Updates outdated language referring to sheltered workshops by replacing that term with "employment services organizations." The bill defines employment services organizations. The bill also replaces the term "handicapped" with "individuals with disabilities."

Patron - Hope

HB1230 Privatization of the Virginia Office for Protection and Advocacy. Requires the Director of the Virginia Office for Protection and Advocacy and the Board for Protection and Advocacy to establish a nonprofit organization to provide advocacy, legal, and ombudsman services to persons with disabilities in compliance with state and federal law no later than December 31, 2013, and eliminates the Virginia Office for Protection and Advocacy as of January 1, 2014. The bill also provides that employees of the Virginia Office for Protection and Advocacy who transition to employment with the nonprofit organization shall not be subject to the provisions of the Workforce Transition Act.

Patron - Orrock

HB1291 Governor's reorganization of executive branch of state government. Reorganizes the executive branch of state government as follows:

Eliminates the Commonwealth Competition Council and transfers the responsibility of developing and maintaining the commercial activities list to the Department of Planning and Budget [Enactments 1-2; HJ 49 #1];

Eliminates the Interagency Dispute Resolution Advisory Council [Enactment 3; HJ 49 #2];

Eliminates the Virginia Public Buildings Board [Enactments 4-5; HJ 49 #3];

Eliminates the Virginia Council on Human Resources. The bill also authorizes the Director of the Department of Human Resource Management to convene ad hoc working groups to address issues relating to the state workforce [Enactments 6-7; HJ 49 #4];

Abolishes the Department of Employment Dispute Resolution and transfers its duties to the Department of Human Resource Management [Enactments 8-12; HJ 49 #5];

Transfers certain investigation and consumer complaint functions from the Department of Agriculture and Consumer Services to the Office of the Attorney General. The bill also abolishes the Human Rights Council and transfers the investigative functions of the Council to the Office of the Attorney General [Enactments 13-17; HJ 49 #6 and #8];

Eliminates the Reforestation Board and transfers its responsibilities to the Board of Forestry. The terms of the current members of the Board of Forestry will expire July 1, 2012, and the Governor is authorized to appoint 11 new members to the Board. Initially, the members will be appointed for staggered terms [Enactments 18-21; HJ 49 #9];

Eliminates the Seed Potato Board and incorporates its duties and responsibilities into the Potato Board [Enactments 22-26; HJ 49 #10];

Consolidates the Bright Flue-Cured and Dark-Fired Tobacco Boards into the nine-member Tobacco Board. The promotion funds for the two types of tobacco will continue to operate [Enactments 27-30; HJ 49 #11];

Eliminates the Pesticide Control Board and transfers its duties and responsibilities to the Board of Agriculture and Consumer Services. The bill also increases the membership of the Board of Agriculture and Consumer Services by adding two pesticide applicators [Enactments 31-33; HJ 49 #12];

Merges the Board for Hearing Aid Specialists with the Board for Opticians [Enactments 34-37; HJ 49 #13];

Merges the Board for Professional Soil Scientists and Wetland Professionals with the Board for Geology [Enactments 38-43; HJ 49 #14];

Eliminates the Small Business Advisory Board and adds two members to the Small Business Commission [Enactments 44-45; HJ 49 #15];

Eliminates the Board of Surface Mining Review and requires any appeals of an order issued by the Department of Mines, Minerals and Energy to be conducted by the Department using the case decision procedures of the Administrative Process Act [Enactments 46-47; HJ 49 #16];

Eliminates the Board of Mineral Mining Examiners and places its duties and responsibilities with the Department of Mines, Minerals and Energy [Enactments 48-50; HJ 49 #17];

Eliminates the Virginia National Defense Industrial Authority [Enactments 51-52; HJ 49 #18];

Deregulates hair braiders and hair braiding schools and salons [Enactments 53-54; HJ 49 #19];

Deregulates mold remediators and mold inspectors [Enactments 55-56; HJ 49 #20];

Eliminates the Virginia Public Broadcasting Board and transfers its duties to the Board of Education [Enactments 57-58; HJ 49 #21];

Eliminates the Department for the Aging and the Department of Rehabilitative Services and transfers the powers and duties of those agencies to the newly created Department for the Aging- and Rehabilitative Services. The bill also transfers powers and duties related to the administration of auxiliary grants and provision of adult services and adult protective services from the Department of Social Services to the newly created department. Some sections amended and repealed have delayed effective dates [Enactments 59-71; HJ 49 #22 and #23];

Eliminates the Advisory Board on Child Abuse and Neglect and transfers its duties to the Board of Trustees of the Family and Children's Trust Fund [Enactments 72-73; HJ 49 #24];

Eliminates the Hemophilia Advisory Board [Enactment 74; HJ 49 #25];

Eliminates the Child Day-Care Council and assigns responsibility for regulating child day programs to the State Board of Social Services. The bill increases the membership of the State Board from nine to 11 members and adds a requirement that at least two members of the State Board of Social Services be child care professionals and provides that regulations promulgated by the Child Day-Care Council shall remain in full force and effect until regulations are promulgated by the State Board of Social Services [Enactments 75-78; HJ 49 #26];

Moves the responsibility of providing environmental education programs from the Department of Environmental Quality to the Department of Conservation and Recreation [Enactment 79; HJ 49 #27];

Moves the Municipal Separate Storm Sewer System (MS4) Program from the Virginia Soil and Water Conservation Board to the State Water Control Board. The bill has to be reenacted to become effective, except that the assessment by the Secretary of Natural Resources of the water quality programs of the Commonwealth can begin July 1, 2012 [Enactments 80-89; HJ 49 #28];

Abolishes the Chippokes Plantation Farm Foundation and transfers any interests in any real or tangible personal property of the Foundation to the Department of Conservation and Recreation [Enactments 90-92; HJ 49 #29];

Eliminates the Virginia Scenic River Board and transfers its duties to the Board of Conservation and Recreation [Enactments 93-94; HJ 49 #30];

Eliminates the Boating Advisory Committee [Enactment 95; HJ 49 #31];

Eliminates the Council on Indians [Enactments 96-97; HJ 49 #32];

Eliminates the Foundation for Virginia's Natural Resources [Enactments 98; HJ 49 #33];

Eliminates the Department of Correctional Education. The bill divides the provision and administration of education in correctional institutions between the Department of Corrections and the Department of Juvenile Justice, with supervision by a newly created Division of Correctional Education within the Department of Juvenile Justice [Enactments 99-100; HJ 49 #34 and #35];

Eliminates the gubernatorially appointed committee, known colloquially as the Virginia Juvenile Enterprise Committee, that reviews agreements between the Department of Juvenile Justice and public or private entities for the operation of work programs for juveniles committed to the Department [Enactments 101-102 HJ 49 #36];

Transfers the responsibility for the administration of a substance abuse prevention program from the Governor to the Alcoholic Beverage Control Board. The bill gives the ABC Board the duty to (i) coordinate substance abuse prevention activities of agencies of the Commonwealth in such program, (ii) review substance abuse prevention program expenditures by agencies of the Commonwealth, and (iii) determine the direction and appropriateness of such expenditures. The Board is to cooperate with federal, state, and local agencies, private and public agencies, interested organizations, and individuals in order to prevent substance abuse within the Commonwealth. The Board must report annually by December 1 of each year to the Governor and the General Assembly on the substance abuse prevention activities of the Commonwealth [Enactments 103-104; HJ 49 #37];

Abolishes the Board of Transportation Safety [Enactment 105; HJ 49 #38];

Abolishes the Board of Towing and Recovery Operators and requires towing and recovery operators, defined in the bill, to be registered with the Department of Criminal Justice Services. The bill sets out prohibited acts by towing and recovery operators. The bill also provides that complaints against a towing and recovery operator may be made to the Division of Consumer Counsel at the Office of the Attorney General [Enactments 106-110; HJ 49 #39]; and

Establishes the Virginia War Memorial as a division within the Department of Veterans Services. The bill eliminates the Virginia War Memorial Foundation and replaces it with the Virginia War Memorial Board and sets the membership, terms, and powers and duties of the Board [Enactments 111-112; HJ 49 #40].

The bill contains numerous technical amendments to accomplish this reorganization.

Patron - Gilbert

[P]HB1295 Elimination of certain state mandates on local entities. Eliminates several statewide mandates on local government and regional government entities. The bill does the following: (i) removes the requirement that surplus property be offered to political subdivisions or volunteer fire and rescue squads before being sold at a public sale or auction, (ii) raises the ceiling for professional service contracts that a locality may enter without competitive negotiation from \$50,000 to \$60,000, (iii) eliminates the requirement that a lease of property owned by any political subdivision, or privately owned, licensed public use airport be approved by the Department, (iv) removes the requirement for localities to obtain VDOT approval for red light camera locations, (v) removes the requirement for localities to obtain state approval for red light camera locations, (vi) clarifies that the local courts cannot require localities to construct a new or additional courthouse,

(vii) eliminates requirements for reporting Urban Development Areas to the Commission on Local Government, (viii) removes the requirement for establishing local advisory committees on gifted education and the annual reporting by such committees, (ix) eliminates the requirement to provide the estimated per pupil cost for public education of individual school to each parent or guardian of the enrolled child, (x) removes the requirement that proceeds from the sale of local education surplus property be applied to capital improvements, (xi) eliminates the requirement to establish a school health board, (xii) removes annual contract requirements for community service boards, (xiii) eliminates Internet policy mandates on local libraries, (xiv) changes requirement to give first priority for vending contracts to the blind from mandatory to a local option, (xv) removes the requirement for economic and financial literacy courses in middle and high school, and (xvi) repeals the requirement for civics training for teachers in order to renew license. The bill also makes technical changes. The bill is identical to SB 679.

Patron - Byron

[P]SB45 Open Education Curriculum Board. Alters the function of the Open Education Curriculum Board from a policy board to an advisory board. In its new role, the Open Education Curriculum Board shall advise the Governor and the Board of Education on the creation, collection, categorization, distribution, and licensing of open educational resources and the integration of those resources with Virginia's Standards of Learning.

Patron - Watkins

[P]SB52 Exemption from environmental laboratory certification program. Exempts laboratories from the Division of Consolidated Laboratory Services' environmental certification program when the laboratories are using the protocols established by the Department of Conservation and Recreation's voluntary nutrient management training and certification program in determining soil fertility, animal manure nutrient content, or plant tissue nutrient uptake. This bill is identical to HB 302.

Patron - Watkins

[P]SB160 High Performance Buildings Act. Requires executive branch agencies and institutions entering the design phase for construction of a new building greater than 5,000 gross square feet in size, or renovating such a building where the cost of renovation exceeds 50 percent of the value of the building, to conform to Virginia Energy Conservation and Environmental Standards developed by the Department of General Services considering the U.S. Green Building Council (LEED) green building rating standard, the Green Building Initiative "Green Globes" building standard, and other appropriate requirements. Exemptions from the requirement may be granted by the Director of the Department of General Services upon a finding of special circumstances that make construction or renovation to the standards impracticable.

Patron - Petersen

[P]SB193 Freedom of Information Act; exemption for cell phone numbers for EMS personnel and firefighters. Provides an exemption from the mandatory disclosure provisions of the Freedom of Information Act for records of a fire/EMS company or fire/EMS department, to the extent that they disclose the telephone numbers for cellular telephones, pagers, or comparable portable communication devices provided to its personnel for use in the performance of their official duties. This bill incorporates SB 474.

Patron - Miller; J.C.

SB197 Representation by Attorney General. Allows the Attorney General to represent in civil matters a person appointed by a circuit court judge in a written order to run an existing corporation or company as the judge's representative in the execution of a court order.

Patron - Marsden

SB242 Public procurement; agreements with labor organizations. Requires state agencies to ensure that neither the state agency nor any construction manager acting on behalf of the state agency shall, in its bid specifications, project agreements, or other controlling documents relating to the operation, erection, construction, alteration, improvement, maintenance, or repair of any public facility of public works, (i) require or prohibit bidders, offerors, contractors, or subcontractors to enter into or adhere to agreements with one or more labor organizations, on the same or related projects, or (ii) discriminate against bidders, offerors, contractors, subcontractors, or operators for becoming or refusing to become or remain signatories or otherwise to adhere to agreements with one or more labor organizations, on the same or other related public works projects.

Patron - Obenshain

SB254 Department of Veterans Services; personnel. Provides that a ratio of claims agents with the Department of Veterans Services to the number of veterans in the Commonwealth shall be one agent for every 23,000 veterans. Current law requires sufficient staff to maintain a ratio of one claims agent for every 26,212 veterans. This bill is identical to HB 1121.

Patron - Reeves

SB284 Commercial space flight; funding and oversight. Reconstitutes the Board of the Virginia Commercial Space Flight Authority by reducing the number of Board members from 13 to nine and providing for all current appointments to the Board to expire on July 1, 2012. The bill provides that as of a certain date current employees of the Authority could elect not to be employed by the Authority. Any employee (i) making such election who is not rehired by another state agency or (ii) not making the election but who is not offered an opportunity to remain with the Authority would be eligible for severance benefits under the Workforce Transition Act. The bill allows the Authority to establish an alternative to the Virginia Retirement System defined benefit retirement plan for its employees as well as alternative health insurance, deferred compensation, and disability benefit plans. The bill makes several other changes to the administrative powers and duties of the Authority.

The bill limits to \$50 million the outstanding principal amount of non-revenue bonds issued by the Authority at all times. Each fiscal year the bill transfers \$7.5 million from the Transportation Trust Fund to the Commonwealth Space Flight Fund administered by the Board of Directors of the Authority to support the capital needs, maintenance, and operating costs of facilities owned and operated by the Authority.

This bill is identical to HB 813.

Patron - Herring

SB297 Board of Veterans Services; voting by ex officio members. Grants full voting privileges to the ex officio members of the Board of Veterans Services. Currently, only the Commissioner of the Department of Veterans Services has voting privileges. As a result of the provisions of the bill, the Chairman of the Board of Trustees of the Veterans Services Foundation and the Chairman of the Joint Leadership Council

of Veterans Service Organizations, or their designees, will have full voting privileges on the Board of Veterans Services.

Patron - Puller

SB338 Virginia Investment Partnership Act; definitions. Decreases from five to three years the legal presence requirement to be considered an existing Virginia manufacturer under the Virginia Investment Partnership Act. The bill contains a technical amendment. This bill is identical to HB 243.

Patron - Newman

SB344 Small business investment grant program. Creates the small business investment grant fund and program which would provide a grant equal to 10 percent of a qualified investment in a small business for an eligible investor. Grants would be paid from such funds as may be appropriated by the General Assembly. This bill is identical to HB 585.

Patron - McDougle

SB367 State and Local Government Conflict of Interests Act; definition of personal interest in a transaction. Amends the definition of personal interest in a transaction to clarify that such an interest does not exist where an officer or employee of a local governing body is appointed by the same local governing body to serve on a governmental agency and the personal interest in the transaction of the governmental agency is the result of the compensation or benefits provided by the local governing body to the employee, elected member, or member of his immediate family.

Patron - Deeds

SB396 Comprehensive Services for At-Risk Youth and Families; State Executive Council; membership. Adds two local government representatives, chosen from the members of a county board of supervisors or a city council and a county administrator or city manager, to the State Executive Council for Comprehensive Services for At-Risk Youth and Families, increasing the number of local government representatives from three to five. The bill also provides that alternates may be designated by and vote on behalf of local government representatives. This bill is identical to HB 135.

Patron - Hanger

SB405 Virginia Economic Development Partnership Authority; board of directors; membership. Adds the Secretary of Agriculture and Forestry and the Secretary of Technology as voting members of the board of directors of the Virginia Economic Development Partnership Authority. This bill is identical to HB 292.

Patron - Hanger

SB417 State Grievance Procedure. Eliminates certain steps in the grievance procedure by mandating that grievances following terminations due to formal discipline or unsatisfactory job performance proceed directly to a hearing. The bill also (i) allows either party to petition the circuit court to order only the implementation of the final decision of the hearing officer and not any recommendations of the hearing officer, (ii) reduces from 60 to 30 days the administrative review of the hearing decision by the Director of the Department of Human Resource Management, and (iii) removes the ability of the employee filing the grievance to have judicial review of the decision of the Director of the Department of Employment Dispute Resolution on whether the grievance qualifies for a hearing. The bill contains a technical amendment. The bill is identical to HB 637.

Patron - Stanley

SB427 Virginia Information Technologies Agency; internal service funds. Establishes the Information Technol-

ogy and Management Internal Service Fund for the Virginia Information Technologies Agency. The newly established fund will replace the three internal service funds currently administered by VITA. The bill also authorizes the Comptroller to establish, upon the request of the Chief Information Officer of the Commonwealth and the Joint Legislative Audit and Review Commission, other internal service fund accounts for receipts and expenditures of appropriate functions of VITA. This bill is identical to HB 620.

Patron - Ruff

SB473 Fort Monroe Authority Act; declaration of policy. Removes the requirement for the consent of both the Governor and the General Assembly in cases where real property interests in the Area of Operation at Fort Monroe are sold. The bill retains, however, the requirement that such sale may only be accomplished under covenants, historic conservation easements, or other appropriate legal restrictions approved as to form by the Attorney General that protect these historic and natural resources, and adds historic preservation easements to these conditions. The bill provides that insofar as the provisions of the Fort Monroe Authority Act are inconsistent with the provisions of any other law, general, special or local, or parts thereof, the provisions of the Act shall be controlling. The bill provides that properties in the Wherry Quarter and Inner Fort areas identified in the Fort Monroe Reuse Plan may only be sold with the consent of both the Governor and the General Assembly, except that any transfer to the National Park Service shall require only the approval of the Governor. The bill adds definitions of the terms "Fort Monroe Master Plan" and "State Memorandum of Understanding" and gives the Authority the power to exercise the Commonwealth's powers regarding the State Memorandum of Understanding. The bill also provides that the Authority is solely responsible for regulating the operation of golf carts and utility vehicles within the Area of Operation by Authority staff and contractors engaged by the Authority, while such staff and contractors are conducting the official business of the Authority. By its terms, the bill will not become effective until the completion of the Fort Monroe Master Plan, and it instructs the Authority's Executive Director to advise the Governor and others when the Master Plan is completed. This bill is identical to HB 580.

Patron - Locke

SB485 Alternative Fuel Vehicle Conversion Fund. Establishes the Alternative Fuel Vehicle Conversion Fund to assist state agencies with the incremental cost of converting an existing state-owned vehicle to use an alternative fuel or purchasing a new vehicle equipped to operate on alternative fuel over a similar conventional-fuel-powered vehicle. The Fund would be administered by the Department of General Services.

Patron - McWaters

SB499 Department of Human Resource Management; state health plan. Makes necessary changes to the appeals process for complaints relating to the state health plan to conform Virginia law to federal health care reform. The bill removes the provision that coverage for certain mental disorders not be diminished or reduced below the coverage in effect for such disorders on January 1, 1999. This bill is identical to HB 715.

Patron - Watkins

SB523 Department of Minority Business Enterprise; certification of employment services organizations. Provides for the Department of Minority Business Enterprise to certify employment service organizations. Under the bill, "employment services organization" is defined as an organization that provides community-based employment services to individuals with disabilities that is an approved Commission

on Accreditation of Rehabilitation Facilities (CARF) accredited vendor of the Department of Rehabilitative Services.

Patron - Hanger

SB527 Virginia Personnel Act; hiring preference in state employment for members of the Virginia National Guard. Establishes a preference in state hiring for members of the Virginia National Guard. Under the bill, when a member of the Virginia National Guard applies for a position or job classification requiring an assessment using numerical ratings, points equal to five percent of the total points available from the assessment device or devices shall be added to the member's passing score. The preference shall not be applied if recruitment for the position is limited to state employees or over an applicant who is (i) a veteran or (ii) a former prisoner of war. The bill requires the Department of Human Resource Management to develop guidelines to provide guidance to executive branch agencies on the provisions of the bill.

Patron - Garrett

SB539 Procurement; forward energy pricing. Authorizes, subject to available appropriation, any public body to use forward pricing mechanisms for budget risk reduction. Forward pricing mechanisms are contracts or financial instruments that obligate the public body to buy or sell a specified quantity of energy at a future date at a set price or provide the option to buy or sell the contract or financial instrument. Forward pricing mechanism transactions may be made only if (i) the quantity of energy affected by the mechanism does not exceed the estimated energy use for the public body for the same period, (ii) the period of the mechanism does not exceed 48 months, (iii) a separate account is established for operational energy for the public body, (iv) the public body develops written policies and procedures, and (v) the public body establishes an oversight process. This bill is identical to HB 211.

Patron - Puller

SB678 Governor's reorganization of executive branch of state government. Reorganizes the executive branch of state government as follows:

Eliminates the Commonwealth Competition Council and transfers the responsibility of developing and maintaining the commercial activities list to the Department of Planning and Budget [Enactments 1-2; SJ 66 #1];

Eliminates the Interagency Dispute Resolution Advisory Council [Enactment 3; SJ 66 #2];

Eliminates the Virginia Public Buildings Board [Enactments 4-5; SJ 66 #3];

Eliminates the Virginia Council on Human Resources. The bill also authorizes the Director of the Department of Human Resource Management to convene ad hoc working groups to address issues relating to the state workforce [Enactments 6-7; SJ 66 #4];

Abolishes the Department of Employment Dispute Resolution and transfers its duties to the Department of Human Resource Management [Enactments 8-12; SJ 66 #5];

Transfers certain investigation and consumer complaint functions from the Department of Agriculture and Consumer Services to the Office of the Attorney General. The bill also abolishes the Human Rights Council and transfers the investigative functions of the Council to the Office of the Attorney General [Enactments 13-17; SJ 66 #6 and #8];

Eliminates the Reforestation Board and transfers its responsibilities to the Board of Forestry. The terms of the current members of the Board of Forestry will expire July 1, 2012, and the Governor is authorized to appoint 11 new members to the Board. Initially, the members will be appointed for staggered terms [Enactments 18-21; SJ 66 #9];

Eliminates the Seed Potato Board and incorporates its duties and responsibilities into the Potato Board [Enactments 22-26; SJ 66 #10];

Consolidates the Bright Flue-Cured and Dark-Fired Tobacco Boards into the nine-member Virginia Tobacco Board. The promotion funds for the two types of tobacco will continue to operate [Enactments 27-30; SJ 66 #11];

Eliminates the Pesticide Control Board and transfers its duties and responsibilities to the Board of Agriculture and Consumer Services. The bill also increases the membership of the Board of Agriculture and Consumer Services by adding two pesticide applicators [Enactments 31-33; SJ 66 #12];

Merges the Board for Hearing Aid Specialists with the Board for Opticians [Enactments 34-37; SJ 66 #13];

Merges the Board for Professional Soil Scientists and Wetland Professionals with the Board for Geology [Enactments 38-43; SJ 66 #14];

Eliminates the Small Business Advisory Board and adds two members to the Small Business Commission [Enactments 44-45; SJ 66 #15];

Eliminates the Board of Surface Mining Review and requires any appeals of an order issued by the Department of Mines, Minerals and Energy to be conducted by the Department using the case decision procedures of the Administrative Process Act [Enactments 46-47; SJ 66 #16];

Eliminates the Board of Mineral Mining Examiners and places its duties and responsibilities with the Department of Mines, Minerals and Energy [Enactments 48-50; SJ 66 #17];

Eliminates the Virginia National Defense Industrial Authority [Enactments 51-52; SJ 66 #18];

Deregulates hair braiders and hair braiding schools and salons [Enactments 53-54; SJ 66 #19];

Deregulates mold remediators and mold inspectors [Enactments 55-56; SJ 66 #20];

Eliminates the Virginia Public Broadcasting Board and transfers its duties to the Board of Education [Enactments 57-58; SJ 66 #21];

Eliminates the Department for the Aging and the Department of Rehabilitative Services and transfers the powers and duties of those agencies to the newly created Department for Aging and Rehabilitative Services. The bill also transfers powers and duties related to the administration of auxiliary grants and provision of adult services and adult protective services from the Department of Social Services to the newly created Department for Aging and Rehabilitative Services. Some sections amended and repealed have delayed effective dates [Enactments 59-71; SJ 66 #22 and #23];

Eliminates the Advisory Board on Child Abuse and Neglect and transfers its duties to the Board of Trustees of the Family and Children's Trust Fund [Enactments 72-73; SJ 66 #24];

Eliminates the Hemophilia Advisory Board [Enactment 74; SJ 66 #25];

Eliminates the Child Day-Care Council and assigns responsibility for regulating child day programs to the State Board of Social Services. The bill increases the membership of the State Board from nine to 11 members and adds a requirement that at least one member of the State Board of Social Services be a child care professional and provides that regulations promulgated by the Child Day-Care Council shall remain in full force and effect until regulations are promulgated by the State Board of Social Services [Enactments 75-78; SJ 66 #26];

Moves the responsibility of providing environmental education programs from the Department of Environmental Quality to the Department of Conservation and Recreation [Enactment 79; SJ 66 #27];

Moves the Municipal Separate Storm Sewer System (MS4) Program from the Virginia Soil and Water Conservation Board to the State Water Control Board. The bill has to be reenacted to become effective, except that the assessment by the Secretary of Natural Resources of the water quality programs of the Commonwealth can begin July 1, 2012 [Enactments 80-89; SJ 66 #28];

Abolishes the Chippokes Plantation Farm Foundation and transfers any interests in any real or tangible personal property of the Foundation to the Department of Conservation and Recreation [Enactments 90-92; SJ 66 #29];

Eliminates the Virginia Scenic River Board and transfers its duties to the Board of Conservation and Recreation [Enactments 93-94; SJ 66 #30];

Eliminates the Boating Advisory Committee [Enactment 95; SJ 66 #31];

Eliminates the Council on Indians [Enactments 96-97; SJ 66 #32];

Eliminates the Foundation for Virginia's Natural Resources [Enactment 98; SJ 66 #33];

Eliminates the Department of Correctional Education. The bill divides the provision and administration of education in correctional institutions between the Department of Corrections and the Department of Juvenile Justice, with supervision by a newly created Division of Correctional Education within the Department of Juvenile Justice [Enactments 99-100; SJ 66 #34 and #35];

Eliminates the gubernatorially appointed committee, known colloquially as the Virginia Juvenile Enterprise Committee, that reviews agreements between the Department of Juvenile Justice and public or private entities for the operation of work programs for juveniles committed to the Department [Enactments 101-102; SJ 66 #36];

Transfers the responsibility for the administration of a substance abuse prevention program from the Governor to the Alcoholic Beverage Control Board. The bill gives the ABC Board the duty to (i) coordinate substance abuse prevention activities of agencies of the Commonwealth in such program, (ii) review substance abuse prevention program expenditures by agencies of the Commonwealth, and (iii) determine the direction and appropriateness of such expenditures. The Board is to cooperate with federal, state, and local agencies, private and public agencies, interested organizations, and individuals in order to prevent substance abuse within the Commonwealth.

The Board must report annually by December 1 of each year to the Governor and the General Assembly on the substance abuse prevention activities of the Commonwealth [Enactments 103-104; SJ 66 #37];

Abolishes the Board of Transportation Safety [Enactment 105; SJ 66 #38];

Abolishes the Board of Towing and Recovery Operators and transfers the Board's duties to the Department of State Police and the Department of Motor Vehicles [Enactments 106-110; SJ 66 #39]; and

Establishes the Virginia War Memorial as a division within the Department of Veterans Services. The bill eliminates the Virginia War Memorial Foundation and replaces it with the Virginia War Memorial Board and sets the membership, terms, and powers and duties of the Board [Enactments 111-112; SJ 66 #40].

The bill contains numerous technical amendments to accomplish this reorganization.

Patron - McDougle

[P]SB679 Elimination of certain state mandates on local entities. Eliminates several statewide mandates on local government and regional government entities. The bill does the following: (i) removes the requirement that surplus property be offered to political subdivisions or volunteer fire and rescue squads before being sold at a public sale or auction, (ii) raises the ceiling for professional service contracts that a locality may enter without competitive negotiation from \$50,000 to \$60,000, (iii) eliminates the requirement that a lease of property owned by any political subdivision, or privately owned, licensed public use airport be approved by the Department, (iv) removes the requirement for localities to obtain VDOT approval for red light camera locations, (v) removes the requirement for localities to obtain state approval for red light camera locations, (vi) clarifies that the local courts cannot require localities to construct a new or additional courthouse, (vii) Eliminates requirements for reporting Urban Development Areas to the Commission on Local Government, (viii) eliminates the requirement to provide the estimated per pupil cost for public education of individual school to each parent or guardian of the enrolled child, (ix) removes the requirement that proceeds from the sale of local education surplus property be applied to capital improvements, (x) removes the requirement for economic and financial literacy courses in middle and high school, (xi) eliminates the requirement to establish a school health board, (xii) removes annual contract requirements for community service boards, (xiii) eliminates Internet policy mandates on local libraries, (xiv) changes requirement to give first priority for vending contracts to the blind from mandatory to a local option, (xv) removes the requirement for economic and financial literacy courses in middle and high school, and (xvi) repeals the requirement for civics training for teachers in order to renew license. The bill also makes technical changes. The bill is identical to HB 1295.

Patron - Newman

Failed

[F]HB2 Dulles Metrorail Project. Prohibits use of state funds for Phase II of the Dulles Metrorail Project if the Project is subject to a project labor agreement, the policies and bylaws of the Metropolitan Washington Airports Authority do not permit public access to MWAA's meetings and records as pro-

vided in Virginia's FOIA, or the Project is not subject to audit by VDOT or the Auditor of Public Accounts.

Patron - Marshall, R.G.

[F]HB112 Submission of executive budget; zero-based budgeting. Requires, beginning in the 2014-2016 biennium, "The Executive Budget," and all "Executive Budgets" shall be prepared and formulated using zero-based budgeting principles. The bill provides that such zero-based budgets shall reflect the amount of funding deemed necessary to achieve the most cost-effective performance of each agency or department pursuant to an accompanying narrative delineating the tasks to be performed by each agency or department, together with the goals and objectives for each agency or department. Each such budget shall have a zero dollar amount as its initial basis and shall not reflect any prior appropriation amount, adjusted or otherwise.

Patron - Bell, Richard P.

[F]HB161 Department of Human Resource Management; state employees killed in line of state duties. Requires the Director of the Department of Human Resource Management to provide a state flag, upon request, to the next of kin of a state employee killed in line of state duties as a result of a criminal act, an act of terrorism, a natural disaster, or other circumstance as determined by the Governor. The bill defines the terms "next of kin," "state employee," and "state agency."

Patron - Hope

[F]HB193 Property conveyance. Authorizes the Department of General Services, with the approval of the Governor and in a form approved by the Attorney General, to convey to the County of Accomack for the nominal consideration of \$1 a parcel of land with improvements consisting of approximately 0.83 acres (Tax Map # 86A1-A-11) located in the Town of Accomac.

Patron - Lewis

[F]HB244 Department of Planning and Budget; submissions to the General Assembly. Requires the Department of Planning and Budget, in addition to providing copies of all agency budget estimates, to prepare an analysis of such estimates for the deliberative use of the Governor and the General Assembly, with such analysis to include but not be limited to (i) appropriations requested as compared to the previous year, (ii) a brief description of each agency's priorities for receiving funding, and (iii) a discussion of major changes or initiatives recommended for the ensuing fiscal year. The Department is required to submit the estimates and analysis to the Governor and, within 30 days thereof, submit the same to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance.

Patron - Cline

[F]HB245 Procurement of services by certain state agencies. Requires the Director of the Division of Purchases and Supply of the Department of General Services to require each state agency, except law-enforcement agencies, to procure nonprofessional services from the private sector if such services are listed in the Commonwealth Competition Council's commercial activities list. The bill provides that upon a written determination made in advance by a state agency that the procurement of services from a commercial source is neither practicable nor fiscally advantageous, such service may continue to be performed by the state agency. The bill also requires the Commonwealth Competition Council to update its commercial activities list annually rather than every two years. The bill contains technical amendments.

Patron - Cline

HB339 Budget development; each state agency to submit a prioritized list of its programs. Requires each state agency during budget development to submit to the Governor a numerically prioritized list of the programs performed by the state agency that have as a primary objective the delivering of certain goods or services to the citizens of the Commonwealth. Priority ordering would be determined by the extent to which the program is essential to the mission of the agency and the citizens of the Commonwealth. The Department of Planning and Budget would provide the list to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance.

Patron - Wilt

HB403 Governor's Development Opportunity Fund; criteria. Adds the requirement that at least 30 percent of the jobs created must be filled by Virginia residents to the criteria for making grants or loans from the Governor's Development Opportunity Fund.

Patron - Torian

HB444 Virginia Public Procurement Act; prompt payment for services; certain payments under state plan for medical assistance services exempted. Exempts payments to providers of medical assistance services from the prompt payment provisions of the Virginia Public Procurement Act in cases in which the Department of Medical Assistance Services (DMAS) has initiated an investigation for fraud or abuse or a review of the claim for medical necessity.

Patron - Toscano

HB449 Virginia Public Procurement Act; preferences by localities, public institutions of higher education, and regional public bodies. Allows a locality to give a procurement preference for goods, services, and construction produced in the locality or by persons, firms, or corporations having principal places of business in the locality. The bill also allows public bodies that are public institutions of higher education or regional public bodies to give such a preference to goods, services, and construction produced in the localities in which the institution or regional public body is located. Currently such preference is allowed only in the case of a tie.

Patron - Toscano

HB501 Assignments of the year-end general fund balance. Provides that 15 percent of the year-end general fund balance would be assigned for kindergarten through grade 12 public education programs other than Standards of Quality programs.

Patron - Dance

HB520 Performance review of state agencies. Requires that the Office of the State Inspector General conduct a performance review of each executive branch agency at least every four years. The effective date of the bill is July 1, 2014.

Patron - Farrell

HB529 Virginia Public Procurement Act; preference for local products and firms; applicability. Authorizes localities to apply a preference for bidders or offerors located in the locality of up to 10 percent, provided (i) for competitive sealed bidding the percentage of the discount is stated in the Invitation to Bid, (ii) for competitive negotiations the percentage of the increase is stated in the Request for Proposal, and (iii) the discount percentage or increase percentage is included in the informal solicitation for small purchase.

Patron - McQuinn

HB530 Virginia Public Procurement Act; permissive contract provisions for localities; resident employment.

Authorizes any locality to include in its contracts a provision requiring the contractor to ensure that a specified percentage, not to exceed 20 percent, of the work under the contract be performed by residents of the locality.

Patron - McQuinn

HB540 Construction projects using public funds; project labor agreements prohibited. Prohibits use of state or local funds for construction projects if the project or any phases of the project are subject to a project labor agreement.

Patron - Poindexter

HB582 Procurement of information technology and telecommunications goods and services; Virginia Information Technologies Agency. Excludes procurements of information technology and telecommunications goods and services from certain requirements under methods of procurement for public bodies.

Patron - Watson

HB611 Competitive Government Act. Requires the Governor to require any commercial activity performed by an agency or institution of the Commonwealth to be procured from the private sector, except where there is neither a reduction in cost nor other measurable benefit to the Commonwealth. The bill also requires these commercial activities to be posted on the Governor's website and published in the Virginia Register, and to provide an opportunity for public comment.

Patron - LeMunyon

HB613 Public employment; nondiscrimination. Prohibits discrimination in public employment based on race, color, religion, political affiliation, national origin, sex, age, disability, or any other reason except reasons related to qualifications, ability, or performance. The bill contains technical amendments.

Patron - LeMunyon

HB667 Political contributions; prohibitions during procurement process. Includes the mayor or chief executive officer of a locality, school superintendent, and any member of a local governing body, planning commission, or school board in the current prohibition against knowingly soliciting or accepting a contribution, gift, or other item with a value greater than \$50 from any bidder, offeror, or private entity who has submitted a bid or proposal pursuant to the Virginia Public Procurement Act, the Public-Private Transportation Act, or the Public-Private Education Facilities and Infrastructure Act during the bidding period. The restrictions only apply if the stated or expected value of the contract is \$5 million or more and do not apply to contracts awarded as the result of competitive sealed bidding. Furthermore, no bidder, offeror, or private entity who has submitted a bid or proposal under such acts shall offer or promise to make such a gift to the mayor or chief executive officer of a locality, school superintendent, or any member of a local governing body, planning commission, or school board. Any violation shall be subject to a civil penalty of \$500 or up to two times the amount of the contribution or gift, whichever is greater.

Patron - Surovell

HB692 Public employment; nondiscrimination. Prohibits discrimination in public employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, political affiliation, age, marital status, disability, sexual orientation, or status as a veteran. The bill contains technical amendments.

Patron - Plum

HB694 Virginia Human Rights Act; policy of the Commonwealth. Adds sexual orientation and gender identity to the safeguards for all individuals in the Commonwealth from unlawful discrimination. The bill defines sexual orientation and gender identity.

Patron - Plum

HB788 Department of General Services; Green Public Buildings Act. Requires public bodies entering the design phase for construction of a new building greater than 7,500 gross square feet in size, or renovating such a building where the cost of renovation exceeds 75 percent of the value of the building, to build to either the LEED Silver or Green Globes two globe standard. Exemptions from the requirement may be granted by the Director of the Department of General Services for state construction projects or by the governing body of a locality or school board for local projects. The bill provides for a delayed effective date for localities of July 1, 2013. This bill was incorporated into HB 1167.

Patron - Lopez

HB877 Assignment of general fund balance remaining at year end. Changes current law for the assignment of any year-end general fund surplus. The surplus would first be used for any Revenue Stabilization Fund deposit. Next, 30 percent of the remaining amount of the surplus would be set aside as additional contributions (i) for defined benefit retirement plans maintained by the Virginia Retirement System if the ratio of the actuarial assets to actuarial liabilities of any such plan is less than 0.80 and (ii) to the retirement plans of certain employees of public institutions of higher education who elected to be covered for retirement purposes under an optional defined contribution retirement plan in lieu of the Virginia Retirement System defined benefit retirement plan, if certain minimum contributions have not been made to such optional retirement plans. Any general fund balance remaining would then be set aside as provided under current law.

Patron - Sickles

HB977 Virginia Human Rights Act; prohibited discrimination; sexual orientation. Prohibits discrimination in employment based on sexual orientation. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" shall not include any person's attraction towards persons with whom sexual conduct would be illegal due to the age of the parties. The bill also codifies existing prohibited discrimination in employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran. The bill contains technical amendments.

Patron - Scott, J.M.

HB1003 Human Rights Council; causes of action for discrimination. Provides that no employer employing more than five but less than 20 persons shall discharge any such employee on the basis of age if the employee is 40 years of age or older. Currently, the protection against age discrimination applies to an employer employing more than five but less than 15 persons. Federal law applies to workplaces with 20 or more employees.

Patron - Ramadan

HB1014 State employee associations; payroll deductions. Prohibits the Department of Accounts and other state agencies and institutions from establishing, supporting, or administering payroll deductions regarding a state employee's

membership fees, dues, or similar payments for or to any state employee association.

Patron - Comstock

HB1015 Virginia Public Procurement Act; bid match preference for Virginia businesses. Provides, for contracts not expected to exceed \$5 million, a bid match preference for Virginia business. Under the bill, a Virginia business has an opportunity to match the lowest bid of an out-of-state bidder if the bid of a Virginia business is within five percent or \$10,000, whichever is less, of the lowest bid of an out-of-state bidder. The bill also provides that to be deemed a resident of Virginia, a Virginia person, firm, or corporation must have paid unemployment taxes or income taxes in Virginia in addition to being organized pursuant to Virginia law or maintaining a principal place of business within Virginia. The bill has a three-year sunset provision.

Patron - Comstock

HB1018 Establishes the U.S. Route 58 Corridor Completion Fund. Dedicates \$50 million annually from the general fund to the U.S. Route 58 Trust Fund beginning July 1, 2013, until such time as Route 58 is completed to its intersection with Interstate 77 in Carroll County.

Patron - Poindexter

HB1024 Governor's Development Opportunity Fund; use of Fund. Specifies that at least 50 percent of the grants or loans to political subdivisions of the Commonwealth shall be used for economic development projects that involve the creation of at least 1,000 new jobs per project.

Patron - Englin

HB1045 Uniform Statewide Building Code. Requires the Board of Housing and Community Development to revise the Uniform Statewide Building Code to require a two-year time limit on the duration of a building permit issued for the completion of new construction of detached single-family dwellings, additions to detached single-family dwellings, or residential accessory structures. Under the current Building Code, the time limit is three years for such dwellings and structures.

Patron - Keam

HB1067 Virginia Public Procurement Act; alternative dispute resolution. Provides that contractual claims submitted under § 2.2-4363, related to a construction contract entered into by or on behalf of the Virginia Community College System for which the System has not made a final decision in the time specified in the contract or in § 2.2-4363, shall be submitted for arbitration, mediation, or other nonbinding alternative dispute resolution procedures. The bill provides that nothing shall be construed to limit the contractor's right to institute immediate legal action pursuant to § 2.2-4364, provided that if a contractual claim is subject to an alternative dispute resolution process, then no legal action shall be filed until at least 60 days after the matter has been submitted to such nonbinding alternative dispute resolution procedures. The bill provides that it applies only to contracts entered into on or after July 1, 2012.

Patron - Hugo

HB1099 Employment discrimination; liability. Expands the circumstances creating an individual cause of action regarding employment discrimination by employers with more than five but fewer than 15 employees. Currently, discharging an employee on the basis of race, national origin, sex, and other status is actionable; the measure adds that the failure or refusal to hire or other discrimination against an individual on such a basis is actionable, and prohibits discrimina-

tion based on sexual orientation. Currently, discrimination against employees 40 years old or older is actionable if the employer has fewer than 15 employees; this measure increases the maximum to 20 employees. The measure adds that demonstrated compliance by an employer with any federal law or regulation is an affirmative defense to any claim. Remedies for cases involving violations other than those involving discharging employees are expanded to include injunctions and other equitable relief.

Patron - Herring

[F]HB1100 Virginia Housing Trust Fund Authority. Creates the Virginia Housing Trust Fund Authority to administer the Virginia Housing Trust Fund also created by the bill to assist in increasing the capacity of community housing organizations and encourage private sector businesses and individuals to contribute capital to community-based housing organizations and assist them in providing safe, decent, and affordable housing to Virginia citizens. The bill sets the powers and duties of the Authority and its Board of Directors, and the lawful purposes for which the Fund may be used.

Patron - Herring

[F]HB1105 Virginia Freedom of Information Act; electronic communication meetings. Revises the rules for which meetings of state public bodies may be conducted by audio or video means. The bill provides that (i) at least one member of the public body must be physically assembled at the principal meeting location, (ii) the quorum of the public body is determined by members participating in person or by electronic means in the meeting, (iii) a member of the public shall pay for the documented marginal cost that a public body may incur in expanding public participation to the meeting, and (iv) the number of meetings a public body may conduct through electronic communications means is limited to 50 percent of its regular meetings in any calendar year. The bill contains technical amendments.

Patron - Greason

[F]HB1124 Capital outlay plan. Updates the six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources.

Patron - Putney

[F]HB1145 Virginia Public Procurement Act; preference for local businesses. Allows a locality to give a procurement preference to persons, firms, or corporations having principal places of business in the locality if such bidder's bid is within five percent of the lowest bid. The bill provides that prior to awarding a contract under the preference, the locality must certify in writing that (i) exercising the preference provides goods, services, and construction comparable in quality to that of other non-local bids and (ii) using a local business provides beneficial economic effects in the community through creating and sustaining local jobs and by generating local tax revenues.

Patron - Sherwood

[F]HB1149 Freedom of Information Act; electronic communication meetings by local and regional public bodies. Expands the authority for the conduct of electronic communication meetings to all public bodies. Currently, local public bodies are prohibited from conducting public meetings in this manner, except when the Governor declares a state of emergency. The bill contains technical amendments.

Patron - Dudenhefer

[F]HB1175 Public employment; nondiscrimination. Prohibits discrimination in public employment in violation of the Equal Protection Clause of the United States Constitution,

Article 1, Section 11 of the Constitution of Virginia, or the Virginia Human Rights Act (§ 2.2-3900 et seq.). The bill contains technical amendments.

Patron - Englin

[F]HB1193 Public procurement; posting by local public bodies of procurement opportunities. Requires local public bodies to post required procurement notices on the Department of General Services' central electronic procurement website and makes newspaper publication optional. Currently, only state public bodies are required to post procurement notices on the Department of General Services' central electronic procurement website.

Patron - Villanueva

[F]HB1228 Compensation and fringe benefits; state employees and members of the General Assembly. Requires that any modification of the compensation or fringe benefits of state employees apply equally to the compensation and fringe benefits of members of the General Assembly.

Patron - Orrock

[F]HB1232 Virginia Public Procurement Act; resident employment and apprenticeship participation; required contract provisions. Requires all public bodies to include in every contract of more than \$100,000 that involves the performance of work within the Commonwealth provisions requiring the contractor to agree (i) that 51 percent of all positions created in performance of the contract be filled by Virginia residents, (ii) that 35 percent of the total hours worked by apprentices in positions created in performance of the contract be performed by Virginia residents, and (iii) to use the Virginia Employment Commission as the first source of referral for obtaining qualified applicants for any new position. Under the bill, "new position" shall not include a position that is filled by a current employee of the contractor or an individual who was previously laid off by the contractor.

Patron - Morrissey

[F]HB1235 Virginia Public Procurement Act; contract pricing arrangements. Provides that the award of a public contract may be made on the basis of cost plus a percentage of the private investment made by a private entity in cases of the procurement of commercial or financial consulting services related to a qualifying transportation facility under the Public-Private Transportation Act or a qualifying project under the Public-Private Education Facilities and Infrastructure Act, where the commercial or financial consulting services are sought to solicit or to solicit and evaluate proposals for the qualifying transportation facility or the qualifying project. The bill defines "private entity," "qualifying transportation facility," and "qualifying project."

Patron - Massie

[F]HB1292 Virginia Statewide Fire Prevention Code; grandfathering certain kitchens. Requires the Board of Housing and Community Development to adopt regulations to amend the Virginia Statewide Fire Prevention Code for the purpose of allowing certain kitchens located in religious institutions. The bill provides that any kitchen located in a religious institution shall be deemed to comply with the Virginia Statewide Fire Prevention Code so long as it complies with the regulations that were in effect at the time of construction. Any such kitchen that undergoes significant renovation shall comply with the regulations in effect at the time of the renovation.

Patron - Spruill

SB3 Dulles Metrorail Project. Prohibits the use of state funds for Phase II of the Dulles Metrorail Project if the Project is subject to a mandatory project labor agreement.

Patron - Black

SB43 Washington-Lincoln Day in the Commonwealth. Establishes the third Monday in February as Washington-Lincoln Day. Currently the legal holiday is designated George Washington Day. This bill is a recommendation of the Dr. Martin Luther King, Jr. Memorial Commission.

Patron - Marsh

SB79 Virginia Public Procurement Act; bid match preference for Virginia businesses. Provides a bid match preference for Virginia business. Under the bill, a Virginia business has an opportunity to match the lowest bid of an out-of-state bidder if the bid of a Virginia business is within five percent or \$10,000 of the lowest bid of an out-of-state bidder, whichever is less. The bill also provides that to be deemed a resident of Virginia, a Virginia person, firm, or corporation must have paid unemployment taxes or income taxes in Virginia in addition to being organized pursuant to Virginia law or maintaining a principal place of business within Virginia.

Patron - Watkins

SB107 Freedom of Information Act; criminal investigative records. Amends the definition of "criminal investigative file" so that the exemption applies to records relating to active or ongoing investigations or prosecutions.

Patron - Edwards

SB117 Biennial appropriation act. Provides that the Commonwealth's biennial appropriations shall start on July 1 of odd-numbered years beginning with the biennial appropriation act for the period July 1, 2015, through June 30, 2017. The bill would require that the fiscal year beginning July 1, 2014, would not be a part of any biennial appropriation act (i.e., it would be a single-year transitional budget).

Patron - McDougle

SB236 Virginia Public Procurement Act; multiple project contracts for architectural or professional engineering services relating to construction. Raises, for certain local public bodies, the maximum cost of all projects in one contract term of a multiple project contract from \$500,000 to \$1.5 million, and raises the maximum cost for any single project from \$100,000 to \$500,000 for airports and aviation transportation projects. For a locality or authority or sanitation district with a population in excess of 80,000, the bill raises the maximum cost from \$1 million to \$2 million.

Patron - Colgan

SB250 Department of Minority Business Enterprise; small, women-owned, and minority-owned businesses; enhancement or remedial measures. Authorizes the Department of Minority Business Enterprise to investigate complaints alleging that a business certified as a small, women-owned, or minority-owned business does not meet the minimum certification standards. Under the bill, if the Director determines that a business has violated the requirements of certification the business's certification as a small, women-owned, or minority-owned business shall be revoked for a period of one year. In addition, the bill provides for the Department to monitor any additional costs incurred on construction projects as a result of any remediation or enhancement measure established for such projects. The bill also makes technical amendments.

Patron - Obenshain

SB260 Virginia Public Procurement Act; use of best value procurement by certain localities. Authorizes the governing body of a locality with a population in excess of 100,000 to procure construction on a best value procurement basis. Under the bill, if proceeding on a best value procurement basis, the Request for Proposal must contain a notice to potential offerors that the procurement decision will be made on a best value procurement basis and describe the (i) criteria that will be considered in evaluating the proposals, and (ii) the rating or weighting system that will be used in evaluating the proposals, including a disclosure that price will be weighted at least 51 percent as a factor.

Patron - Ebbin

SB263 Public employment; nondiscrimination. Prohibits discrimination in public employment based on sexual orientation. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" shall not include any person's attraction towards persons with whom sexual conduct would be illegal due to the age of the parties. The bill contains technical amendments. The bill also codifies existing prohibitions against discrimination in public employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran. The bill contains technical amendments.

Patron - Ebbin

SB449 Board of Housing and Community Development; guidelines for anchoring movable soccer goals. Provides for the Board of Housing and Community Development to develop guidelines for anchoring movable soccer goals located in public recreational areas. The bill defines "public recreational area" as a publicly or privately owned area used by members of the public for recreational activities.

Patron - Vogel

SB474 Freedom of Information Act; exemption for cell phone numbers for EMS personnel and firefighters. Provides an exemption from the mandatory disclosure provisions of the Freedom of Information Act for records of a fire/EMS company or fire/EMS department, to the extent that they disclose the telephone numbers for cellular telephones, pagers, or comparable portable communication devices provided to its personnel for use in the performance of their official duties. This bill was incorporated into SB 193.

Patron - Locke

SB525 Virginia Public Procurement Act; preference for local products and firms; applicability. Authorizes localities to apply a preference for bidders or offerors located in the locality of up to 10 percent, provided (i) for competitive sealed bidding the percentage of the discount is stated in the Invitation to Bid, (ii) for competitive negotiations the percentage of the increase is stated in the Request for Proposal, and (iii) the discount percentage or increase percentage is included in the informal solicitation for small purchase.

Patron - Marsh

SB526 Virginia Public Procurement Act; permissive contract provisions for localities; resident employment. Authorizes any locality to include in its contracts a provision requiring the contractor to ensure that a specified percentage, not to exceed 20 percent, of the work under the contract be performed by residents of the locality.

Patron - Marsh

[F]SB535 Capital outlay plan. Updates the six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources.

Patron - Colgan

[F]SB549 Machinery and Tools Investment Grant Program. Creates a grant program that would allow a person to apply for a grant for machinery and tools in service less than two years equal to the amount of local machinery and tools taxes paid. The amount of the grant would be capped at the amount of taxes that would be paid under that rate of tax imposed on June 30, 2012. The grant program would be administered by the Department of Accounts.

Patron - Wagner

[F]SB572 Virginia Public Procurement Act; preference for local businesses. Allows a locality to give a procurement preference to persons, firms, or corporations having principal places of business in the locality if such bidder's bid is within five percent of the lowest bid. The bill provides that prior to awarding a contract under the preference, the locality must certify in writing that (i) exercising the preference provides goods, services, and construction comparable in quality to that of other non-local bids and (ii) using a local business provides beneficial economic effects in the community through creating and sustaining local jobs and by generating local tax revenues.

Patron - Vogel

[F]SB579 Research and technology funding; Commonwealth Innovation Investment Fund. Creates the Commonwealth Innovation Investment Fund. The Fund will be administered by the Innovation and Entrepreneurship Investment Authority to create, attract, retain, expand, and enhance technology research, innovation, and economic development in the Commonwealth. Beginning in 2014, the Fund will receive a portion of the income taxes withheld by science and innovation companies that employ persons in the Commonwealth. The percentage of the withheld taxes allocated to the Fund will be based on a percentage of the difference between the current year's withheld taxes and the amount withheld in 2011, the baseline year.

Patron - Herring

[F]SB589 Virginia Public Procurement Act; resident employment and apprenticeship participation; required contract provisions. Requires all public bodies to include in every contract of more than \$100,000 that involves the performance of work within the Commonwealth provisions requiring the contractor to agree (i) that 51 percent of all positions created in performance of the contract be filled by Virginia residents, (ii) that 35 percent of the total hours worked by apprentices in positions created in performance of the contract be performed by Virginia residents, and (iii) to use the Virginia Employment Commission as the first source of referral for obtaining qualified applicants for any new position. Under the bill, "new position" shall not include a position that is filled by a current employee of the contractor or an individual who was previously laid off by the contractor.

Patron - Deeds

Carried Over

[C]HB334 Virginia Public Procurement Act; bid match preference for Virginia businesses. Provides a bid match preference for Virginia business in procurements up to \$100,000. Under the bill, a Virginia business has an opportunity to match the lowest bid of an out-of-state bidder if the bid

of a Virginia business is within five percent or \$10,000 of the lowest bid of an out of state bidder, whichever is less.

Patron - Villanueva

[C]HB593 Economic development; Virginia Economic Development Partnership Authority; required provisions in economic development agreements. Requires the Virginia Economic Development Partnership Authority and any locality to include in an economic development agreement a provision requiring the business beneficiary to give Virginia persons, firms, or corporations the opportunity to participate in the procurement of any goods, services, or construction that is or will be solicited by the business entity. Any such procurement shall be based on competitive principles and shall in each instance seek competition to the maximum practical degree.

Patron - Merricks

[C]HB781 Department of Minority Business Enterprises; definition of small business. Changes the definition of "small business" to be a business located in Virginia that meets the definition of a small business concern as defined in the federal Small Business Act (15 U.S.C. § 631 et seq.).

Patron - Lopez

[C]HB814 Virginia Public Health Foundation; established. Creates the Virginia Public Health Foundation in order to (i) support the development and implementation of innovative activities and creative solutions for the prevention of disease and the promotion of public health, with a particular focus on emergency preparedness and response, as well as environmental health issues including provision of safe drinking water and sanitary on-site sewage disposal; (ii) secure and distribute resources in support of core public health functions and essential services; and (iii) support the mission and goals of the Department of Health.

Patron - Orrock

[C]HB819 Virginia College Savings Plan; acceptance of commemorative coins minted by the State Treasurer.

Requires the Plan to accept as payment under prepaid tuition contracts and savings trust accounts gold, platinum, or silver coins minted by the State Treasurer for commemorative use. Under the bill, any gain on the sale of the coins would be deductible for Virginia income tax purposes.

Patron - Marshall, R.G.

[C]HB1044 Department of Minority Business Enterprises; definition of small business. Changes the definition of "small business" to be a business that meets the definition of a small business concern as defined in the federal Small Business Act (15 U.S.C. § 631 et seq.).

Patron - Kean

[C]HB1172 Human Rights Council; authority to act.

Provides that a majority of a quorum of the Human Rights Council is required to exercise its powers and duties.

Patron - Watts

[C]HB1234 Virginia Economic Development Partnership Authority; appointment of executive director. Provides that the Governor and not the Authority board of directors shall appoint the executive director of the Authority. The bill further provides that the executive director shall serve at the pleasure of the Governor.

Patron - Kilgore

[C]SB129 State mandates on localities. Directs the Governor to temporarily suspend certain unfunded state mandates on localities pending a review of such mandates.

Patron - Stanley

☐SB194 Memorialization of fallen Virginians at the Virginia War Memorial. Codifies the criteria for inclusion of Virginians who died while serving in the armed forces on the Shrine of Memory at the Virginia War Memorial, as was required by legislation adopted in 2009.

Patron - Miller; J.C.

☐SB211 Assignment of general fund balance remaining at year end. Changes current law for the assignment of any year-end general fund surplus. The surplus would first be used for any Revenue Stabilization Fund deposit. Next, 30 percent of the remaining amount of the surplus would be set aside as additional contributions (i) for defined benefit retirement plans maintained by the Virginia Retirement System if the ratio of the actuarial assets to actuarial liabilities of any such plan is less than 0.80 and (ii) to the retirement plans of certain employees of public institutions of higher education who elected to be covered for retirement purposes under an optional defined contribution retirement plan in lieu of the Virginia Retirement System defined benefit retirement plan, if certain minimum contributions have not been made to such optional retirement plans. Any general fund balance remaining would then be set aside as provided under current law.

Patron - Barker

☐SB220 Assignment of year-end surplus. Changes the priority for assigning any year-end surplus by requiring that of any general fund balance remaining after funds are set aside for required deposits to the Revenue Stabilization Fund, 50 percent would be assigned for deposit into the Transportation Trust Fund. If any surplus remains after such assignments, the remainder would be assigned to the Virginia Water Quality Improvement Fund and other commitments, including commitments to certain public institutions of higher education.

Under current law, any year-end surplus is first assigned for deposit to the Revenue Stabilization Fund, the Virginia Water Quality Improvement Fund, and other commitments, including commitments to certain public institutions of higher education. If any surplus remains after such assignments, the remainder is assigned two-thirds for deposit into the Transportation Trust Fund and one-third for funding nonrecurring expenditures.

Patron - Black

☐SB258 Department of Minority Business Enterprises; definition of small business. Changes the definition of "small business" to be a business located in Virginia that meets the definition of a small business concern as defined in the federal Small Business Act (15 U.S.C. § 631 et seq.).

Patron - Ebbin

☐SB324 Limitation on administrative actions relating to Firearms Act. Establishes legislative preemption of any administrative action taken by an administrative body that has the direct or indirect effect of governing the purchase, possession, transfer, ownership, carrying, storage, or transporting of firearms, ammunition, or components or combination thereof, unless the administrative body has express statutory authority. Under the bill, any administrative action taken prior to July 1, 2012, having a direct or indirect effect of governing the purchase, possession, transfer, ownership, carrying, or transporting of firearms, ammunition, or components or combination thereof, other than those expressly authorized by statute, is invalid. The bill also requires administrative bodies to take appropriate action to bring any contrary administrative action into compliance.

Patron - Carrico

☐SB377 Construction projects using public funds; iron, steel, and manufactured goods must be produced in

the United States. Prohibits use of state funds for construction projects, including any construction, alteration, maintenance, or repair of a public building or public works project, unless all of the iron, steel, and manufactured goods, including equipment, used in the project are produced in the United States. Under the bill an exception to the requirement is provided if the administrative head of the contracting state agency determines in writing that (i) iron, steel, and relevant manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality or (ii) inclusion of iron, steel, and manufactured goods produced in the United States will increase the costs of the overall project by more than 25 percent.

Patron - McEachin

☐SB601 Public procurement; products manufactured in the United States. Requires public contracts for the construction, reconstruction, alteration, repair, improvement, or maintenance of a public building or public works to contain a provision that the iron, steel, and manufactured goods used or supplied in the performance of the public contract or any subcontract are manufactured in the United States. This requirement does not apply if the requirement is inconsistent with the public interest, the products are not manufactured within the United States in sufficient and reasonably available quantities or with satisfactory quality, or using the products will increase the cost of the public contract by 25 percent or more. A person intentionally mislabeling or misrepresenting the origin of products will be ineligible to receive any other public contracts.

Patron - Saslaw

☐SB621 Department of General Services; energy efficiency data for state-owned buildings. Provides for the Department of General Services to establish a program requiring an energy analysis of each state-owned building containing more than 50,000 square feet of usable space to identify opportunities for reduced energy use. By December 31, 2012, such buildings are required to obtain an energy efficiency score utilizing the Energy Star assessment and ratings program. The Energy Star score will be published on the Department's website and updated annually.

Patron - Petersen

☐SB651 Virginia Public Procurement Act; women-owned and minority-owned businesses; remedial measures. Provides that the Governor shall require state agencies to implement appropriate enhancement or remedial measures consistent with prevailing law when a persuasive analysis exists that documents statistically significant disparity between the availability and utilization of women-owned and minority-owned businesses.

Patron - McEachin

☐SB677 Performance review of state agencies. Requires that the Office of the State Inspector General conduct a performance review of each executive branch agency at least every four years. The effective date of the bill is July 1, 2014.

Patron - Garrett

Agriculture, Animal Care, and Food

Passed

HB300 Beehive tax credit. Creates a tax credit for new beehives of \$200 per hive for registered beekeepers who have the hives inspected by the Department of Agriculture and Consumer Services. The bill limits the credit to \$2,400 per taxpayer per calendar year. No more than an aggregate of \$100,000 in tax credits could be issued by the Department of Taxation in any calendar year.

Patron - Scott, E.T.

HB301 Cool-season lawn and turf seed. Permits the sale of cool-season lawn and turf seed up to 15 months after the completion of the required germination test. Current law limits the sale of seed in general to the period within nine months of the completion of the test.

Patron - Scott, E.T.

HB537 Dangerous dog registry. Changes the procedure by which dangerous dogs are registered in Virginia. The bill requires an animal control officer, instead of the State Veterinarian, to post dangerous dog registration information on the registry website. It removes the requirement that an animal control officer provide a copy of the registration certificate and verification of compliance of the owner with the registration procedures to the State Veterinarian. The owner of an animal found to be a dangerous dog has to obtain a registration certificate from the local animal control officer or treasurer within 45 days. The current law requires the owner to obtain a certificate within 10 days. The fee for the certificate is increased from \$50 to \$150 and the \$100 registration fee due to the State Veterinarian is eliminated. By January 31 of each year, the certificate has to be updated and renewed by the owner at a fee of \$85. A portion of the fees collected goes to the State Veterinarian to maintain the registry. This bill is identical to SB 305.

Patron - Orrock

HB766 Development Fund. Creates the Governor's Agriculture and Forestry Industries Development Fund. The bill establishes an economic development grant and loan program targeted specifically at agricultural and forestry operations. Grants and loans will be awarded to support localities' efforts to attract value-added or processing facilities using Virginia-grown products. Under the program, localities will apply for grants or loans after having established a relationship with a new or expanding business. This bill is identical to SB 128.

Patron - Landes

HB1182 Tobacco Indemnification and Community Revitalization Fund; uses. Allows the Tobacco Indemnification and Community Revitalization Fund to provide grants for scientific research performed at one of the Commonwealth's National Cancer Institute-designated research institutes designed to advance the treatment and prevention of cancers that directly impact the citizens of tobacco-dependent communities throughout the southside and southwest regions of the Commonwealth.

Patron - Cox, M.K.

HB1210 Slowly available nitrogen. Requires that beginning July 1, 2014, lawn maintenance fertilizer list on its directions for use its nitrogen application rates. If such fertilizer does not list on its directions for use nitrogen application

rates that are consistent with rates recommended in the Virginia Nutrient Management Standards and Criteria, it cannot be registered, sold, distributed, or used in Virginia. The bill also requires the Department of Conservation and Recreation to adopt fast-track regulations to incorporate the application rates recommended by the Virginia Department of Agriculture and Consumer Services.

Patron - Lingamfelter

SB128 Development Fund. Creates the Governor's Agriculture and Forestry Industries Development Fund. The bill establishes an economic development grant and loan program targeted specifically at agricultural and forestry operations. Grants and loans will be awarded to support localities' efforts to attract value-added or processing facilities using Virginia-grown products. Under the program, localities will apply for grants or loans after having established a relationship with a new or expanding business. This bill is identical to HB 766.

Patron - Stanley

SB305 Dangerous dog registry. Changes the procedure by which dangerous dogs are registered in Virginia. The bill requires an animal control officer, instead of the State Veterinarian, to post dangerous dog registration information on the registry website. It removes the requirement that an animal control officer provide a copy of the registration certificate and verification of compliance of the owner with the registration procedures to the State Veterinarian. The owner of an animal found to be a dangerous dog has to obtain a registration certificate from the local animal control officer or treasurer within 45 days. The current law requires the owner to obtain a certificate within 10 days. The fee for the certificate is increased from \$50 to \$150 and the \$100 registration fee due to the State Veterinarian is eliminated. By January 31 of each year, the certificate has to be updated and renewed by the owner at a fee of \$85. A portion of the fees collected goes to the State Veterinarian to maintain the registry. This bill is identical to HB 537.

Patron - Blevins

SB354 Beehive Grant Program. Creates the Beehive Grant Fund and Beehive Grant Program for new beehives. The grant is \$200 to registered beekeepers for each new hive purchased or materials or supplies purchased to construct a new hive. The bill limits the grant to \$2,400 per individual per calendar year. Grants would be paid from such funds as are appropriated for the purpose. This bill is identical to HB 300.

Patron - Deeds

Failed

HB46 Food inspections in private homes. Exempts private homes from food safety inspections when the resident processes and prepares pickles, relishes, and salsas for sale to individuals at the home or at farmers markets and labeled "NOT FOR RESALE - PROCESSED AND PREPARED WITHOUT STATE INSPECTION." Private homes where candies, jams, jellies, and baked goods are prepared and distributed accordingly are already exempt from inspection.

Patron - Habeeb

HB495 Tobacco Indemnification and Community Revitalization Commission. Adds the City of Petersburg as a member of the Commission.

Patron - Dance

HB650 Companion animals; euthanasia. Requires a city or county pound to maintain a registry of organizations willing to accept healthy, nonvicious animals scheduled to be

euthanized and prohibits the pound from euthanizing such animals until it has given 24 hours' notice to all of the organizations in its registry. The bill also requires a pound to make available annual statistics on impounded animals.

Patron - Kory

[F]HB888 Tethering of companion animals. Allows any locality to regulate by ordinance the tethering of companion animals.

Patron - Alexander

[F]HB998 Inspection of farm stores. Exempts stores that are owned and operated by a farmer, that are located on the farmer's land, and that sell agricultural products from being inspected by the Virginia Department of Agriculture and Consumer Services. Such stores are limited to selling farm products that are produced on the owner of the store's property and farm products grown on neighboring farms.

Patron - Ransone

[F]SB221 Cottage food production operation; sales directly to consumers only. Defines the cottage food production operation and establishes requirements for food types, labeling, sales methods, and other elements. The bill allows cottage food producers to sell products out of their houses or at farmers' markets and prohibits local health departments from regulating cottage food production operations.

Patron - Black

[F]SB359 Trap, Neuter, and Return Programs. Permits a pound, animal shelter, or humane society to operate a program of trapping, vaccinating, and sterilizing feral cats before returning them to the sites where they were trapped. The bill excludes a person who participates in such a program from the definition of "owner" regarding custody of the subject cats. Current law makes an owner's abandonment of an animal a misdemeanor.

Patron - Deeds

[F]SB606 Requirement that genetically-engineered food be labeled; penalty. Defines genetically-engineered food and deems such food to be misbranded unless it is labeled as genetically engineered. Existing law makes the sale of misbranded food a Class 1 misdemeanor. The bill contains technical amendments.

Patron - Vogel

Carried Over

[C]HB396 Invasive plants. Instructs the Board of Agriculture and Consumer Services to adopt regulations for the control of invasive plants. The bill classifies invasive plants as belonging to one of two tiers, depending upon whether the plant is widely disseminated in Virginia. Any activity involving a tier 1 invasive plant would be prohibited without written approval, while the provision of tier 2 invasive plants to consumers by nurseries and landscaping services would be permitted if the provider were to clearly identify the plants as tier 2 invasive plants.

Patron - Hope

[C]SB610 Regulation of care and handling of agricultural animals. Provides that the Department of Agriculture and Consumer Services occupies the entire field of regulation of the care and handling of agricultural animals and that no locality or humane society shall do so. The bill also defines several terms relating to agricultural animals.

Patron - Black

Alcoholic Beverage Control Act

Passed

[P]HB359 Alcoholic beverage control; regulations; leasing of licensed premises by breweries. Requires the ABC Board to adopt regulations prescribing the terms and conditions under which a licensed brewery may manufacture beer pursuant to an agreement with a brand owner not under common control with the manufacturing brewery and sell and deliver the beer to the brand owner. The bill requires certain provisions to be included in the regulations.

Patron - McClellan

[P]HB466 Alcoholic beverage control; outdoor advertising. Provides that all lawfully erected outdoor alcoholic beverage signs shall comply with the provisions of outdoor advertising in sight of highways, laws and regulations adopted by the Commonwealth Transportation Board pursuant thereto, and the Integrated Directional Sign Program administered by the Virginia Department of Transportation or its agents. This bill is identical to SB 408.

Patron - Albo

[P]HB471 Alcoholic beverage control; outdoor advertising; penalty. Requires all outdoor advertising of alcoholic beverages to be in compliance with ABC law, ABC Board regulations, and VDOT law and regulations concerning outdoor advertising. The bill also sets the general rule that no outdoor alcoholic beverage advertising shall be placed within 500 linear feet on the same side of the road, and parallel to such road, measured from the nearest edge of the sign face upon which the advertisement is placed to the nearest edge of a building or structure located on the real property of (i) a church, synagogue, mosque or other place of religious worship; (ii) a public, private, or parochial school, college, or university; (iii) a public or private playground or similar recreational facility; or (iv) a dwelling used for residential use. The bill provides that the provisions of ABC law relating to outdoor advertising of alcoholic beverages shall not apply to any sign that is included in the Integrated Directional Sign Program administered by the Virginia Department of Transportation or its agents. The bill sets out the penalties for violation. The bill contains technical amendments. The bill contains an emergency clause. The bill is identical to SB 398.

Patron - Albo

[P]HB555 Alcoholic beverage control; mixed beverage license for certain motor sports facilities. Creates an annual mixed beverage motor sports facility license for persons operating concessions at an outdoor motor sports facility that hosts a NASCAR national touring race. The bill sets out the privileges of the license and the state and local license taxes. This bill is identical to SB 521.

Patron - Albo

[P]HB896 Alcoholic beverage control; operation of government stores. Removes the current limitations on the operation of government stores on Sunday and authorizes the ABC Board to determine which such stores shall be open on Sunday after 1 p.m.

Patron - Albo

[P]HB1091 Alcoholic beverage control; unlawful possession. Clarifies that ABC underage buyers acting for law

enforcement may purchase alcohol in the performance of their duties. This bill is identical to SB 406.

Patron - O'Bannon

[P]SB353 Alcoholic beverage control; agents of Alcoholic Beverage Control Board. Authorizes the appointment of a distillery licensee that is employing traditional distilling techniques, including the use of authentic copper pot stills to blend or produce spirits in any county with a population of less than 20,000 (Virginia Distillery Company in Nelson County) as an agent of the ABC Board.

Patron - Deeds

[P]SB398 Alcoholic beverage control; outdoor advertising; penalty. Requires all outdoor advertising of alcoholic beverages to be in compliance with ABC law, ABC Board regulations, and VDOT law and regulations concerning outdoor advertising. The bill also sets the general rule that no outdoor alcoholic beverage advertising shall be placed within 500 linear feet on the same side of the road, and parallel to such road, measured from the nearest edge of the sign face upon which the advertisement is placed to the nearest edge of a building or structure located on the real property of (i) a church, synagogue, mosque, or other place of religious worship; (ii) a public, private, or parochial school, college, or university; (iii) a public or private playground or similar recreational facility; or (iv) a dwelling used for residential use. The bill provides that the provisions of ABC law relating to outdoor advertising of alcoholic beverages shall not apply to any sign that is included in the Integrated Directional Sign Program administered by the Virginia Department of Transportation or its agents. The bill sets out the penalties for violation. The bill contains technical amendments. The bill contains an emergency clause. The bill is identical to HB 471.

Patron - Hanger

[P]SB406 Alcoholic beverage control; unlawful possession. Clarifies that ABC underage buyers acting for law enforcement may purchase alcohol in the performance of their duties. This bill is identical to HB 1091.

Patron - Hanger

[P]SB408 Alcoholic beverage control; outdoor advertising. Provides that all outdoor alcoholic beverage signs shall comply with the provisions of outdoor advertising in sight of highways, laws and regulations adopted by the Commonwealth Transportation Board pursuant thereto, and the Integrated Directional Sign Program administered by the Virginia Department of Transportation or its agents. This bill is identical to HB 466.

Patron - Hanger

[P]SB515 Alcoholic beverage control; managers of licensed retail establishments. Provides that the Virginia Alcoholic Beverage Control Board may suspend or revoke any license granted if the licensee has been convicted for a violation of 8 U.S.C. § 1324a(f) (hiring or continuing to employ unauthorized aliens) for actions of its managers or otherwise constituting a pattern or practice of employing unauthorized aliens on the licensed premises.

Patron - Wagner

[P]SB521 Alcoholic beverage control; mixed beverage license for certain motor sports facilities. Creates an annual mixed beverage motor sports facility license for persons operating concessions at an outdoor motor sports facility that hosts a NASCAR national touring race. The bill sets out the privileges of the license and the state and local license taxes. This bill is identical to HB 555.

Patron - Wagner

[P]SB604 Alcoholic beverage control; privileges of brewery licensees. Allows a brewery licensee to sell at retail the brands of beer that the brewery owns at premises described in the brewery license for on-premises consumption and in closed containers for off-premises consumption. The bill also allows these licensees to offer samples of the brewery's products to individuals visiting the licensed premises, provided that such samples shall be provided only to individuals for consumption on the licensed premises and only to individuals to whom such products may be lawfully sold.

Patron - McWaters

Failed

[F]HB470 Alcoholic beverage control; advertising "Happy Hour." Requires the ABC Board to adopt regulations to allow a retail on-premises licensee to post on a website or social media site maintained or administered by the licensee or his agent information about the time periods during which alcoholic beverages are being sold at reduced prices and to include in connection therewith the terms "Happy Hour" or "Drink Specials," provided (i) such information is not sent or otherwise disseminated electronically by the licensee and (ii) the licensee complies with all other provisions of ABC law and ABC Board regulations. This bill incorporates HB 1026.

Patron - Albo

[F]HB1026 Alcoholic beverage control; advertising "Happy Hour." Provides that nothing in ABC law or ABC Board regulations shall be construed to prohibit a retail on-premises licensee from advertising "Happy Hour" or "Drink Specials" and the time period during which alcoholic beverages are being sold at reduced prices using the Internet or similar forms of electronic communications media, provided the licensee complies with all other provisions of ABC law and Board regulations. This bill was incorporated into HB 470.

Patron - Englin

[F]HB1163 Alcoholic beverage control; proof of legal age required. Provides that any person selling alcoholic beverages to an individual who the seller knows or has reason to believe is less than 21 years of age shall require the individual to present a photo identification form issued by a governmental agency or an educational institution that contains the individual's complete name, gender, and date of birth, indicating that the individual is 21 years of age or older. The bill provides that failure to require identification shall be deemed a violation.

Patron - Head

[F]SB288 Alcoholic beverage control; local ordinance; recycling for certain retail on-premises licensees. Authorizes any locality to adopt an ordinance requiring any retail on-premises wine and beer licensee to separate, store, and provide for the collection for recycling of all glass alcoholic beverage containers sold by the licensee.

Patron - Locke

[F]SB575 Alcoholic beverage control; transfers of wine or beer. Allows a retail off-premises or on-and-off-premises licensee to transfer any wine or beer from one licensed place of business to another licensed place of business under certain circumstances.

Patron - Stuart

[F]SB645 Alcoholic beverage control; prohibited practice by retail wine and beer licensees; penalty. Provides that no retail off-premises wine and beer licensee shall sell any alcoholic beverage by means of a self-scanning cash register or

other point-of-sale system. The bill defines "point-of-sale system" and provides that any person convicted of a violation is guilty of a Class 1 misdemeanor.

Patron - McEachin

Carried Over

[C]HB230 Alcoholic beverage control; suspension of license for local tax delinquency. Provides that upon receipt by the ABC Board of a notice certified by the treasurer, commissioner of the revenue, or finance director of any locality that a licensee of the ABC Board is delinquent in the payment of any taxes, penalties, or interest lawfully imposed by the locality, and who does not have presently pending a bona fide application or appeal with respect to such taxes, penalties, or interest, the ABC Board shall suspend the license until such taxes, penalties, or interest are paid in full.

Patron - Cosgrove

Aviation

Passed

[P]HB87 Projecting a laser at an aircraft; penalty. Provides that any person who knowingly and intentionally projects a point of light from a laser, laser gun sight, or any other device that simulates a laser at an aircraft is guilty of a Class 1 misdemeanor.

Patron - Knight

[P]HB553 Privately owned airports; duty of care of landowners. Limits the liability of owners of private, unlicensed airports that are not open to the public and for use of which no fee is charged to gross negligence or willful or malicious failure to guard or warn against a dangerous condition, use, structure, or activity. Owners are liable for ordinary negligence related to conditions on the premises that proximately cause damage to property or injury to occupants of an aircraft or ultralight vehicle landing on or taking off from such premises.

Patron - Knight

[P]HB554 Department of Aviation lease approval requirement. Replaces "city, town, or county" with "political subdivision" and includes "privately owned, licensed, public use airports," thereby expanding the scope of entities that abide by the DOAV's lease approval requirements.

Patron - Knight

[P]HB1245 Metropolitan Washington Airports Authority. Changes the composition of the Authority. This bill is identical to SB 237.

Patron - May

[P]SB237 Metropolitan Washington Airports Authority. Expands the Authority from 13 to 17 members and changes its composition. The bill also prohibits a member from serving after the expiration of the member's term or terms. This bill is identical to HB 1245.

Patron - Colgan

Failed

[F]HB252 Metropolitan Washington Airports Authority. Changes the composition of the Authority.

Patron - May

[F]HB1252 Construction of structures affecting navigable airspace; technical review. Requires the Virginia Aviation Board, upon request by a locality, to issue a nonbinding technical review of the effects that certain proposed construction will have on navigable airspace. The bill provides that for each proposed structure that does not require a Board permit under § 5.1-25.1 but nevertheless will stand at least 200 feet high or within 20,000 feet of an airport, the locality in which the structure is to be located is required to obtain and consider a technical airspace review from the Board. The bill also requires each political subdivision in the Commonwealth to protect airspace within its jurisdiction by ordinance or action.

Patron - Knight

Behavioral Health and Developmental Services

Passed

[P]HB192 State facilities; reporting of critical incidents involving consumers. Requires the director of each state hospital and training center to notify the authorized representative of a consumer, or other person identified by the consumer, when the consumer is involved in a critical incident, which is defined as serious bodily injury or loss of consciousness requiring medical treatment.

Patron - Lewis

[P]HB271 Substance Abuse Recovery Support Services Grant Fund and Program established. Establishes the Substance Abuse Recovery Support Services Grant Program to provide grants to recovery support services providers in the Commonwealth. The bill requires the Department of Behavioral Health and Developmental Services to convene a work group of stakeholders to develop criteria for awarding grants.

Patron - Peace

[P]HB475 Involuntary commitment; mandatory outpatient treatment. Alters the criteria for ordering a person to mandatory outpatient treatment or discharging a person for a period of mandatory outpatient treatment following involuntary commitment, replacing the requirements that the person has the capacity to understand and comply with the treatment, has expressed an interest in outpatient treatment, and has agreed to comply with the treatment with a requirement that the person has agreed to abide by the treatment plan and has the ability to do so. The bill also eliminates the requirement that providers of mandatory outpatient treatment services must have actually agreed to deliver such services before mandatory outpatient treatment may be ordered, and requires a finding that such services will be delivered to the person on an outpatient basis. The bill also provides that the duration of mandatory outpatient treatment following involuntary commitment shall not exceed 90 days, unless the order is continued. The bill also provides that mandatory outpatient treatment shall not include the use of physical force or restraint in administering medication.

Patron - Albo

HB476 Mandatory outpatient treatment hearing prior to release from commitment. Provides that prior to the release of a person who has been involuntarily admitted or who has been the subject of a temporary detention order and chose to voluntarily admit himself, a hearing shall be held, upon the motion of the treating physician, a family member or personal representative of the person, or the community services board, to determine whether such person should be ordered to mandatory outpatient treatment upon release if such person has been involuntarily admitted or has been the subject of a temporary detention order and chose to voluntarily admit himself on at least two previous occasions within 36 months preceding the hearing. The hearing shall be held within 72 hours from the time the motion is received by the district court or special justice.

Patron - Albo

HB496 Discharge from state hospital or training center; return to place of residence. Provides that community services boards shall, as part of the discharge planning process for each individual released from a state hospital or training center, inform the consumer or his legally authorized representative that he may choose to return to the county or city in which he resided prior to admission or to any other county or city in the Commonwealth. The bill provides that the community services board serving the county or city in which the individual chooses to live is responsible for arranging transportation for the individual upon request.

Patron - Dance

HB552 Mental health and developmental services; terminology. Replaces the terms "mental retardation" and "mental deficiency" with the term "intellectual disability" when referring to the diagnosis of, and with the term "developmental" when referring to services for, individuals with intellectual disabilities; replaces the terms "mentally retarded," "mentally deficient," and "mentally defective" with the term "individual with intellectual disability"; replaces the terms "consumer," "patient," and "resident" with the term "individual receiving services" when used in connection with mental health or developmental services; updates the Code to reflect proper terminology for state hospitals for individuals with mental illness and state training centers for individuals with intellectual disabilities; defines the terms "behavioral health services," "developmental services," "individual receiving services," "intellectual disability," and "mental health services"; and revises the definition of "training center." This bill contains technical amendments. This bill is identical to SB 387.

Patron - Garrett

HB638 Judicial authorization of treatment; advance directives. Provides that a court may authorize medical treatment for an incapacitated person when there is no available person with legal authority to make such decisions under (i) the advance directive of the incapacitated person; (ii) the regulations promulgated by the State Board of Behavioral Health and Developmental Services; or (iii) other applicable law. The court may not authorize treatment that is contrary to the provisions of an advance directive or is proven by a preponderance of the evidence to be contrary to the incapacitated person's religious beliefs, basic values, or specific preferences as stated by the person before becoming incapable of making an informed decision, unless the treatment is necessary to prevent death or a serious irreversible condition. The bill also authorizes restraint or transportation of an incapacitated person if necessary for treating a mental disorder of a person subject to an order of involuntary admission. This bill is identical to SB 371.

Patron - Stolle

HB944 Commitment of sexually violent predators; probable cause hearing; use of video and audio communication system. Provides that the hearing to determine whether probable cause exists to believe that a person is a sexually violent predator who should be civilly committed may be conducted by using a two-way electronic video and audio communication system. This bill is identical to SB 461.

Patron - Villanueva

HB972 Criteria for involuntary commitment. Provides that when a court is to make a decision as to whether it should involuntarily commit a person for 30 days when less restrictive alternatives are inappropriate, it shall consider, in addition to other relevant evidence, whether the person recently has been found by a court to be unrestorably incompetent to stand trial.

Patron - Bell, Robert B.

SB8 Guardians; disposition of remains. Grants both public and private guardians authority to make arrangements for the funeral and disposition of remains, including cremation, interment, entombment, memorialization, inurnment, or scattering of the remains, or some combination thereof, if the guardian is not aware of any person that has been otherwise designated to make such arrangements. The bill also clarifies that such guardians may make such arrangements if the next of kin of the deceased does not wish to make the arrangements or cannot be located.

Patron - Lucas

SB314 Sexually violent predators; civil commitment. Provides for determination by the Director of the Department of Corrections for referral of certain prisoners for assessment as sexually violent predators if they appear to meet the definition of sexually violent predators and to exclude from referral those who are incapacitated by debilitating illness. The bill also provides that the Director of the Department of Corrections, in coordination with the Department of Behavioral Health and Developmental Services, shall develop assessment protocols to determine whether the prisoner or defendant meets the definition of a sexually violent predator and shall report to the General Assembly by January 1, 2013. The bill also increases from 120 to 180 days the length of time the Commitment Review Committee has to complete its assessment of the prisoner or defendant for civil commitment and communicate its recommendation to the Attorney General. The bill has an effective date of January 1, 2013. This bill incorporates SB 91 and is identical to HB 1271.

Patron - Blevins

SB371 Judicial authorization of treatment; advance directives. Provides that a court may authorize medical treatment for an incapacitated person when there is no available person with legal authority to make such decisions under (i) the advance directive of the incapacitated person; (ii) the regulations promulgated by the State Board of Behavioral Health and Developmental Services; or (iii) other applicable law. The court may not authorize treatment that is contrary to the provisions of an advance directive or is proven by a preponderance of the evidence to be contrary to the incapacitated person's religious beliefs, basic values, or specific preferences as stated by the person before becoming incapable of making an informed decision, unless the treatment is necessary to prevent death or a serious irreversible condition. The bill also authorizes restraint or transportation of an incapacitated person if necessary for treating a mental disorder of a person subject to an order of involuntary admission. This bill is identical to HB 638.

Patron - Barker

SB387 Mental health and developmental services; terminology. Replaces the terms "mental retardation" and "mental deficiency" with the term "intellectual disability" when referring to the diagnosis of, and with the term "developmental" when referring to services for, individuals with intellectual disabilities; replaces the terms "mentally retarded," "mentally deficient," and "mentally defective" with the term "individual with intellectual disability"; replaces the terms "consumer," "patient," and "resident" with the term "individual receiving services" when used in connection with mental health or developmental services; updates the Code to reflect proper terminology for state hospitals for individuals with mental illness and state training centers for individuals with intellectual disabilities; defines the terms "behavioral health services," "developmental services," "individual receiving services," "intellectual disability," and "mental health services"; and revises the definition of "training center." This bill contains technical amendments. This bill incorporates SB 191 and is identical to HB 552.

Patron - Martin

SB461 Commitment of sexually violent predators; probable cause hearing; use of video and audio communication system. Provides that the hearing to determine whether probable cause exists to believe that a person is a sexually violent predator who should be civilly committed may be conducted by using a two-way electronic video and audio communication system. This bill is identical to HB 944.

Patron - Garrett

Failed

HB1010 Appointment of guardian; concurrent commitment hearing. Provides that, upon the request of a person who petitions for the appointment of a guardian for an incapacitated adult, the court may hold a hearing for the involuntary commitment of such adult at the same time as the hearing on the guardianship petition. The bill also increases from 10 days to 30 days the length of time a guardian can voluntarily admit the incapacitated person to a facility if authorized to do so in the guardianship order.

Patron - Ramadan

HB1109 Problem Gambling Treatment Fund established. Establishes the Problem Gambling Treatment Fund for the prevention and treatment of gambling addiction and other problems related to gambling, and for the administration of such programs. The Fund shall receive four-tenths of one percent (0.4%) from the State Lottery Fund, the State Racing Operations Fund (horse racing), and the revenue received by the Virginia Department of Agriculture and Consumer Services from charitable gaming permit and registration application fees. The bill also allows advertising that says lottery proceeds benefit the prevention and treatment of gambling addiction and other problems related to gambling. The bill contains technical amendments. By its terms, the bill becomes effective on January 1, 2013.

Patron - Greason

HB1221 Discharge from a training center; consent of parent, guardian, or responsible person required. Provides that a consumer in a training center shall only be discharged upon consent of the consumer or, if the consumer lacks capacity to consent, upon the consent of his legally authorized representative and following disclosure of information regarding the actual availability and accessibility of ser-

vices sufficient to meet the needs of the consumer in the community.

Patron - Tata

SB9 Guardianship; restriction of visitation. Allows a guardian to restrict visitation of an incapacitated person, unless there is a previously executed advance directive or durable power of attorney specifying otherwise.

Patron - Lucas

SB91 Civil commitment of sexually violent predators. Removes current language citing the Static-99 and score of "5" as the factor that determines whether violent sex offenders who are being released from prison must be referred for further review for possible civil commitment as a sexually violent predator. In its place, the bill directs the Commissioner of the Department of Behavioral Health and Developmental Services to prescribe a process for the Department of Corrections to use to identify offenders who warrant further assessment as a possible sexually violent predator. The Departments must report biennially to the General Assembly on the process being used. This bill is derived from the Joint Legislative Audit and Review Commission staff report entitled Review of the Civil Commitment of Sexually Violent Predators released at the November 2011 JLARC meeting. This bill was incorporated into SB 314.

Patron - Howell

Civil Remedies and Procedure

Passed

HB101 Rules of Evidence; adoption. Provides that the Rules of Evidence that have been prepared and adopted by the Supreme Court of Virginia and approved by the Virginia Code Commission shall take effect on July 1, 2012. A rule derived from an evidentiary provision in the Code of Virginia shall note such Code section in the title of the rule. Subsequent amendments or additions to the Rules of Evidence must be adopted by the Supreme Court of Virginia by November 15 and shall become effective on July 1 of the following year unless the General Assembly modifies or annuls such amendments or additions by general law. As introduced, this bill was a recommendation of the Virginia Code Commission. This bill is identical to SB 94.

Patron - Loupassi

HB102 Injunctions; requirement for bond. Requires a moving party to post bond only for temporary injunctions. Under current law, a bond is required for both temporary and permanent injunctions. This bill is a recommendation of the Boyd-Graves Conference. This bill is identical to SB 59.

Patron - Loupassi

HB134 Court distributions; dollar limits. Increases from \$15,000 to \$25,000 the amount of money or property that a court may distribute without the necessity of qualification as a fiduciary in cases involving (i) funds paid into court and (ii) funds or property due a person under a disability for whom a fiduciary has not been appointed. The bill also increases from \$15,000 to \$25,000 the amount of money or property that a fiduciary may distribute upon approval of the commissioner of accounts. The bill also authorizes the circuit courts to allow a

fiduciary to continue to administer a fund not exceeding \$25,000 (up from \$15,000) without filing further accountings.
Patron - Kilgore

HB286 Previous garnishments; costs. Allows costs incurred by a judgment creditor in connection with a prior garnishment to be collected in a subsequent garnishment attempt that is based on the same judgment. This bill is identical to SB 561.

Patron - Iaquinto

HB362 Exemptions from garnishment. Corrects the form listing garnishment exemptions by replacing the reference to "rent or services of a laborer or mechanic" with "spousal or child support" to reflect amendments made in 1990 (Acts, Ch. 942) that were never incorporated into the form. This bill also contains technical amendments. This bill is a recommendation of the Committee on District Courts. This bill is identical to SB 89.

Patron - McClellan

HB424 School records; self-authentication. Provides that school records shall be admissible in any matter where such records are material and otherwise admissible, provided that they are authenticated as true and accurate copies by the custodian of the records or by the person to whom the custodian reports, if they are different. Currently, such authenticated school records are only admissible in cases involving custody of the student or termination of parental rights.

Patron - Bulova

HB521 Indemnifying bond; not required of Commonwealth. Clarifies that the Commonwealth is not required to give an indemnifying bond that an authority may require before levying an attachment, writ of fieri facias, or warrant of distress on property if such authority doubts whether the property is subject to such levy.

Patron - Farrell

HB648 Confession of judgment by a substitute attorney-in-fact. Allows a payee, obligee, or person otherwise entitled to payment under any note or bond to appoint a substitute for any attorney-in-fact authorized to confess judgment. The substitute attorney-in-fact must be specifically named in the instrument appointing the substitute attorney-in-fact, and the instrument must be recorded and indexed. If the note or bond does not provide notice informing the debtor that a substitute attorney-in-fact may be appointed, then, within 10 days after the instrument appointing the substitute attorney-in-fact is recorded, the person appointing the substitute shall send notice of the appointment to the debtor. This bill is identical to SB 416.

Patron - Habeeb

HB681 Interest on appeal. Adds specificity to the description of the time period for which interest is paid on a judgment affirmed by an appellate court to provide that interest is computed from the date of filing the notice of appeal to the date the appellate court issues its mandate.

Patron - Surovell

HB961 Shoplifting and employee theft; civil action. Provides that a civil action for shoplifting or employee theft may be initiated or maintained by a merchant even though a criminal action for the same conduct has been initiated; however, such civil action may not be initiated during the pendency of a criminal prosecution based on the same allegations of fact. A merchant may not recover more than the value of the merchandise, or more than the unpaid retail value of the merchandise if it is not recovered in a merchantable condition, for the

same loss if both criminal and civil actions are initiated. However, a merchant may still recover any damages in excess of such value allowed by statute even if a criminal action is initiated.

Patron - Bell, Robert B.

HB1147 Garnishment; venue. Provides that a judgment creditor may institute garnishment proceedings in the jurisdiction where the judgment debtor resides even though the underlying judgment was entered by another court. The judgment creditor must file with the court where the judgment debtor resides an abstract of the judgment rendered, pay all applicable court fees to the court, and file any release or satisfaction of judgment in both courts. The bill also clarifies that judgment creditors who have made a good faith effort to secure the judgment debtor's social security number and are unable to do so may nevertheless have a garnishment summons issued. This bill is identical to SB 625.

Patron - Iaquinto

HB1201 Exemptions from jury service; foreign service workers; military. Provides that any member of the armed services of the United States or the diplomatic service of the United States who will be serving outside of the United States at the time of the jury service shall be exempt from such jury service upon request.

Patron - Bulova

SB59 Injunctions; requirement for bond. Requires a moving party to post bond only for temporary injunctions. Under current law, a bond is required for both temporary and permanent injunctions. This bill is a recommendation of the Boyd-Graves Conference. This bill is identical to HB 102.

Patron - Obenshain

SB89 Exemptions from garnishment. Corrects the form listing garnishment exemptions by replacing the reference to "rent or services of a laborer or mechanic" with "spousal or child support" to reflect amendments made in 1990 (Acts, Ch. 942) that were never incorporated into the form. This bill also contains technical amendments. This bill is a recommendation of the Committee on District Courts. This bill is identical to HB 362.

Patron - Howell

SB94 Rules of Evidence; adoption. Provides that the Rules of Evidence that have been prepared and adopted by the Supreme Court of Virginia and approved by the Virginia Code Commission shall take effect on July 1, 2012. A rule derived from an evidentiary provision in the Code of Virginia shall note such Code section in the title of the rule. Subsequent amendments or additions to the Rules of Evidence must be adopted by the Supreme Court of Virginia by November 15 and shall become effective on July 1 of the following year unless the General Assembly modifies or annuls such amendments or additions by general law. As introduced, this bill was a recommendation of the Virginia Code Commission. This bill is identical to HB 101.

Patron - Edwards

SB246 Winter Sports Safety Act. Limits the liability of ski resorts and other winter sports area operators when death, personal injury, or property damage is caused by an inherent risk of participating in a winter sport. Winter sports area operators are required to post warning signs notifying participants that they assume the risk of participating in a winter sport. The Act sets out the duties and responsibilities of both winter sports participants and operators. Participants are presumed to have known the inherent risks of a winter sport, to have fully appreciated the nature and extent of such risks, and

to have voluntarily exposed themselves to such risks. The Act does not limit liability for acts or omissions that constitute negligence or gross negligence, or for situations in which the operator recklessly, knowingly, or intentionally commits an act or omission that causes death, personal injury, or damage to property; however, assumption of risk and contributory negligence by the participant are complete bars to recovery.

Patron - Obenshain

SB416 Confession of judgment by a substitute attorney-in-fact. Allows a payee, obligee, or person otherwise entitled to payment under any note or bond to appoint a substitute for any attorney-in-fact authorized to confess judgment. The substitute attorney-in-fact must be specifically named in the instrument appointing the substitute attorney-in-fact, and the instrument must be recorded and indexed. If the note or bond does not provide notice informing the debtor that a substitute attorney-in-fact may be appointed, then, within 10 days after the instrument appointing the substitute attorney-in-fact is recorded, the person appointing the substitute shall send notice of the appointment to the debtor. This bill is identical to HB 648.

Patron - Stanley

SB451 Virginia Fraud Against Taxpayers Act; regulation of medical assistance. Makes several changes to the Virginia Fraud Against Taxpayers Act (VFATA) and the laws governing the Attorney General's duties with regard to the regulation of medical assistance, including (i) exempting certain information furnished to the Attorney General from disclosure under the Virginia Freedom of Information Act, (ii) imposing a three-year statute of limitations on claims for employer retaliation under the VFATA, (iii) permitting the Attorney General to share information obtained as part of a VFATA investigation with other state and federal governmental entities, (iv) allowing the Attorney General to propound interrogatories as part of an investigation of services furnished under medical assistance, and (v) requiring health care entities to disclose records to the Attorney General in connection with such investigations.

Patron - Vogel

SB561 Previous garnishments; costs. Allows costs incurred by a judgment creditor in connection with a prior garnishment to be collected in a subsequent garnishment attempt that is based on the same judgment. This bill is identical to HB 286.

Patron - Obenshain

SB625 Garnishment; venue. Provides that a judgment creditor may institute garnishment proceedings in the jurisdiction where the judgment debtor resides even though the underlying judgment was entered by another court. The judgment creditor must file with the court where the judgment debtor resides an abstract of the judgment rendered, pay all applicable court fees to the court, and file any release or satisfaction of judgment in both courts. The bill also clarifies that judgment creditors who have made a good faith effort to secure the judgment debtor's social security number and are unable to do so may nevertheless have a garnishment summons issued. This bill is identical to HB 1147.

Patron - Petersen

SB655 Compensation for wrongful incarceration. Eliminates 20-year maximum for calculating compensation for wrongful incarceration and allows those wrongfully incarcerated to be compensated for each year of incarceration.

Patron - McEachin

SB674 Action for death by wrongful act; fetal death. Creates a cause of action for the death of a fetus caused by the

wrongful act, neglect, or default of any person, ship, vessel, or corporation. The action shall be brought by the natural mother of the fetus or, in the event of the death or disability of the mother, the administrator of her estate, her guardian, or her personal representative. No cause of action for the death of the fetus may be brought against the natural mother of the fetus.

Patron - Stanley

Failed

HB14 Immunity for persons acting in defense of property. Provides civil immunity for an occupant of a dwelling who uses any degree of physical force while engaged in the defense of his dwelling when (i) the other person has unlawfully entered the dwelling and committed an overt act toward the occupant or another person in the dwelling and (ii) the occupant reasonably believes that he or another person in the dwelling is in imminent danger of bodily injury.

Patron - Habeeb

HB47 Immunity for persons acting in defense of persons. Provides civil immunity for an occupant of a dwelling who injures or kills another while engaged in the defense of his dwelling when (i) the other person has unlawfully entered the dwelling and committed an overt act toward the occupant or another person in the dwelling and (ii) the occupant reasonably believes that he or another person in the dwelling is in imminent danger of bodily injury.

Patron - Bell, Richard P.

HB281 Shoplifting and employee theft; civil action. Provides that a civil action for shoplifting or employee theft may be initiated or maintained by a merchant even though a criminal action for the same conduct has been initiated. A merchant may not recover more than once for the same loss if both criminal and civil actions are initiated.

Patron - Iaquinto

HB503 Shelters of last resort; immunity. Provides civil immunity, except in cases of gross negligence or willful misconduct, to persons who own or control property used as a shelter of last resort in response to a disaster. A shelter of last resort is defined as a place of refuge that provides short-term protection for persons who have been displaced by a disaster, but does not necessarily provide life-sustaining services. Such immunity only attaches if a request to use such property as a shelter of last resort was made by the Virginia Department of Emergency Management or a local emergency management organization and a state or local emergency has been or is subsequently declared.

Patron - Dance

HB680 DUI; exemplary damages. Provides that in an action for personal injury or death arising from the operation of a motor vehicle, engine, or train, a defendant's conduct will be deemed both so willful and wanton as to show a conscious disregard for the rights of others, thus entitling the plaintiff to an award of exemplary damages, if the defendant's blood alcohol concentration (BAC) was or exceeded 0.15 at the time of the incident or at the time the blood test was performed. Currently, only the defendant's BAC at the time of the incident is considered.

Patron - Surovell

HB755 Statute of limitations; judgments of the Commonwealth. Exempts judgments in favor of the Commonwealth from the 20-year limitations period for enforce-

ment of a judgment and the 10-year period for the enforcement of a lien of a judgment.

Patron - O'Quinn

[F]HB915 Habeas corpus; oral argument on the motion. Provides that in habeas corpus actions, oral argument on any motion shall be heard only at the request of the court. The court shall rule on the record whenever possible.

Patron - Minchew

[F]HB1093 Garnishment. Provides that the garnishee shall pay any money or other property held on behalf of a judgment debtor directly to the judgment creditor or the judgment creditor's attorney instead of to the court, which is current practice. The judgment creditor or his attorney shall mail a statement to the garnishee and the judgment debtor for each month in which money or other property is paid to the judgment creditor on the judgment debtor's behalf setting forth how much was paid and how it was applied to the debt. The bill also allows the court to fix the return date for the garnishment summons. Currently, the summons is returnable within 90 days or 180 days in the case of a wage garnishment. The bill also provides that subsequent garnishments based on the same judgment are considered to be a continuation of the original garnishment proceeding and not a new action.

Patron - Herring

[F]HB1094 Personal jurisdiction; long-arm statute; acknowledging parentage. Expands Virginia's long-arm statute to provide for personal jurisdiction over an out-of-state person who, while in the Commonwealth, has acknowledged parentage of a child. This bill is in response to the Virginia Court of Appeals' decision in *Bergaust v. Flaherty*, 57 Va. App. 423, 703 S.E.2d 248 (2011).

Patron - Herring

Carried Over

[C]HB1 Rights of unborn children. Provides that unborn children at every stage of development enjoy all the rights, privileges, and immunities available to other persons, citizens, and residents of the Commonwealth, subject only to the laws and Constitutions of Virginia and the United States, precedents of the United States Supreme Court, and provisions to the contrary in the statutes of the Commonwealth.

Patron - Marshall, R.G.

[C]HB631 Application of foreign law in Virginia courts. Provides that court decisions and contracts and other agreements will be void as violative of the public policy of the Commonwealth where such decisions or contracts are based on foreign law, i.e., law applied in a jurisdiction outside of the United States, where the application of such foreign law would violate a person's rights guaranteed by the United States Constitution or the Constitution of Virginia.

Patron - Morris

[C]HB825 Application of foreign laws. Prohibits any Virginia court or administrative agency from applying the law of any jurisdiction outside of the United States and its territories unless the application is required by the United States Constitution, the Constitution of Virginia, or any federal or state law.

Patron - Marshall, R.G.

[C]HB1138 Civil remedies; use of depositions. Allows for motions for summary judgment to be based, in whole or in part, upon pleadings, depositions, answers to interrogatories,

admissions on file, or affidavits. Currently, such motions cannot be based on depositions unless agreed to by the parties.

Patron - Head

Commonwealth Public Safety

Passed

[P]HB42 Line of Duty Act; certain members of fire companies or departments. Expands the definition of a deceased person under the Act to include members of any fire company or department providing fire protection services for facilities of the Virginia National Guard. This bill is identical to SB 424.

Patron - Tata

[P]HB273 Department of Criminal Justice Services; minimum training standards; juvenile correctional officers. Requires the Department of Criminal Justice Services and the Criminal Justice Services Board to provide compulsory minimum entry-level training standards for juvenile correctional officers. This bill is identical to SB 293.

Patron - Peace

[P]HB395 Payment for burial expenses; Line of Duty Act. Authorizes the State Comptroller to release payments, advanced from the death benefits due to the beneficiary of a deceased person under the Line of Duty Act, to a funeral service provider for burial and transportation costs. This bill is identical to SB 441.

Patron - Ransone

[P]HB504 Virginia Center for School Safety; antibullying training. Requires the Virginia Center for School Safety to provide training on antibullying tactics to public school personnel. The bill is identical to SB 271.

Patron - Dance

[P]HB753 Juvenile offenses; sex offender registry; motion by the attorney for the Commonwealth. Amends the section that permits an attorney for the Commonwealth to file a motion for the court to determine whether circumstances warrant the placement of a juvenile adjudicated delinquent of a sex offense on the sex offender registry by allowing the motion to be made at any time that the offender is within the jurisdiction of the court for the offense that is the basis for the motion. Currently, the law does not specifically address any time frame during which the attorney for the Commonwealth may file the motion.

Patron - Cline

[P]HB771 Law-enforcement officers; campus police officers. Provides that campus police officers, as appointed by public and private institutions of higher education, are included within the definition of law-enforcement officer. The bill exempts campus police from undergoing a background check when purchasing a firearm, gives campus police the same authority to make arrests without a warrant as other law-enforcement officers, includes the children and spouses of campus police in the Virginia Military Survivors and Dependents Education Program, includes such officers in the Blue Alert Program, and adds campus police employed by a public institution to the list of officers entitled to the hypertension/heart disease and infectious disease presumptions under the Virginia Workers' Compensation Act.

Patron - Landes

[P]HB1134 Line of Duty Act; definition of deceased person; DMV. Includes any full-time sworn member of the enforcement division of the Department of Motor Vehicles in the definition of "deceased person" for the purposes of the Line of Duty Act.

Patron - Cosgrove

[P]SB271 Virginia Center for School Safety; antibullying training. Requires the Virginia Center for School Safety to provide training on antibullying tactics to public school personnel. This bill is identical to HB 504.

Patron - Marsh

[P]SB293 Department of Criminal Justice Services; minimum training standards; juvenile correctional officers. Requires the Department of Criminal Justice Services and the Criminal Justice Services Board to provide compulsory minimum entry-level training standards for juvenile correctional officers. This bill is identical to HB 273.

Patron - Lucas

[P]SB424 Line of Duty Act; fire company personnel of the Virginia National Guard. Includes under the coverage of the Line of Duty Act individuals employed as fire company personnel for the Virginia National Guard. This bill incorporates SB 10 and SB 99 and is identical to HB 42.

Patron - Ruff

[P]SB441 Payment for burial expenses; Line of Duty Act. Authorizes the State Comptroller to release payments, advanced from the death benefits due to the beneficiary of a deceased person under the Line of Duty Act, to a funeral service provider for burial and transportation costs. The bill is identical to HB 395.

Patron - Obenshain

Failed

[F]HB174 Bail bondsmen; requirements for property bail bondsmen; suspension of license. Provides that a property bail bondsman or his company must own the real estate that serves as the collateral on his bonds. The bill also provides that a property bail bondsman shall not enter into a bond if the penalty of such bond and all other outstanding bonds for which he is liable exceeds the true market value of the equity in the real estate. Current law provides that such penalty for which the property bail bondsman is liable cannot exceed four times the true market value of the equity in the real estate. The bill further provides that a property bail bondsman's license shall be suspended if he has not paid any forfeiture of bond within 60 days after notice of a final court order.

Patron - Knight

[F]HB205 Law-Enforcement Procedural Guarantee Act; definition of law-enforcement officer. Adds certain employees of the Department of Corrections to the definition of "law-enforcement officer" for purposes of the Law-Enforcement Procedural Guarantee Act.

Patron - Tyler

[F]HB413 Sex Offender and Crimes Against Minors Registry; prohibited publication of registrant employment information. Prohibits information regarding the employer of a Sex Offender Registry registrant from being made available on the Internet system developed by the Department of State Police.

Patron - Watts

[F]HB416 Sex offender registry; registration and reregistration. Makes procedural changes to some of the registration and reregistration requirements set forth in the Sex Offender and Crimes Against Minors Registry Act. Where current law requires registration or reregistration to take place within three days, the bill clarifies that this means business days. The bill also specifies that when a person is required to reregister within 30 minutes of a change to an electronic mail or Internet communication identity, and such reregistration takes place electronically, the reregistration is deemed to have occurred when the person sent the update, and not when it was received or opened by the law-enforcement agency. Finally, the bill requires the local law-enforcement agency to provide and update as needed the telephone number and electronic mail address to the Department of State Police to be listed on the State Police website.

Patron - Watts

[F]HB525 Private security services businesses; exceptions. Provides an exception from licensure requirements for private security services businesses from other states that are duly licensed in those states and that contract for a specific investigation with such businesses that are licensed by the Commonwealth as private investigators.

Patron - Farrell

[F]HB624 Sex offender registry; juvenile registration. Requires registration on the sex offender registry for juveniles who were over the age of 13 at the time of the offense who were adjudicated delinquent on or after July 1, 2005, of rape, forcible sodomy, or object sexual penetration.

Patron - Albo

[F]HB740 Line of Duty Act. Allows a political subdivision with employees eligible for coverage under the Line of Duty Act to make an irrevocable election to self-fund the benefits available under the Line of Duty Act.

Patron - Jones

[F]HB772 State Inspector General. Includes a full-time sworn investigator of the Office of the State Inspector General in the Department of Corrections or Juvenile Justice in the definition of law-enforcement officer.

Patron - Landes

[F]HB967 Law-enforcement officers; campus police officers; definitions. Includes within various definitions of "law-enforcement officers" campus police officers at institutions of higher education.

Patron - Bell, Robert B.

[F]SB10 Line of Duty Act; fire company personnel of the Virginia National Guard and the Virginia Air National Guard. Includes under the coverage of the Line of Duty Act individuals employed as fire company personnel for the Virginia Air National Guard or the Virginia National Guard's Fort Pickett Reserve. This bill was incorporated into SB 424.

Patron - Lucas

[F]SB99 Line of Duty Act; certain members of fire companies or departments. Expands the definition of a deceased person under the Act to include members of any fire company or department providing fire protection services for facilities of the Virginia National Guard or the Virginia Air National Guard. This bill was incorporated into SB 424.

Patron - Edwards

[F]SB125 Line of Duty Act. Allows a political subdivision with employees eligible for coverage under the Line of Duty Act to make an irrevocable election, on or before July 1,

2013, to self-fund the benefits available under the Line of Duty Act. The bill contains a reenactment clause.

Patron - Watkins

[F]SB127 Sex offender registry; juvenile registration. Requires registration on the sex offender registry for juveniles who were over the age of 13 at the time of the offense who were adjudicated delinquent on or after July 1, 2012, of rape, forcible sodomy, or object sexual penetration. Information on juveniles adjudicated delinquent does not have to be made available on the public website. A second enacting clause provides that the bill will not become effective unless an appropriation of general funds effectuating the purposes of the bill is included in the general appropriation act passed by the 2012 Regular Session of the General Assembly and signed by the Governor and becomes law. This bill incorporates SB 412.

Patron - Stanley

[F]SB412 Sex offender registry; juvenile registration. Requires registration on the sex offender registry for juveniles who were over the age of 13 at the time of the offense who were adjudicated delinquent on or after July 1, 2005, of rape, forcible sodomy, or object sexual penetration. This bill was incorporated into SB 127.

Patron - Norment

[F]SB420 Sex Offender Registry; listing of laws. Requires the Attorney General to annually prepare a listing of laws containing requirements and prohibitions affecting persons who must register as sex offenders and to communicate the list to the Departments of Corrections, Juvenile Justice, and State Police.

Patron - Marsden

[F]SB501 Virginia Alcohol Safety Action Program moved to executive branch. Changes the Virginia Alcohol Safety Action Program from a legislative agency with its own legislatively appointed commission to an agency under the auspices of the Criminal Justice Services Board.

Patron - Watkins

Carried Over

[C]SB90 Definition of private investigator; out-of-state private security services. Allows a private security services business licensed by another state to contract with a private security services business licensed by the Commonwealth to act as a private investigator for a specific investigation.

Patron - Howell

Conservation

Passed

[P]HB176 Nutrient Trading Act; penalty. Directs the Virginia Soil and Water Conservation Board to adopt regulations governing the certification of certain nutrient credits. Referring to Chesapeake Bay Total Maximum Daily Loads (TMDLs), the legislation sets out certain requirements of the regulations, directs the Department of Conservation and Recreation to establish an online registry of certified credits, and provides for enforcement and appeals. The bill provides that an operator of a credit-generating facility found to be in violation of the Nutrient Trading Act or any attendant regulations shall

be subject to a civil penalty not exceeding \$10,000. This bill is identical to SB 77.

Patron - Knight

[P]HB239 Fumigation by Department of Forestry. Asserts that the Department of Forestry's preferred method of treatment of its forest tree nurseries is methyl bromide gas fumigation in pre-seeding land preparation under the U.S. Environmental Protection Agency's listed usage exemption QPS (Quarantine & Pre-Shipment). The bill allows the Commissioner to issue inspection certificates to certify that seedling shipments are apparently pest- and disease-free. This bill is identical to SB 126.

Patron - Knight

[P]HB293 Dam safety; consultation with Department of Emergency Management. Requires the Soil and Water Conservation Board to consult with the Department of Emergency Management in implementing the dam safety program and makes clarifying amendments. This bill is identical to SB 253.

Patron - Scott, E.T.

[P]HB522 Statewide system of trails; wheelchairs or other power-driven mobility devices. Permits the Department of Conservation and Recreation to allow the use of wheelchairs or other power-driven mobility devices on the statewide system of trails in accordance with the federal Americans with Disabilities Act of 1990.

Patron - Farrell

[P]HB932 Nutrient management. Provides that the Department of Conservation and Recreation operate a voluntary nutrient management program to assist owners and operators of agricultural land and turf to effectively manage and apply nutrients to their land. In developing the program, the Department is to begin testing the software for assisting owners and operators of agricultural lands and turf by July 1, 2013, and begin full implementation by July 1, 2014. The development of the software may be deferred until funds become available.

Patron - Lingamfelter

[P]HB995 Payments from timber sales. Limits the payment made to localities by the Department of Forestry to one-fourth of the gross proceeds derived solely from the sale of timber harvested on state forest lands; however, the counties of Appomattox, Buckingham, and Cumberland will receive one-eighth of the gross proceeds from the timber sales on state forest lands located in their county. Currently, localities receive one-fourth of the gross proceeds from revenue generated by any revenue-generating activity occurring on state forest lands. This bill is identical to SB 428.

Patron - Ransone

[P]HB1009 Land-disturbing activities; service of order for violation. Specifies the means of serving an order for land disturbance where no plan has been approved or permit obtained, other than where an agricultural exemption applies. Current law refers only to an order for a failure to comply with a plan or permit.

Patron - Ramadan

[P]HB1022 Confederate cemeteries and graves. Changes the organization that will be responsible for maintaining confederate graves at the Presbyterian Cemetery in Alexandria. The Old Dominion Rifles Confederate Memorial Association will be responsible for maintaining 98 graves and the Old Presbyterian Meeting House will maintain 62 graves.

Patron - Englin

HB1065 Integration of agencies' programs. Integrates elements of the Erosion and Sediment Control Act, the Stormwater Management Act, and the Chesapeake Bay Preservation Act so that these regulatory programs can be implemented in a consolidated and consistent manner, resulting in greater efficiencies (one-stop shopping) for those being regulated. The bill also eliminates the Chesapeake Bay Local Assistance Board and places its responsibilities with the Virginia Soil and Water Conservation Board. This bill is identical to SB 407.

Patron - Sherwood

HB1113 Land exchange. Establishes a procedure that authorizes the Department of Conservation and Recreation to exchange parcels of land it owns for interest in property owned by a private company near Biscuit Run in Charlottesville.

Patron - Toscano

SB77 Nutrient Trading Act; penalty. Directs the Virginia Soil and Water Conservation Board to adopt regulations governing the certification of certain nutrient credits. Referring to Chesapeake Bay Total Maximum Daily Loads (TMDLs), the legislation sets out certain requirements of the regulations, directs the Department of Conservation and Recreation to establish an online registry of certified credits, and provides for enforcement and appeals. The bill provides that an operator of a credit-generating facility found to be in violation of the Nutrient Trading Act or any attendant regulations shall be subject to a civil penalty not exceeding \$10,000. This bill is identical to HB 176.

Patron - Watkins

SB123 Environmental covenants. Limits the use of covenants under the Uniform Environmental Covenants Act to those situations in which all parties agree to use such a covenant.

Patron - Watkins

SB126 Fumigation by Department of Forestry. Asserts that the Department of Forestry's preferred method of treatment of its forest tree nurseries is methyl bromide gas fumigation in pre-seeding land preparation under the U.S. Environmental Protection Agency's listed usage exemption QPS (Quarantine & Pre-Shipment). The bill allows the Commissioner to issue inspection certificates to certify that seedling shipments are apparently pest- and disease-free. This bill is identical to HB 239.

Patron - Watkins

SB253 Dam safety; consultation with Department of Emergency Management. Requires the Soil and Water Conservation Board to consult with the Department of Emergency Management in implementing the dam safety program and makes clarifying amendments. This bill is identical to HB 293.

Patron - Reeves

SB407 Integration of agencies' programs. Integrates elements of the Erosion and Sediment Control Act, the Stormwater Management Act, and the Chesapeake Bay Preservation Act so that these regulatory programs can be implemented in a consolidated and consistent manner, resulting in greater efficiencies (one-stop shopping) for those being regulated. The bill also eliminates the Chesapeake Bay Local Assistance Board and places its responsibilities with the Virginia Soil and Water Conservation Board. This bill is identical to HB 1065.

Patron - Hanger

SB428 Payments from timber sales. Limits the payment made to localities by the Department of Forestry to one-

fourth of the gross proceeds derived solely from the sale of timber harvested on state forest lands, except the Counties of Appomattox, Buckingham, and Cumberland, which receive one-eighth of the gross proceeds from the timber sales. Currently, localities receive one-fourth of the gross proceeds from revenue generated by any revenue-generating activity occurring on state forest lands. This bill is identical to HB 995.

Patron - Ruff

SB504 Facilities upgrade; air quality, water quality and solid waste permits. Allows operators of facilities that hold air quality, solid waste, or water quality permits to install new technology, equipment, or other apparatus at the permitted facility without having to obtain a new, modified, or amended permit so long as they can demonstrate that the new technology will result in increased energy efficiency and improved environmental conditions.

Patron - Wagner

SB559 Special use permits. Authorizes the State Forester to issue the special use permit for certain activities on state forest lands without the approval of the Board of Forestry. The bill expands the requirement for a permit for mountain biking to all bike riding. The existing \$15 fee is removed; instead it is left to the Department to set the fee through the regulatory process. The bill also removes the option of the State Forester to issue a separate license to trap on state forest lands.

Patron - Hanger

SB676 Recycling survey report. Requires solid waste planning units or localities with a population of greater than 90,000 to submit a recycling report annually and requires those units or localities with a population of 90,000 or less to submit the report at least once every four years. Currently, all solid waste planning units or localities are required to submit the report annually.

Patron - Garrett

Failed

HB27 Federal residential energy efficiency standards. Exempts any residential building from the application of federal legislation relating to residential energy efficiency standards if such building complies with the Statewide Uniform Building Code. Except to the extent required by the Statewide Uniform Building Code, the owner of such a building shall not be required by the federal government to (i) have an energy efficiency analysis conducted on his residence, (ii) have his residence meet federal energy efficiency standards, (iii) participate in a building performance labeling program, (iv) make modifications to the residence in accordance with federal legislation, or (v) post a label showing the energy efficiency of his home prior to its sale.

Patron - Marshall, R.G.

HB241 Solid waste landfill; Rockbridge County. Allows the Rockbridge County landfill to operate for an additional two years or until it reaches maximum capacity, whichever occurs sooner. The landfill is scheduled to be closed by the Department of Environmental Quality on December 31, 2012.

Patron - Cline

HB618 Appointment of members of local soil and water conservation boards. Authorizes the governing body of a county or city in a soil and water conservation district to enact an ordinance requiring that the locality's representatives

on the district board be appointed by the governing body rather than elected by the registered voters, as is currently required.

Patron - LeMunyon

[F]HB812 Historic district notices. Eliminates the requirement that the Department of Historic Resources publish a notice of a public hearing on the designation or nomination of a historic district in a newspaper once a week for two successive weeks.

Patron - May

[F]HB913 Solid waste management plan; optional. Removes the mandate that a governing body develop and implement a regional or local solid waste management plan, making such plans optional. The bill includes technical amendments.

Patron - Minchew

[F]SB174 Stormwater program assistance. Requires the Department of Conservation and Recreation, if requested by a local government, to provide technical and staff assistance in managing the local stormwater municipal separate storm sewer system (MS4) program.

Patron - Stuart

[F]SB361 Solid waste landfill; Rockbridge County. Allows the Rockbridge County landfill to operate for an additional two years or until it reaches maximum capacity, whichever occurs sooner. The landfill is scheduled to be closed by the Department of Environmental Quality on December 31, 2012.

Patron - Deeds

[F]SB571 Camping grounds; competition with private businesses. Requires the Department of Conservation and Recreation, on or before March 1 of each year, to set its camping ground fees at or above the mean fee charged for the same service by private camping grounds in the same and adjoining counties. The bill prohibits the Department from constructing any new camping ground unless it concludes that private camping ground operators are not providing the area with adequate camping facilities. The bill also prohibits the Department from operating any restaurant, store, or other facility that competes with a private business in the same county or an adjoining county unless it makes a good-faith, unsuccessful effort to secure a private business to operate the facility every two years.

Patron - Reeves

[F]SB641 Air pollution; outdoor wood-burning heaters. Requires the Air Pollution Control Board to develop a model ordinance for localities that could be used, at the discretion of the locality, to regulate air pollution emissions resulting from the use of outdoor hydronic heaters such as residential wood-fired boilers.

Patron - Ruff

Carried Over

[C]HB1180 Bond issuance for wastewater treatment facilities. Authorizes the Virginia Public Building Authority to issue an additional \$300 million in bonds to continue installing nutrient removal technology in eligible wastewater treatment facilities to comply with the Chesapeake Bay TMDL and the Watershed Improvement Plan. These funds would complete projects at facilities under existing signed Water Quality Improvement Fund agreements and at additional eligible facilities

that did not receive moneys from the original bonds issued in 2007.

Patron - Ingram

[C]HB1225 Camping grounds; competition with private businesses. Requires the Department of Conservation and Recreation, on or before March 1 of each year, to set its camping ground fees at or above the mean fee charged for the same service by private camping grounds in the same and adjoining counties. The bill prohibits the Department from constructing any new camping ground unless it concludes that private camping ground operators are not providing the area with adequate camping facilities. The bill also prohibits the Department from operating any restaurant, store, or other facility that competes with a private business in the same county or an adjoining county unless it makes a good-faith, unsuccessful effort to secure a private business to operate the facility every two years.

Patron - Farrell

[C]SB494 Bond issuance for wastewater treatment facilities and combined sewer overflow projects. Authorizes the Virginia Public Building Authority to issue an additional \$378 million in bonds to continue installing nutrient removal technology in eligible wastewater treatment facilities to comply with the Chesapeake Bay TMDL and the Watershed Improvement Plan. These funds would complete projects at facilities under existing signed Water Quality Improvement Fund agreements and at additional eligible facilities that did not receive moneys from the original bonds issued in 2007. A portion of the bond revenues could also be used for combined sewer overflow projects in the Cities of Lynchburg and Richmond. The bill also contains technical amendments.

Patron - Watkins

Corporations

Passed

[P]HB519 Corporations and other business entities; conversion and termination. Makes provisions that set out how amended and restated articles are to be an attachment to a plan of domestication uniform across the laws regarding corporations, limited liability companies, business trusts, and limited partnerships. The changes prevent duplicate submission of the organizational instrument. The measure also (i) addresses how a federal bankruptcy court may order an entity conversion or termination of a corporation incident to reorganization; (ii) provides that a plan of entity conversion can be approved by the management or organizers of a corporation or limited liability company when the entity has no shareholders or members; (iii) provides that an application for withdrawal or cancellation of registration submitted by a foreign business entity affirms that the foreign entity is in existence and has not been merged, consolidated, or converted; and (iv) makes other technical changes.

Patron - Purkey

[P]HB845 Business entities; names. Clarifies that the name of a business entity, including a stock corporation, non-stock corporation, limited liability company, business trust, limited partnership, or registered limited liability partnership, cannot imply that it is another type of business entity. Under current provisions, the analysis is limited to whether a proposed name includes words or other designations associated

with another type of entity. The bill also includes technical amendments.

Patron - Johnson

SB50 Business entities; conversions, dissolutions, and procedures. Establishes a procedure by which a nonstock corporation may convert to a limited liability company. Other provisions of the bill update provisions of the Virginia Stock Corporation Act, Virginia Nonstock Corporation Act, and Virginia Limited Liability Company Act to (i) remove duplicative provisions addressing remote participation in meetings, (ii) prescribe requirements when the less-than-unanimous consent of shareholders is required, (iii) specify that original share transfer books are prima facie evidence of who is entitled to examine the shareholders list, (iv) specify that the articles or bylaws may prescribe qualifications to be a director, (v) clarify that only the new amendments set out in a restatement of articles of incorporation require shareholder approval, (vi) permit public corporations to satisfy requirements for providing financial statements to shareholders entitled to appraisal rights in any manner permitted by the U.S. Securities and Exchange Commission, (vii) remove the ability of a corporation to adopt a proposal to dissolve after a court has entered a purchase order, and (viii) authorize members to rescind the dissolution of a limited liability company. The definitions of "state" in the Virginia Stock Corporation Act and Virginia Nonstock Corporation Act are conformed to the definition of the term in the Virginia Limited Liability Company Act. The measure also includes technical amendments.

Patron - Watkins

Failed

HB354 Benefit limited liability companies. Authorizes a Virginia limited liability company to elect to be a benefit limited liability company. A benefit limited liability company is required to have, as one of its purposes, the purpose of creating a general public benefit. In addition, a benefit limited liability company may have the purpose of creating one or more specific public benefits. The measure expands upon legislation enacted in the 2011 Session that gave stock corporations the option to be benefit corporations.

Patron - McClellan

HB610 Corporations; filing articles of dissolution. Requires the State Corporation Commission, before issuing a certificate of dissolution for a stock or nonstock corporation, to find that the person signing the articles of dissolution is listed as a director or principal officer of the corporation on its most recent annual report filed with the Commission. If the corporation has not yet filed an annual report because it has not been in existence for the required time period, the articles of dissolution may be filed by an incorporator.

Patron - LeMunyon

SB165 Charging orders entered against a member of a limited liability company. Provides for the direct execution of judgment on the assets of a limited liability company when the judgment debtor is the 100 percent owner of that company. The bill also specifies that entry of a charging order does not preclude the judgment debtor from seeking other available legal and equitable remedies by which to execute the judgment against the membership share of the judgment debtor. Current law provides that a charging order is the exclusive remedy by which a judgment creditor may satisfy a judgment against the debtor's transferable interest in the company and that a judgment creditor does not have any right to obtain

possession of, or otherwise exercise legal or equitable remedies with respect to, the property of the limited liability company.

Patron - Petersen

SB351 Low-profit limited liability companies. Provides for the designation of a type of limited liability company as low-profit limited liability company. A low-profit limited liability company is a limited liability company that has both a business purpose and a charitable purpose. With regard to the charitable purpose, a low-profit limited liability company is required to accomplish one or more charitable or educational purposes, not be operated so that a significant purpose is the production of income or the appreciation of property, and not have a political or legislative purpose.

Patron - Deeds

Counties, Cities and Towns

Passed

HB22 Disposition of firearms. Provides that no locality may participate in any program in which individuals are given a thing of value in exchange for surrendering a firearm to the locality unless the governing body of the locality has enacted an ordinance authorizing the participation of the locality. The ordinance shall require that such firearms shall be offered for sale by public auction or sealed bids to a person licensed as a dealer before otherwise disposing of, which may include destruction or sale to a dealer.

Patron - Cole

HB58 Urban county executive form; board of supervisors. Provides that in a county with the urban county executive form of government (Fairfax County) a special election to fill a vacancy on the board shall be called no fewer than 45 days, rather than 30 days, after the vacancy occurs to allow sufficient time to prepare for the election. This change is also applicable to urban county executive form school board vacancies through a cross-reference in § 22.1-57.3.

Patron - Cole

HB120 Tappahannock-Essex County Airport Authority. Removes Tappahannock's name from the name of the airport authority and does away with the obligations of the Town of Tappahannock to fund the authority and to appoint certain members to it. The bill reduces the size of the airport authority from seven to five members and makes clarifying amendments.

Patron - Hodges

HB166 Decisions of zoning administrator. Narrows the instances in which a zoning administrator may modify certain previously issued written orders outside a 60-day time period by deleting the phrase "or other nondiscretionary" from the provision that currently excludes "clerical or other nondiscretionary errors" from the 60-day limitation.

Patron - Cosgrove

HB170 Review of zoning administrator decisions; appeals. Provides that in instances in which decisions of a zoning administrator are reviewed by the governing body, the governing body's decision shall be appealable to the circuit court.

Patron - Cosgrove

HB197 Town of Chincoteague; ordinance requiring the cutting of grass. Adds the Town of Chincoteague to the list of localities permitted to provide by ordinance for the cutting of grass and weeds on occupied property.

Patron - Lewis

HB199 Town of Onancock; ordinance providing that charges for water and sewer shall be a lien on real estate. Adds the Town of Onancock to the list of localities permitted to provide by ordinance that charges for water and sewer shall be a lien on the real estate served by such waterline or sewer. This bill is identical to SB 588.

Patron - Lewis

HB203 Special assessments for local improvements; City of Hampton. Adds the City of Hampton to the lists of localities that may impose special assessments upon abutting property owners for improvements related to the initial paving of streets, flood prevention, and the undergrounding of utilities. This bill is identical to SB 32.

Patron - Ward

HB316 Cemeteries. Clarifies the uses that shall be included in the approval of a cemetery without further zoning approval being required. The bill becomes effective on January 1, 2013. This bill is identical to SB 430.

Patron - Ingram

HB326 Proffered conditions; amendments or variations. Provides that a landowner subject to certain proffered conditions may apply to the governing body for amendments to or variations of such proffered conditions, provided only that written notice of such application be provided in the manner prescribed by subsection H of § 15.2-2204 to all landowners subject to such existing proffered conditions. The bill also provides that no claim of right derived from a proffered condition shall impair the right of a landowner who is subject to such a condition to secure amendments to the condition. This bill is identical to SB 36.

Patron - Massie

HB358 City of Richmond tax amnesty program. Expands the scope of the City of Richmond's tax amnesty program to include all local taxes and accrued interest. This bill is identical to SB 42.

Patron - McClellan

HB371 Agricultural and forestal districts. Adds James City County to the list of counties authorized to create agricultural and forestal districts of local significance.

Patron - Pogge

HB375 Control of firearms by localities; workplace rules. Provides that no locality shall adopt any workplace rule, other than for the purposes of a community services board or behavioral health authority, that prevents an employee of that locality from storing at that locality's workplace a lawfully possessed firearm and ammunition in a locked personal, private motor vehicle.

Patron - Pogge

HB385 Industrial development authorities. Removes a prohibition that currently prevents industrial development authorities (also referred to as economic development authorities) from refinancing debt of organizations that are organized and operated for educational purposes.

Patron - Cole

HB430 Incentives for inter-local service delivery. Expands the scope of the Regional Cooperation Incentive Fund

to foster inter-local service delivery consolidation or coordination where such consolidation or coordination will result in the more efficient use of local funds.

Patron - Bulova

HB491 Receivership of derelict and blighted buildings. Authorizes a locality to serve as a receiver, appointed by the circuit court, to repair blighted and derelict buildings. Buildings must previously have been determined to be blighted under current spot blight provisions. The owner of the property may redeem the property subject to receivership during the receivership process or prior to sale and will be awarded any profits gained through sale at public auction. This bill was recommended by the Virginia Housing Commission and is identical to SB 122.

Patron - Dance

HB492 Cutting of grass; City of Hopewell. Adds Hopewell to the list of localities that may enforce a grass cutting ordinance on occupied property. The existing general provisions apply to vacant property only.

Patron - Dance

HB493 Cutting of grass; Prince George County. Adds Prince George County to the list of localities that may enforce a grass cutting ordinance on occupied property. The existing general provisions apply to vacant property only.

Patron - Dance

HB526 Local regulation of helicopter use. Provides that no local zoning ordinance shall impose a total ban on departures and landings by noncommercial helicopters for personal use. However, a locality may require a special permit under certain circumstances.

Patron - Cosgrove

HB558 Virginia Housing Development Authority; mortgage credit certificates. Permits the Virginia Housing Development Authority to use its bond authority to issue mortgage credit certificates. An emergency exists and this act is in force from its passage.

Patron - Marshall, D.W.

HB561 Pittsylvania County; solid waste disposal fee. Adds Pittsylvania County to the list of counties authorized to levy a fee for the disposal of solid waste.

Patron - Marshall, D.W.

HB567 Water and sewer services; deposit, lien. Authorizes (i) an owner of property who is the occupant or where a single meter serves multiple units or (ii) a lessee or tenant, provided he has written authorization from the owner, to establish water and sewer services in his own name. The bill provides for a locality or water authority to require a deposit of not more than five months of water and sewer charges. A lien may also be placed on the property under circumstances outlined when charges are delinquent. This bill is a recommendation of the Virginia Housing Commission.

Patron - Marshall, D.W.

HB571 Extension of measures to address housing crisis. Extends the sunset date for several measures related to various land use approvals, the timing of cash proffer payments, and bonding requirements from July 1, 2014, to July 1, 2017. The bill also expands the scope of such measures that will be subject to the extension to include those measures approved by January 1, 2011.

Patron - Marshall, D.W.

HB601 Washington Metropolitan Area Transit Authority; board membership. Provides that in appointing Virginia members of the board of directors of the Washington Metropolitan Area Transit Authority (WMATA), the Northern Virginia Transportation Commission shall include the Secretary of Transportation or his designee as a principal member on the WMATA board of directors. Other requirements for appointment and removal from the board are also specified.

Patron - LeMunyon

HB625 Transportation planning; comprehensive plan. Provides that when a locality in Planning District 8 (Northern Virginia) submits a proposed comprehensive plan or amendment to the Department of Transportation for review, the Department will determine the extent to which the proposal will increase traffic congestion or reduce the mobility of citizens in the event of a homeland security emergency and shall include such information as part of its comments on the proposed plan or amendment. The bill contains technical amendments.

Patron - LeMunyon

HB726 Sale of certain property in Newport News. Allows the City of Newport News to sell certain property of 2,501 square feet or less and not suitable for development for a nominal amount. The act expires on July 1, 2014.

Patron - Yancey

HB732 Transfer of development rights. Provides that a transfer of development rights ordinance may permit a sending property, subsequent to severance of development rights, to be used for parks and campgrounds.

Patron - Dudenhefer

HB757 Town of Urbanna; liens for water charges. Adds the Town of Urbanna to the list of towns permitted to provide by ordinance that water and sewer charges and taxes incurred shall be a lien on the real estate served by the waterline or sewer.

Patron - Hodges

HB809 Provision of insurance for employees of boards working closely with a locality. Adds the employees of political subdivisions of the Commonwealth such as boards, commissions, agencies, or authorities to the list of employees who may receive insurance from a locality. The political subdivision must be working in close cooperation with the locality before the insurance may be provided. Current law limits the provision of such insurance to the members of boards that were created or controlled by the locality. This bill is identical to SB 235.

Patron - May

HB830 Arts and cultural districts. Allows a locality to create more than one arts and cultural district. The current language refers to the creation of a district in the singular.

Patron - Carr

HB848 Methamphetamine lab clean-up costs; reimbursement of localities. Allows localities to provide by ordinance that any person who is convicted of an offense for manufacture of methamphetamine shall be liable to the locality or other law-enforcement entity for the expense in cleaning up any methamphetamine lab related to the conviction.

Patron - Johnson

HB869 Urban development areas. Makes designation of urban development areas optional for all localities. Cur-

rently urban development areas are mandatory for many higher growth localities. This bill is identical to SB 274.

Patron - Rust

HB878 License taxes on certain motor vehicles.

Allows localities to impose a license tax, not to exceed \$250 annually, upon resident owners of motor vehicles that do not display license plates issued by the Commonwealth and that are not exempted from the requirements of displaying such license plates.

Patron - Sickles

HB910 Cash proffers. Expands existing provisions that allow certain alternative uses of cash proffers to provide that such cash proffers may also be used for an alternative purpose if the functional purpose for which the cash payment was made no longer exists.

Patron - Minchew

HB969 Sexual assault response teams; addition of campus police. Requires each attorney for the Commonwealth to invite any chiefs of campus police of institutions of higher education located within the jurisdiction to the annual SART meeting. This bill is identical to SB 301.

Patron - Bell, Robert B.

HB1059 Appeals to the board of zoning appeals. Provides that a civil penalty shall not be assessed by the court during pendency of a 30-day appeal period.

Patron - Anderson

HB1076 Special use permit for land filling activities. Provides that a locality may require a special use permit for the storage or disposal of certain nonagricultural materials not generated on the farm or agriculturally zoned property.

Patron - Hugo

HB1117 Annexation Moratorium Statute; continuation of the moratorium on annexation by cities. Provides that the temporary restrictions on granting city charters, filing annexation notices, institutions of annexation proceedings and county immunity proceedings be extended for the 2010-2012 and 2012-2014 bienniums.

Patron - Minchew

HB1137 Designation of historic districts. Provides that before any locality designates by ordinance any building, structure, district, object, or site as part of a local historic district, the owners of such property proposed for designation shall be given written notice of the public hearing on the ordinance. A locality shall identify and inventory all structures being considered for inclusion in such a district and shall establish written criteria to be used in making such determination.

Patron - Marshall, D.W.

HB1216 Advertisement of proposed zoning amendments. Provides that when a proposed amendment to the zoning ordinance involves a tract of land of not less than 500 acres owned by the Commonwealth or by the federal government, and when the proposed change affects only a portion of the larger tract, notice need be given only to the owners of those properties that are adjacent to the affected area of the larger tract.

Patron - Bell, Richard P.

HB1220 Industrial development authorities.

Allows Roanoke County to expand the board of its authority from seven to 10 members and the City of Norfolk to appoint

11 members with staggered terms to its authority. This bill is identical to SB 546.

Patron - Head

[P]HB1253 Cash proffers; profferer shall not waive rights against locality. Prohibits any locality from accepting certain proffers purporting to contain a waiver of legal rights against the locality. The bill deems any such waiver in an enacted proffer void and severable and protects any rezoning from challenge on the basis of a profferer's alleged violation of such a waiver provision.

Patron - Knight

[P]HB1269 Board of zoning appeals. Provides that if certain votes of a local board of zoning appeals result in a tie vote, the person filing an appeal may have the matter carried over until the next meeting.

Patron - Fariss

[P]HB1286 Local capital projects; utility relocation. Provides that certain utility companies shall cooperate and coordinate in the relocation of certain utilities so as to avoid unnecessary delays in the construction of local capital projects.

Patron - Dudenhefer

[P]HB1287 Definitions of development. Replaces "property" with "tract of land" for purposes of this definition.

Patron - Minchew

[P]HB1294 Prohibition of certain local fees. Provides that localities shall not charge an assembly fee, or any similar fee to any church, synagogue, or other place of worship.

Patron - Spruill

[P]SB15 Town of Ashland; ordinance requiring the cutting of grass. Adds the Town of Ashland to the list of localities permitted to provide by ordinance for the cutting of grass and weeds on property, whether vacant or occupied.

Patron - McEachin

[P]SB32 Special assessments for local improvements; City of Hampton. Adds the City of Hampton to the lists of localities that may impose special assessments upon abutting property owners for improvements related to the initial paving of streets, flood prevention, and the undergrounding of utilities. This bill is identical to HB 203.

Patron - Locke

[P]SB36 Proffered conditions; amendments or variations. Provides that a landowner subject to certain proffered conditions may apply to the governing body for amendments to or variations of such proffered conditions, provided only that written notice of such application be provided in the manner prescribed by subsection H of § 15.2-2204 to all landowners subject to such existing proffered conditions. The bill also provides that no claim of right derived from a proffered condition shall impair the right of a landowner who is subject to such a condition to secure amendments to the condition. This bill is identical to HB 326.

Patron - Black

[P]SB42 City of Richmond tax amnesty program.

Expands the scope of the City of Richmond's tax amnesty program to include all local taxes and accrued interest.

Patron - Marsh

[P]SB80 City of Virginia Beach; concurrent jurisdiction over adjoining waters. Extends the territorial limits of the City of Virginia Beach three miles into the Atlantic Ocean and Chesapeake Bay waters for purposes of local public safety reg-

ulation authority and enforcement. The bill does not affect the statutory authority of the Virginia Marine Resources Commission.

Patron - McWaters

[P]SB122 Receivership of derelict and blighted buildings. Authorizes a locality to serve as a receiver, appointed by the circuit court, to repair blighted and derelict buildings. Buildings must previously have been determined to be blighted under current spot blight provisions. The owner of the property may redeem the property subject to receivership during the receivership process or prior to sale and will be awarded any profits gained through sale at public auction. This bill was recommended by the Virginia Housing Commission and is identical to HB 491.

Patron - Watkins

[P]SB148 Methamphetamine lab clean-up costs; reimbursement of localities. Allows localities to provide by ordinance that any person who is convicted of an offense for manufacture of methamphetamine shall be liable to the locality or other law-enforcement entity for the expense in cleaning up any methamphetamine lab related to the conviction.

Patron - Puckett

[P]SB179 Bond administration; reimbursement of administrative costs. Provides that if the owner or developer defaults on construction of certain public facilities, the locality shall be entitled to retain the allowance for administrative costs regardless of who ultimately completes the facilities.

Patron - Stuart

[P]SB227 Certain service districts; allocation of revenues. Allows a town located within a stormwater service district to retain any revenues collected by the service district within the town, so long as the town maintains its own MS4 permit.

Patron - Herring

[P]SB235 Provision of insurance for employees of boards working closely with a locality. Adds the employees of political subdivisions of the Commonwealth such as boards, commissions, agencies, or authorities to the list of employees who may receive insurance from a locality. The political subdivision must be working in close cooperation with the locality before the insurance may be provided. Current law limits the provision of such insurance to the members of boards that were created or controlled by the locality. This bill is identical to HB 809.

Patron - Herring

[P]SB274 Urban development areas. Makes incorporation of urban development areas optional rather than mandatory. The bill also makes technical amendments. This bill incorporates SB 291 and is identical to HB 869.

Patron - Smith

[P]SB286 Sale of certain property in Newport News. Allows the City of Newport News to sell certain property of 2,501 square feet or less and not suitable for development for a nominal amount.

Patron - Locke

[P]SB301 Sexual assault response teams; addition of campus police. Requires each attorney for the Commonwealth to invite any chiefs of campus police of institutions of higher education located within the jurisdiction to the annual SART meeting. This bill is identical to HB 969.

Patron - Howell

SB430 Cemeteries. Clarifies the uses that shall be included in the approval of a cemetery without further zoning approval being required. The bill becomes effective January 1, 2013. This bill is identical to HB 316.

Patron - Ruff

SB541 Auxiliary police forces; Department of Criminal Justice Services to establish training requirements. Requires the Department of Criminal Justice Services to establish compulsory training standards for all auxiliary police officers employed by or in any local or state government agency. Officers employed prior to July 1, 2012, are exempted from any initial training requirement until one year subsequent to the promulgation of such standards. The bill contains an emergency clause.

Patron - Obenshain

SB546 Industrial development authorities. Allows Roanoke County to expand the board of its authority from seven to 10 members and the City of Norfolk to appoint 11 members with staggered terms to its authority. This bill is identical to HB 1220.

Patron - Edwards

SB551 Real property tax; discount for payment in full. Allows a locality to provide, by ordinance, a discount for the payment of real estate taxes in full on or before the due date.

Patron - Puller

SB588 Town of Onancock; ordinance providing that charges for water and sewer shall be a lien on real estate. Adds the Town of Onancock to the list of localities permitted to provide by ordinance that charges for water and sewer shall be a lien on the real estate served by such waterline or sewer. This bill is identical to HB 199.

Patron - Northam

SB594 Acquisition of land by localities. Allows counties and cities to acquire land within their boundaries for development of business or industry by voluntary sale, but not by condemnation; current law allows such land acquisition only by towns.

Patron - Favola

SB653 Condemnation; public uses. Provides that lands may be condemned for certain specified uses, including the installation of electric utility lines or telephone lines, because those uses are inherently public uses when undertaken by a locality.

Patron - Newman

SB672 Hampton Roads Sanitation District. Amends the sanitation district's enabling act by expressly permitting the Hampton Roads Sanitation District Commission to determine the rate of interest on revenue bonds, removing the six percent interest-rate cap for the sale of bonds, and allowing the Commission to refund revenue bonds at a higher interest rate than that at which they were issued where the Commission determines such a refund to be in the best interests of the District. Where the Commission secures revenue bonds with a trust agreement, the bill allows such an agreement to require that the bonds be delivered to the trustee with written instructions to cancel them before they will be deemed extinguished. The bill eliminates the requirement that the public official's liability insurance policy covering each Commissioner shall have a \$10,000 deductible and be available through the Commonwealth. A change to the definitions section expands the meaning of the word "owner" to include not only individuals,

corporations, and other listed entities but also limited liability companies. The bill also makes clarifying amendments.

Patron - Norment

Failed

HB92 Urban development areas. Makes incorporation of urban development areas optional rather than mandatory. Any locality that has previously adopted urban development areas may, and upon voter petition shall, reconsider such action.

Patron - Marshall, R.G.

HB108 Enforcement of federal immigration law by the Commonwealth and its political subdivisions. Provides that no agency of the Commonwealth, political subdivision of the Commonwealth or locality, or an employee of any of them acting in his official capacity, may limit or restrict the enforcement of federal immigration laws to less than the full extent permitted by federal law.

Patron - Albo

HB142 Smoking in public parks. Allows localities to ban smoking in designated public parks.

Patron - Englin

HB164 Virginia Indoor Clean Air Act; smoking in public buildings prohibited; penalty. Prohibits smoking in any building owned or leased by the Commonwealth or any agency thereof or any locality. The bill contains numerous technical amendments.

Patron - Hope

HB222 Legal notices. Allows localities to meet certain notice requirements by utilizing their websites, radio or television rather than a newspaper of general circulation.

Patron - Head

HB383 Zoning; attorney fees. Provides that a court may award reasonable attorney fees, expenses, and court costs to any person, group, or entity that prevails in a zoning action brought against it or that successfully challenges the validity of a zoning ordinance.

Patron - Pogge

HB405 Planning commissions; appointments. Provides that no member shall be appointed to a planning commission who holds a pecuniary interest or professional position with any organization to which the outcome of local planning and zoning policies is integral to the organization's mission.

Patron - Torian

HB458 Control of firearms; libraries owned by localities. Provides that a locality may adopt an ordinance that prohibits firearms, ammunition, or components, or a combination thereof, in libraries owned or operated by the locality.

Patron - BaCote

HB499 Vacant building registration. Increases the annual registration fee that cities may charge to owners of property that has been vacant for 12 months or more from \$25 to \$200.

Patron - Dance

HB539 Private road maintenance. Provides that any county may by ordinance require that, in any instance where individual lots for residential use are subdivided from a larger tract, the deed shall require that each lot purchaser contribute a

pro rata share for required private road maintenance. The ordinance may also authorize the majority of lot owners on any private road, whether acting as a group or through a duly organized homeowners' association, to collect from each lot owner on the private road a pro rata share of the reasonable costs of repair, upkeep, and maintenance of the private road.

Patron - Poindexter

[F]HB614 Comprehensive plan. Provides that the comprehensive plan shall control the future land use decisions of the governing body. No zoning amendment shall be approved unless it has been determined to be substantially in accord with the adopted comprehensive plan. However, a governing body may approve a proposed zoning amendment that is not in substantial accord with the comprehensive plan if the advocate for such proposed amendment can make a substantial showing that the land use change will serve the purposes of the zoning ordinance.

Patron - LeMunyon

[F]HB615 Zoning; special exceptions. Clarifies that localities may approve by special exception all modifications to property that may currently also be granted by variance.

Patron - LeMunyon

[F]HB617 Authority to require property owners to cut grass. Authorizes any locality to require by ordinance that owners of certain real estate cut the grass growing on their property. Currently the law grants such authority to specific counties.

Patron - LeMunyon

[F]HB654 Smoking; prohibition on the grounds of public elementary, intermediate, and secondary schools. Expands the prohibition on smoking in the interior of public elementary, intermediate, and secondary schools to include the grounds of such schools. The bill also prohibits smoking in the interior of any public school administration building and the interior of any building where a school-sponsored event is being held off site.

Patron - Kory

[F]HB716 Auxiliary police officers; training standards. Allows individual law-enforcement departments within jurisdictions that establish auxiliary police forces to determine the training standards for those auxiliary police officers.

Patron - Kilgore

[F]HB723 Transportation funding and administration. Provides for transportation funding and administration in Hampton Roads, Northern Virginia, the Richmond Highway Construction District, and the Staunton Highway Construction District.

Patron - Yancey

[F]HB728 Transportation impact fees. Provides that if a specific development or subdivision received final site plan or subdivision approval prior to the effective date of the locality's impact fee ordinance, the amount of the impact fee to be imposed may be determined at any time prior to the issuance of a building permit. Under current law, the amount of the impact fee must be determined before or at the time of site plan or subdivision approval.

Patron - Dudenhefer

[F]HB729 Urban development areas. Increases population thresholds for determining applicability of urban development area (UDA) requirements from 130,000 persons to 200,000 persons. The bill also specifies that UDAs need only accommodate the projected growth beyond what may be devel-

oped by right and changes a 10-year growth mandate to five years.

Patron - Dudenhefer

[F]HB731 Performance guarantees; street construction. Allows localities to retain full performance guarantees until streets in a new development are accepted by the state agency, local government department or agency, or other public authority that is responsible for maintaining and operating such public facility. The bill also provides that if a developer is in default with regard to street completions in another development within a locality, the locality may withhold acceptance of securities or plat approvals. Furthermore, a locality may withhold building permits or occupancy permits within a development until streets in a new development are accepted by the state agency, local government department or agency, or other public authority that is responsible for maintaining and operating such public facility.

Patron - Dudenhefer

[F]HB760 Water and sewer system connections. Adds Gloucester County to those counties that may require connection to their water and sewage systems by owners of property that may be served by such systems; however, those persons having a domestic supply or source of water and an adequate system for the disposal of sewage shall not be required to discontinue their use, but may be required to pay a connection fee, a front footage fee, and a monthly nonuser service charge.

Patron - Hodges

[F]HB773 Local government; publication of notices for charter changes, referenda, and public hearings, etc.; alternatives. Gives localities alternatives to publication in a newspaper of general circulation in the locality for legal ads and other notices of proposed action. These alternatives include publication in at least two of the following forms of publication: (i) in a newspaper of general circulation in the locality, including such newspaper's online publication, if any; (ii) on the locality's website; (iii) on any public access channel operated by the locality, to be aired during prime-time programming and at least two other times during the day; (iv) using any automated voice or text alert systems used by the locality; or (v) posting at the local public library established pursuant to § 42.1-33, if any. In addition, the bill provides that any resident of the locality annually filing a written request for notification with the locality shall be provided notice by the locality in a manner mutually agreed upon by the locality and such individual. The request shall include the resident's name, address, zip code, daytime telephone number, and electronic mail address, if available. In selecting the methods of publication, the bill requires the locality to publish and advertise in a manner gauged to ensure that the maximum number of persons within the locality are likely to be informed of the existence and content of the proposed action. The bill contains technical amendments.

Patron - Landes

[F]HB794 Urban development areas. Makes incorporation of urban development areas optional rather than mandatory. Any locality that has previously adopted urban development areas may, and upon voter petition shall, reconsider such action.

Patron - Rush

[F]HB823 Planning district commissions. Provides that the functional areas warranting regional cooperation for planning district commission purposes shall be limited to (i) solid waste, water supply, and other environmental management and (ii) transportation.

Patron - Marshall, R.G.

HB863 Zoning; civil penalties constitute liens on real property. Establishes that a lien against real property shall exist for each penalty levied for a scheduled violation of a locality's zoning ordinance. Such a lien shall arise for each penalty that either remains unpaid after the completion of an appeals procedure sustaining the penalty or otherwise remains unpaid for 90 days after issuance.

Patron - Rust

HB903 Proffered conditions. Provides that a landowner subject to certain proffered conditions may apply to the governing body for amendments to or variations of such proffered conditions, provided only that written notice of such application be provided in the manner prescribed by subsection H of § 15.2-2204 to all landowners subject to such existing proffered conditions. Also, no landowner shall possess any vested or other property right in any such proffered condition.

Patron - Minchew

HB942 Onsite sewage systems. Provides that a locality shall not require the owner of an alternative onsite sewage system to enter into a performance agreement with the locality or otherwise require the owner of an alternative onsite sewage system to post with the locality a sum of cash, a letter of credit, or a bond.

Patron - Lingamfelter

HB1029 Requirement that certain planning commissioners own real property. Removes the requirement that at least one-half of the members of a local planning commission be owners of real property.

Patron - Englin

HB1071 Onsite sewage systems. Provides that the owner of an alternative onsite sewage system installed prior to January 1, 2010, with flows of less than 1,000 gallons per day serving a church or an individual single-family dwelling occupied by such owner shall be exempt from the requirements for the operation and maintenance of the alternative onsite sewage system contained in State Board of Health regulations. The provisions of this act shall expire on July 1, 2014.

Patron - Hugo

HB1114 Sport shooting range. Provides that no local ordinance shall subject a sport shooting range to any regulation or land use requirement more stringent than those in effect at the time the sport shooting range was approved.

Patron - Morris

HB1122 Receivership of derelict and blighted buildings. Authorizes a locality to serve as a receiver, appointed by the circuit court, to repair blighted and derelict buildings. Buildings must previously have been determined to be blighted under current spot blight provisions. The owner of the property may redeem the property subject to receivership during the receivership process or prior to sale and will be awarded any profits gained through sale at public auction. This bill was recommended by the Virginia Housing Commission.

Patron - Morrissey

HB1196 Zoning provisions for private schools and child day centers; religious institutions. Provides that zoning ordinances for all purposes shall consider (i) private schools operated by a religious institution and (ii) certain child day centers operated by a religious institution as permitted uses in any zoning classification in which religious institutions are a permitted use.

Patron - Cole

HB1259 State Compensation Board. Abolishes the State Compensation Board and assigns its duties pertaining to constitutional officers as follows: (i) for sheriffs, to the Director of the Department of Criminal Justice Services, (ii) for attorneys for the Commonwealth, treasurers and commissioners of revenue, to the Comptroller, and (iii) for clerks of circuit courts, to the Executive Secretary of the Supreme Court.

Patron - Landes

SB19 Cash proffers. Changes the sunset date from July 1, 2015, to July 1, 2012, on provisions that state that cash proffers shall be collected or accepted by any locality only after completion of the final inspection and prior to the time of the issuance of any certificate of occupancy for the subject property.

Patron - Stuart

SB102 Water and waste authorities; liens. Prohibits a water authority in some circumstances from establishing a lien against a landlord's property for a tenant's delinquent fees absent an agreement signed by the landlord permitting such recourse.

Patron - Edwards

SB141 Town of St. Paul; authority to prohibit the use of compression release engine brakes. Authorizes the Town of St. Paul to adopt an ordinance prohibiting or regulating the use of compression release engine brakes within the jurisdiction of the Town. Any such ordinance shall require that appropriate signs be erected to provide notice of the ordinance and may make a violation punishable as a Class 3 misdemeanor.

Patron - Puckett

SB177 Performance guarantees; street construction. Allows localities to retain full performance guarantees until streets in a new development are accepted by the state agency, local government department or agency, or other public authority that is responsible for maintaining and operating such public facility. The bill also provides that if a developer is in default with regard to street completions in another development within a locality, the locality may withhold acceptance of securities or plat approvals. Furthermore, a locality may withhold building permits or occupancy permits within a development until streets in a new development are accepted by the state agency, local government department or agency, or other public authority that is responsible for maintaining and operating such public facility.

Patron - Stuart

SB215 Bond administration; reimbursement of administrative costs. Provides that if the owner or developer defaults on construction of certain public facilities, the locality shall be entitled to retain the allowance for administrative costs regardless of who ultimately completes the facilities.

Patron - Barker

SB229 Zoning; civil penalties constitute liens on real property. Establishes that a lien against real property shall exist for each penalty levied for a scheduled violation of a locality's zoning ordinance. Such a lien shall arise for each penalty that either remains unpaid after the completion of an appeals procedure sustaining the penalty or otherwise remains unpaid for 90 days after issuance.

Patron - Herring

SB233 Proffered conditions. Provides that a landowner subject to certain proffered conditions may apply to the governing body for amendments to or variations of such proffered conditions, provided only that written notice of such

application be provided in the manner prescribed by subsection H of § 15.2-2204 to all landowners subject to such existing proffered conditions. Also, no landowner shall possess any vested or other property right in any such proffered condition.

Patron - Herring

[F]SB291 Urban development areas. Makes incorporation of urban development areas optional rather than mandatory. Any locality that has previously adopted urban development areas may reconsider such action. This bill was incorporated into SB 274.

Patron - Lucas

[F]SB356 Alternative onsite sewage system; exemption from regulations. Provides that the owner of an alternative onsite sewage system installed prior to January 1, 2012, in any county with a population density of 50 persons per square mile or less, that serves an individual single-family dwelling shall be exempt from the requirements for the operation and maintenance of the alternative onsite sewage system contained in certain Board of Health regulations.

Patron - Deeds

[F]SB467 Smoking; prohibition on the grounds of public elementary, intermediate, and secondary schools. Expands the prohibition on smoking in the interior of public elementary, intermediate, and secondary schools to include the grounds of such schools. The bill also prohibits smoking in the interior of any public school administration building.

Patron - Northam

[F]SB468 Virginia Indoor Clean Air Act; smoking in public buildings prohibited; penalty. Prohibits smoking in any building owned or leased by the Commonwealth or any agency thereof, and authorizes each locality to enact ordinances prohibiting smoking in any building owned or leased by the locality. The bill contains numerous technical amendments.

Patron - Northam

[F]SB590 Bristol Virginia Utilities (BVU) Authority; purchase of private cable system. Grants authority to the BVU Authority to purchase any private cable television system located within the territory in which it is authorized to provide telecommunications and Internet services and to operate such cable system.

Patron - Puckett

[F]SB640 Capital improvement; courthouses. Provides that no locality shall approve a capital project involving the locality's courthouse until such time as the United States Gross Domestic Product Annual Growth Rate is three percent or greater.

Patron - Ruff

[F]SB664 Advertisement of legal notices by localities. Allows localities to meet certain notice requirements by utilizing their websites, radio, or television rather than being limited to a newspaper of general circulation.

Patron - Smith

Carried Over

[C]HB107 Richmond Metropolitan Authority; composition of Board of Directors; powers. Equalizes board representation among the City of Richmond, Chesterfield County, and Henrico County. The bill also requires that certain actions of the Authority related to construction or acquisition of lim-

ited access highways receive approval from the local governing bodies.

Patron - Loupassi

[C]HB426 Planning districts; strategic plans. Requires all planning districts to prepare regional strategic plans for the guidance of the district. Currently, planning districts in which regional planning is conducted by multistate councils of government are excluded from such requirement.

Patron - Bulova

[C]HB1150 Cash proffers. Removes the provision allowing the court to award attorney fees in certain cases involving collection of cash proffers. Also, the bill provides that the statute shall not apply to proffer agreements made prior to July 1, 2010.

Patron - Dudenhefer

[C]HB1165 Richmond Metropolitan Authority; police. Provides that the Authority may exercise full law-enforcement powers upon all property owned, operated, managed, leased, or maintained by or under the control of the Authority; establish and maintain a police department; and appoint and employ police officers to enforce the laws of the Commonwealth, the ordinances of the City of Richmond or the County of Chesterfield or Henrico, whichever may be applicable, and all rules and regulations of the Authority.

Patron - McClellan

[C]HB1255 Cable franchise renewal. Provides that the right of a cable operator to renew its authority by means of an ordinance franchise shall not apply to any locality where the cable operator is in material default of the terms and conditions of the franchise last granted by that locality. The bill also requires a cable operator that seeks to renew its franchise do so no later than 30 days prior to the expiration of the existing agreement.

Patron - Marshall, R.G.

Courts Not of Record

Passed

[P]HB391 Confidential juvenile records; sharing with state, local, and regional correctional facilities. Provides for the sharing of juvenile records with state and local correctional facilities when such facility has custody of or is providing supervision for a person convicted as an adult who is the subject of such records.

Patron - Gilbert

[P]HB718 Juveniles; trial as adults. Allows attorneys for the Commonwealth the discretion to have juveniles charged with repeat violations of certain drug offenses transferred to the circuit court for trial as an adult.

Patron - Kilgore

[P]HB837 Local salary supplements for district court employees. Clarifies that local salary supplements may be paid to clerks and other local district court employees, excepting district court judges and substitute judges, wholly out of local funds.

Patron - Hope

[P]HB849 Juveniles held in secure local facility; conduct of hearing. Authorizes the court to conduct the manda-

tory review hearing for a juvenile held in a secure local facility via the use of two-way electronic video and audio communication. Such hearing shall otherwise be conducted in the same manner as if the juvenile appeared in person.

Patron - Johnson

[P]HB1104 Secretary of Public Safety; Virginia Fire Services Board; State Board of Juvenile Justice; powers and duties. Consolidates, eliminates, or alters various powers and duties of the Virginia Fire Services Board and the State Board of Juvenile Justice regarding regulations, reporting, oversight, and the policy-making functions of the boards. The bill abolishes the Interagency Drug Offender Screening and Assessment Committee. The bill contains technical amendments. This bill is identical to SB 411.

Patron - Greason

[P]HB1244 Arrest, detention, admission to bail of adult charged when a juvenile. Authorizes an adult who is taken into custody pursuant to a warrant or detention order alleging a delinquent act committed when the adult was a juvenile to be released by a magistrate on bail or recognizance pursuant to Chapter 9 (§ 19.2-119 et seq.) of Title 19.2.

Patron - Johnson

[P]SB300 Protective orders; juveniles; venue. Makes various changes to the provisions governing protective orders issued by a juvenile and domestic relations district court, including (i) clarifying that only violations related to trespass, criminal offenses, acts of abuse, or prohibited contacts are Class 1 misdemeanors; (ii) clarifying that juvenile and domestic relations district courts have jurisdiction over all protective orders that involve juveniles, whether as the alleged victim or as respondent; and (iii) allowing judges to prohibit contact between the respondent and the allegedly abused person or that person's family.

Patron - Howell

[P]SB411 Secretary of Public Safety; Virginia Fire Services Board; State Board of Juvenile Justice; powers and duties. Consolidates, eliminates, and alters various powers and duties of the Virginia Fire Services Board and the State Board of Juvenile Justice regarding regulations, reporting, oversight, and the policy-making functions of the boards. The bill abolishes the Interagency Drug Offender Screening and Assessment Committee. The bill contains technical amendments. This bill is identical to HB 1104.

Patron - Norment

[P]SB476 Confidential juvenile records; sharing with state, local, and regional correctional facilities. Provides for the sharing of juvenile records with state and local correctional facilities when such facility has custody of or is providing supervision for a person convicted as an adult who is the subject of such records.

Patron - Garrett

Failed

[F]HB284 Record on appeal from district court. Provides that, upon the appeal of a district court judgment in a civil case to circuit court, only the original warrants or pleadings with the judgment endorsed thereon and all other pleadings filed in the case shall be transmitted to the circuit court. All other materials contained in the case file, including all other documents, exhibits, or papers, shall be retained by the

district court. Currently, the district court transfers all materials to the circuit court in the event of an appeal.

Patron - Iaquinto

[F]HB363 Protective orders; animals. Provides that a court may include in a protective order provisions granting to the petitioner the care, custody, and control of an animal owned, possessed, or kept by either the petitioner, the respondent, or a child residing in the household.

Patron - McClellan

[F]HB674 Protective orders; minors; jurisdiction. Provides that a minor may petition for a protective order on his own behalf without the consent of a parent or guardian. The bill also provides that protective orders sought against individuals who are not family or household members of the person seeking the order may be brought in juvenile and domestic relations district court where the person seeking the order or the respondent is a juvenile.

Patron - Surovell

[F]HB682 Petition for child custody or visitation. Provides that issues of child custody or visitation may be included in a single petition in juvenile and domestic relations district court, and that such issues may be included in a single petition involving two or more children, if such children have the same parents or legal guardians. The bill also provides that if a person, agency, or institution is authorized to inspect the case files relating to any juvenile subject to such a petition, they may inspect the entire case file related to the petition. The bill further provides that the court records in a case where a single petition for multiple children has been filed will be expunged after the youngest child subject to the petition has reached 19 years of age and five years have elapsed since the last hearing in the case.

Patron - Surovell

[F]HB747 Destruction of juvenile delinquency records; underage possession of alcohol. Provides that the juvenile court records of a juvenile found delinquent for underage possession of alcohol shall be destroyed no sooner than his 21st birthday.

Patron - Cline

[F]HB834 Fines under certain local ordinances paid to local school division and Literary Fund. Provides that fines imposed under certain local ordinances dealing with DUI, disposition of children in juvenile and domestic relations district courts, and appropriate provisions of Title 46.2, when those ordinances incorporate Code of Virginia provisions, are to be paid to the school division of the locality in which the fines were imposed and into the state treasury to the credit of the Literary Fund in the proportions as follows: beginning July 1, 2012, and through June 30, 2013, 67% to the local school division and 33% to the Literary Fund; beginning July 1, 2013, and through June 30, 2014, 33% to the local school board and 67% to the Literary Fund; and beginning July 1, 2014, 100% to the Literary Fund.

Patron - Carr

[F]HB1096 Attorney fees; juvenile and domestic relations district courts. Emphasizes that an award of attorney fees and costs made in certain cases in juvenile and domestic relations district court must be reasonable. The bill also provides that such an award may be made as part of a pendente lite or final order or at any other time the matter is pending before the court.

Patron - Herring

[F]HB1176 Confidentiality of juvenile law-enforcement records. Provides that law-enforcement records of any juvenile charged with a violent juvenile felony shall be open to the public. Currently such records are public with respect to such juvenile only when he is 14 years of age or older.

Patron - Howell, A.T.

[F]HB1198 Courts not of record; circuit court hearing; termination of juvenile court jurisdiction; objections and appeals. Provides, in certain violent felony cases, for a juvenile's right to appeal to the circuit court the attorney for the Commonwealth's decision to certify that the juvenile's case be transferred to the circuit court for trial as an adult. If the juvenile appeals the decision to transfer, the circuit court will conduct a hearing on the merits, using factors currently used by the juvenile and domestic relations district court for transfer decisions.

Patron - Herring

[F]SB419 Juveniles; trial as adults. Allows prosecutors the discretion to have juveniles charged with violations of certain gang offenses and repeat violations of certain drug offenses to be transferred to the circuit court for trial as an adult. The bill also provides that juveniles charged with an offense defined as an act of violence, if previously adjudicated delinquent of an act of violence, are automatically transferred to the circuit court for trial as an adult.

Patron - Stanley

[F]SB583 Courts not of record; circuit court hearing; termination of juvenile court jurisdiction; objections and appeals. Provides, in certain violent felony cases, for a juvenile's right to appeal to the circuit court the attorney for the Commonwealth's decision to certify that the juvenile's case be transferred to the circuit court for trial as an adult. If the juvenile appeals the decision to transfer, the circuit court will conduct a hearing on the merits, using factors currently used by the juvenile and domestic relations district court for transfer decisions.

Patron - Edwards

Carried Over

[C]HB450 Restoration of parental rights. Creates a procedure for restoring the parental rights to a child's parent whose rights as to that child had previously been terminated, provided certain conditions exist. The petition to restore a parent's rights may be filed by the local board of social services or the child's guardian ad litem. In order to order the restoration of rights, the court must find that such an order is in the child's best interest and that the child has not achieved or sustained his permanency goal and is not likely to do so in the next six months. Both the child and the parent whose rights are to be restored must consent to the restoration.

Patron - Toscano

[C]HB463 Legal custody of juveniles in custody of the Department of Juvenile Justice. Clarifies that commitment of a child by a court to the Department of Juvenile Justice is a transfer of legal custody if, at the time of commitment, the child is in foster care.

Patron - Byron

[C]HB966 Child custody; guardian ad litem. Provides that a court shall not appoint a guardian ad litem for a child or a child's parent or guardian in any case in which the child is alleged to have committed a delinquent act unless there is a conflict of interests between the child and the parent or guard-

ian, no parent or guardian can be located, or good cause exists to make such an appointment.

Patron - Bell, Robert B.

[C]HB1283 Child custody and visitation; person with a legitimate interest. Provides that a person with a legitimate interest who may petition for custody or visitation of a child that is not his or her own must be a grandparent, stepparent, former stepparent, blood relative, or family member of the child.

Patron - Cline

[C]SB203 Adjudications same as conviction for certain offenses. Provides that in the case of second offense domestic assault and battery, second offense possession of marijuana and second or subsequent offense larceny, one is guilty of such crime if one has been adjudicated guilty as well as if one has been convicted.

Patron - Marsden

[C]SB218 Restoration of parental rights. Creates a procedure for restoring the parental rights to a child's parent whose rights as to that child had previously been terminated, provided certain conditions exist. The petition to restore a parent's rights may be filed by the local board of social services or the child's guardian ad litem jointly with the child's parent. In order to order the restoration of rights, the court must find that such an order is in the child's best interest and that the child has not achieved or sustained his permanency goal and is not likely to do so in the next six months.

Patron - Barker

[C]SB390 Juvenile life sentences. Provides a mechanism for persons who are sentenced to life for a nonhomicide offense committed while a juvenile to petition the court for a modification of sentence.

Patron - Marsden

[C]SB555 Restoration of parental rights. Creates a procedure for restoring the parental rights to a child's parent whose rights as to that child had previously been terminated, provided certain conditions exist. The petition to restore a parent's rights may be filed by the local board of social services or the child's guardian ad litem jointly with the child's parent. In order to order the restoration of rights, the court must find that such an order is in the child's best interest and that the child has not achieved or sustained his permanency goal and is not likely to do so in the next six months.

Patron - Favola

Courts of Record

Passed

[P]HB387 Fees collected by clerks; payment with dishonored check or credit card. Increases the fee for paying the clerk of court with a bad check or credit card from \$20 to \$50, which is the same penalty merchants may charge for the same.

Patron - Gilbert

[P]HB484 Court records; secure remote access; interfacing computer systems. Provides that the operational expenses associated with providing secure remote access to land records includes locating technology in an offsite facility for purposes of improving public access or for the implementa-

tion of a disaster recovery plan. The bill extends the prohibition on selling or posting data accessed by secure remote access to include land records. The bill further requires the Executive Secretary of the Supreme Court to establish security and data standards for interfacing between a circuit court's case management or financial management system and the systems of the Supreme Court.

Patron - Iaquinto

[P]HB745 Supreme Court of Virginia; judicial caseloads; weighted caseload system. Requires the Supreme Court to develop and implement a weighted caseload system to assess judicial caseloads throughout the Commonwealth, and using that system, requires the Court to determine the need for judicial positions and the optimum distribution of judicial positions throughout the Commonwealth and to prepare a recommended plan for the realignment of the circuit and district boundaries.

Patron - Cline

[P]HB761 Recording deeds; statement of preparation. Authorizes the circuit court clerk to reject for filing or recording a deed, except for deeds where a public service company, railroad, or cable system operator is either a grantor or grantee, unless it states on its first page that it was prepared either by the owner of the property or by an attorney licensed to practice in Virginia.

Patron - Lewis

[P]HB926 Circuit court clerks; remote access to land records; fees collected by clerks; debit cards. Provides for the acceptance of debit cards in addition to credit cards and allows the clerk to outsource the processing of credit and debit card transactions. The bill also provides that the clerk may charge a convenience fee for processing credit or debit cards of up to \$2 per transaction or four percent of the amount paid. Currently, such fee may not exceed four percent of the amount paid. The bill also makes permanent a Prince William program authorizing the clerk to charge a convenience fee of up to \$2 per transaction and a separate per image download fee for access to land records.

Patron - Lingamfelter

[P]HB1033 Permanent protective orders. Provides a circuit court jurisdiction to hear petitions to modify, dissolve, or extend a permanent protective order if the circuit court issued the order. The bill requires the court, when a protective order is issued, to enter and transfer identifying information to the Virginia Criminal Information Network (VCIN) system. Effective July 1, 2013, any circuit court clerk who does not use the Statewide Case Management System operated and maintained by the Executive Secretary of the Supreme Court shall provide protective orders directly to the Virginia Criminal Information Network. This bill is identical to SB 445.

Patron - McClellan

[P]HB1250 Judicial Conference of Virginia; membership. Adds to the ranks of the honorary members of the Judicial Conference of Virginia the deans of the Liberty University School of Law and the Appalachian School of Law and the president and secretary of the Virginia Association of Criminal Defense Lawyers.

Patron - Morefield

[P]HB1284 Clerks of court; certain duties of the circuit court clerk. Clarifies when the clerk of the court may destroy case file papers, and also clarifies that a person seeking authorization to perform marriages must file a petition with the clerk and pay any applicable fees. The bill allows the clerk to require the filing of a separate instrument acknowledging a

confessed judgment and relieves the clerk of the requirements to (i) obtain or update a list of volunteer firefighters and (ii) provide marriage license applicants with health information.

Patron - Cline

[P]SB183 Secure remote access fee. Exempts the Virginia Outdoors Foundation from having to pay the clerk of the circuit court a fee for remote access to land records. Currently, the Office of Attorney General, the Division of Debt Collection, the Department of Transportation, and the Department of Rail and Public Transportation are exempt from paying the fee.

Patron - Stuart

[P]SB251 Court fees. Provides for the acceptance of debit cards in addition to credit cards and allows the clerk to outsource the processing of credit and debit card transactions. The bill also provides that the clerk may charge a convenience fee for processing credit or debit cards of up to \$2 per transaction or four percent of the amount paid. Currently, such fee may not exceed four percent of the amount paid. The bill also provides that certain court fees collected by the clerk shall be deposited into a special revenue fund held by the clerk. The bill also institutes a fee of \$25 for recording an order to celebrate the rites of marriage by a non-minister.

Patron - Obenshain

[P]SB445 Permanent protective orders. Provides a circuit court jurisdiction to hear petitions to modify, dissolve, or extend a permanent protective order if the circuit court issued the order. The bill requires the court, when a protective order is issued, to enter and transfer identifying information into the Virginia Criminal Information Network (VCIN). Effective July 1, 2013, any circuit court clerk who does not use the Statewide Case Management System operated and maintained by the Executive Secretary of the Supreme Court shall provide protective orders directly to the VCIN. This bill is identical to HB 1033.

Patron - Vogel

Failed

[F]HB482 Circuit court clerks; technology fee. Replaces the \$5 Technology Trust Fund Fee with a \$4 Local Technology Trust Fund Fee and a \$1 State Technology Trust Fund Fee. The \$4 local fee will be deposited into the circuit court clerk's nonreverting fund to be used for the operational expenses associated with providing secure remote access to land records. The \$1 state fee is paid to a state trust fund and may be allocated by the State Compensation Board to those clerks' offices whose deposits from the local fund are not sufficient for modernizing access to records. Currently, \$4 of the \$5 fee is paid into a trust fund and allocated by the Compensation Board to circuit court clerks' offices for such purposes and the remaining \$1 is allocated to studies of automation and to clerks' offices whose share of the \$4 fee is not sufficient to implement such modernizations.

Patron - Iaquinto

[F]HB1054 Public records; retention and destruction of original records by clerk. Clarifies inconsistencies between the law governing the retention and destruction of original public records by the clerk of the circuit court and the Public Records Management Act.

Patron - Anderson

[F]HB1120 Circuit courts; number of judges; Tenth Circuit. Adds a fourth circuit court judge to the Tenth Judicial Circuit.

Patron - Wright

[F]HB1143 Public records; retention and destruction of original records by clerk. Clarifies inconsistencies between the law governing the retention and destruction of original public records by the clerk of the circuit court and the Public Records Management Act.

Patron - Webert

[F]SB360 Hearings in the Supreme Court of Virginia; Judicial Inquiry and Review Commission. Clarifies that the hearings allowed under the Constitution related to complaints filed by the Judicial Inquiry and Review Commission are to be evidentiary hearings and that both the Commission and the judge are entitled to present evidence and argument during such hearings subject to any scheduling orders issued by the Court.

Patron - Deeds

[F]SB570 Circuit courts; number of judges; Tenth Circuit. Adds a fourth circuit court judge to the Tenth Judicial Circuit.

Patron - Ruff

[F]SB630 Courts of record; Court of Appeals. Abolishes the Court of Appeals effective October 1, 2012.

Patron - Deeds

Carried Over

[C]HB274 Number of circuit court judges; Fifteenth and Seventeenth Judicial Circuits. Increases the number of circuit court judges in the Fifteenth Judicial Circuit from eight to nine, and decreases the number of such judges in the Seventeenth Judicial Circuit from four to three.

Patron - Peace

Crimes and Offenses Generally

Passed

[P]HB26 Failure to carry concealed handgun permit; penalty. Provides that failure to produce, upon demand of a law-enforcement officer, a concealed handgun permit and a government-issued photo identification while carrying a concealed handgun is punishable by a \$25 civil penalty. A court may waive this penalty if the person presents a valid concealed handgun permit and government-issued photo identification to the court. The bill also introduces an affirmative defense of having a valid concealed handgun permit to a charge of violating the concealed weapons statute with a handgun.

Patron - Cole

[P]HB39 Causing telephone to ring with intent to annoy. Provides that a second or subsequent conviction of the Class 3 misdemeanor of causing a telephone or digital pager to ring with intent to annoy is a Class 2 misdemeanor.

Patron - Tata

[P]HB279 DUI ignition interlock limitations. Provides that a person who is convicted of DUI may drive only with an ignition interlock after the first offense, as a condition of a

restricted license and is required to have an ignition interlock installed in each vehicle owned by or registered to him after a second offense. The bill also provides that the court may authorize a restricted license for travel to and from the interlock installer and a person can pre-qualify for an ignition interlock prior to conviction. Currently, the requirement for an ignition interlock is imposed only upon a second or subsequent offense or when the offender's BAC is 0.15 percent or above. This bill incorporates HB 467, HB 951, and HB 1258, and is identical to SB 378.

Patron - Iaquinto

[P]HB288 Carrying weapons into courthouses; exception. Provides an exception from the prohibition against carrying a weapon into courthouses in the Commonwealth for city and county treasurers.

Patron - Sherwood

[P]HB462 Abortion; informed consent. Requires that, as a component of informed consent to an abortion, to determine gestational age, every pregnant female shall undergo transabdominal ultrasound imaging and be given an opportunity to view the ultrasound image of her fetus prior to the abortion. The medical professional performing the ultrasound must obtain written certification from the woman that the opportunity was offered and whether the woman availed herself of the opportunity to see the ultrasound image or hear the fetal heart-beat. A copy of the ultrasound and the written certification shall be maintained in the woman's medical records at the facility where the abortion is to be performed. The ultrasound is not required if the woman is the victim of rape or incest and the incident was reported to law enforcement. This bill incorporates HB 261.

Patron - Byron

[P]HB508 Synthetic cannabinoids; bath salts; penalties. Amends provisions added to the Code last year regarding the criminalization of synthetic cannabinoids and chemicals known as "bath salts" to add newly identified chemical combinations. The bill adds a more generic chemical description of synthetic cannabinoids so that new chemical compounds will nevertheless be considered synthetic cannabinoids without the precise chemical compound having to be added to the Code. This bill is identical to SB 273.

Patron - Garrett

[P]HB546 Crimes by gangs. Includes within the definition of "predicate criminal act" the offenses of the taking or detaining of any person into a place for the purpose of prostitution and the receiving of money from earnings of any person engaged in prostitution.

Patron - Comstock

[P]HB556 Internet publication of personal information of certain public officials prohibited. Adds various public officials to the current provision prohibiting a state or local agency from publicly posting or displaying on the Internet the home address or personal telephone numbers of a law-enforcement officer if the officer has made a written demand and obtains a court order. The bill also deletes the requirement for a hearing and adds personal email addresses to the personal information subject to protection.

Patron - Albo

[P]HB573 Flags flown at half staff. Provides that whenever a member of the United States armed forces, a police officer, a firefighter, or an emergency medical services provider who is a resident of Virginia is killed in the line of duty, state and local flags flown at any building owned by the Commonwealth shall be flown at half staff or mast for one day to honor

and acknowledge respect for those who made the supreme sacrifice. The Department of General Services is to develop procedures to effectuate the purposes of the bill.

Patron - Marshall, D.W.

HB630 Racketeering; forfeiture. Amends provisions that allow for forfeiture of real or personal property used in substantial connection with racketeering offenses to provide that the interest or profits derived from the investment of the forfeited money may also be forfeited.

Patron - Morris

HB752 Strangulation; penalty. Provides that any person who, without consent, impedes the blood circulation or respiration of another person by knowingly, intentionally, and unlawfully applying pressure to the neck of such person resulting in the wounding or bodily injury of such person is guilty of strangulation, a Class 6 felony. This bill is identical to SB 459.

Patron - Cline

HB754 Concealed handgun permit applications; fingerprints. Removes the option for a locality to require that an applicant for a concealed handgun permit submit fingerprints as part of the application. This bill is identical to SB 67.

Patron - Cline

HB940 Purchase of handguns; eliminate limitation on handgun purchases. Eliminates the prohibition on purchasing more than one handgun in a 30-day period. This bill is identical to SB 323.

Patron - Lingamfelter

HB963 Solicitation of child pornography. Provides that any person who commands, entreats, or otherwise attempts to persuade another person to send, submit, transfer, or provide to him any child pornography in order to gain entry into a group, association, or assembly of persons engaged in trading or sharing child pornography shall be punished by not less than five years nor more than 20 years in a state correctional facility, with a five-year mandatory minimum term of imprisonment for a second or subsequent violation.

Patron - Bell, Robert B.

HB964 Displaying a grooming video or materials to a minor; penalty. Provides that any person 18 years of age or older who displays child pornography or a grooming video or materials to a child under 13 years of age is guilty of a Class 6 felony. The bill defines grooming video or materials as a cartoon, animation, image, or series of images depicting a child engaged in a sex act.

Patron - Bell, Robert B.

HB968 Manufacturing, etc., Schedule I and II drugs. Adds a mandatory minimum term of confinement of three years for a second or subsequent conviction of manufacturing, selling, giving, distributing, or possessing with intent to distribute a Schedule I or II drug (now five to life) and increases the mandatory minimum term for a third or subsequent conviction from five years to 10 years. This bill is identical to SB 159.

Patron - Bell, Robert B.

HB973 Sex crimes; penalties. Imposes a mandatory minimum life sentence for rape, forcible sodomy, or object sexual penetration of a child under the age of 13 when it is alleged in the indictment that the offender was 18 years of age or older at the time of the offense. This bill is identical to SB 436.

Patron - Bell, Robert B.

HB1037 Methamphetamine site cleanup costs ordered paid by defendant. Provides that if property owned by a person convicted of manufacture of methamphetamine is damaged, destroyed, or otherwise rendered unusable as a result of such methamphetamine manufacture, the court shall order the person to pay the reasonable estimated or actual expenses associated with cleanup, removal, or repair of the affected property or, if actual or estimated expenses cannot be determined, the sum of \$10,000, to the newly created Methamphetamine Cleanup Fund.

Patron - Poindexter

HB1161 Methamphetamine precursors; sale and tracking; penalties. Requires the Department of State Police to enter into a memorandum of understanding to establish the Commonwealth's participation in a real-time electronic record-keeping and monitoring system for the nonprescription sale of ephedrine or related compounds. Most pharmacies and retail distributors will be required to enter nonprescription sales of ephedrine or related compounds into the electronic system. The bill retains the existing sales limit of no more than 3.6 grams of ephedrine or related compounds per day per individual retail customer and no more than nine grams per 30-day period. The bill is effective January 1, 2013. This bill is identical to SB 294.

Patron - Cline

SB67 Concealed handgun permit applications; fingerprints. Removes the option for a locality to require that an applicant for a concealed handgun permit submit fingerprints as part of the application. This bill incorporates SB 670 and is identical to HB 754.

Patron - Stanley

SB159 Manufacturing, etc., Schedule I and II drugs. Adds a mandatory minimum term of confinement of three years for a second or subsequent conviction of manufacturing, selling, giving, distributing, or possessing with intent to distribute a Schedule I or II drug (now five to life) and increases the mandatory minimum term for a third or subsequent conviction from five years to 10 years. This bill is identical to HB 968.

Patron - Obenshain

SB273 Synthetic cannabinoids; bath salts; penalties. Amends provisions added to the Code last year regarding the criminalization of synthetic cannabinoids and chemicals known as "bath salts" to add newly identified chemical combinations. The bill adds a more generic chemical description of synthetic cannabinoids so that new chemical compounds will nevertheless be considered synthetic cannabinoids without the precise chemical compound having to be added to the Code. This bill incorporates SB 223 and is identical to HB 508.

Patron - Smith

SB294 Methamphetamine precursors; sale and tracking; penalties. Requires the Department of State Police to enter into a memorandum of understanding to establish the Commonwealth's participation in a real-time electronic record-keeping and monitoring system for the nonprescription sale of ephedrine or related compounds. Most pharmacies and retail distributors will be required to enter nonprescription sales of ephedrine or related compounds into the electronic system. The bill retains the existing sales limit of no more than 3.6 grams of ephedrine or related compounds per day per individual retail customer and no more than 9 grams per 30-day period. The bill is effective January 1, 2013. This bill incorporates SB 14 and is identical to HB 1161.

Patron - Lucas

[P]SB323 Purchase of handguns; eliminate limitation on handgun purchases. Eliminates the prohibition on purchasing more than one handgun in a 30-day period. This bill is identical to HB 940.

Patron - Carrico

[P]SB378 DUI ignition interlock limitations. Provides that a person who is convicted of DUI may drive only with an ignition interlock after the first offense, as a condition of a restricted license, and is required to have an ignition interlock installed in each vehicle owned by or registered to him after a second offense. The bill also provides that the court may authorize a restricted license for travel to and from the interlock installer, and a person can pre-qualify for an ignition interlock prior to conviction. Currently, the requirement for an ignition interlock is imposed only upon a second or subsequent offense or when the offender's BAC is 0.15 percent or above. This bill is identical to HB 279.

Patron - McEachin

[P]SB436 Sex crimes; penalties. Imposes a mandatory minimum life sentence for rape, forcible sodomy, or object sexual penetration of a child under the age of 13 when it is alleged in the indictment that the offender was 18 years of age or older at the time of the offense. This bill is identical to HB 973.

Patron - Obenshain

[P]SB459 Strangulation; penalty. Provides that any person who, without consent, impedes the blood circulation or respiration of another person by knowingly, intentionally, and unlawfully applying pressure to the neck of such person resulting in the wounding or bodily injury of such person is guilty of strangulation, a Class 6 felony. This bill is identical to HB 752.

Patron - Herring

[P]SB563 Concealed handgun permits; application procedures. Restricts the clerk and the circuit court from requesting or requiring any information from an applicant other than that which is allowed on the concealed handgun permit application and provides that if the permit is denied the court must state in the order the reason for denial when based on one of the conviction, protective order, addiction, or mental health barriers listed in the Code. The bill also requires the circuit court to issue a concealed handgun permit via the United States mail.

Patron - Ruff

[P]SB657 Riding transportation district train with fraudulent ticket; penalty. Provides a \$750 minimum fine for the second conviction within one year of a prior offense of using a fraudulent or counterfeit ticket. Under current law this Class 2 misdemeanor has a minimum fine of \$500.

Patron - Puller

Failed

[F]HB6 Failure to report death of child by parent, guardian, etc.; penalty. Provides that any parent, guardian, or legal custodian of a child or a person standing in loco parentis to a child who, with intent to conceal the death, fails to report the death of the child to the local law-enforcement agency, the State Police, or an emergency health care provider within one hour of his discovery of the death is guilty of a Class 6 felony.

Patron - Howell, A.T.

[F]HB25 Concealed handgun permits; confidentiality of permittee information. Prohibits the clerk of the court

from disclosing information contained on a concealed handgun permit application or on an order issuing a concealed handgun permit.

Patron - Cole

[F]HB49 Penalty for DUI manslaughter. Provides that the punishment for DUI manslaughter is to include a one-year mandatory term of confinement and raises the mandatory minimum term for aggravated DUI manslaughter from one to five years.

Patron - Albo

[F]HB50 Penalty for DUI maiming. Provides that the punishment for DUI maiming, a Class 6 felony, shall include a mandatory minimum term of confinement of one year.

Patron - Albo

[F]HB91 Possession of concealed handguns; faculty members at public institutions of higher education. Allows full-time faculty members of public institutions of higher education who possess a valid Virginia concealed handgun permit to carry a concealed handgun on campus.

Patron - Marshall, R.G.

[F]HB136 Drug Treatment Courts. Provides that drug treatment courts shall be established in the Counties of Buchanan, Dickenson, Goochland, Montgomery, Russell, Smyth, and Washington, and that a drug treatment court shall be established in the County of Wise to serve the City of Norton and the Counties of Lee, Scott, and Wise. The sources of funding for such courts shall be federal appropriations and other nongeneral fund appropriations as may be made available for the purpose.

Patron - Kilgore

[F]HB139 Carrying concealed handguns; penalties.

Provides that any person who may lawfully possess a firearm in Virginia may carry it hidden from common observation. The bill retains the procedures to obtain a permit that authorizes a person to carry a concealed handgun for those who wish to carry a concealed handgun in other states with reciprocal agreements with the Commonwealth. The bill creates Class 1 misdemeanors for carrying concealed handguns during the commission of certain drug-related crimes and makes carrying a concealed handgun during the commission of certain felonies a separate felony. This bill contains technical amendments.

Patron - Cole

[F]HB200 Assault and battery on school grounds; penalty. Provides that any adult who commits an assault or assault and battery against another while on the premises of any public or private elementary or secondary school is guilty of a Class 1 misdemeanor, punishment for which shall include a mandatory minimum term of confinement of 30 days.

Patron - Lewis

[F]HB261 Abortion; ultrasound required. Requires every pregnant female to undergo a limited ultrasound examination prior to undergoing an abortion procedure. The bill also requires the Department of Health to compile information on facilities that perform free ultrasound services. This bill was incorporated into HB 462.

Patron - Cole

[F]HB287 Expansion of gang-free zones. Adds school bus stops and publicly owned parks, libraries, and hospitals to the list of places denoted "gang-free zones." Criminal gang activity that occurs in gang-free zones receives additional punishment.

Patron - Iaquinto

HB331 Obscenity. Modifies the educational, artistic, and theatrical exemption to obscenity laws by providing that certain crimes (child pornography and use of communications systems to facilitate certain offenses involving children) are not subject to the exemption.

Patron - Villanueva

HB360 Purchase of methamphetamine precursors; acceptable identification. Provides that the documents allowed under the federal Combat Methamphetamine Epidemic Act of 2005 to establish identity for the purpose of purchasing methamphetamine precursors are allowed for the same purpose in Virginia. Under current Virginia law a photo identification issued by a government or an educational institution must be presented to purchase.

For identification purposes federal law requires an identification card that provides a photograph and is issued by a state or the federal government or documents considered acceptable under the Code of Federal Regulations for employment verification. Those documents are as follows: a U.S. passport; an Alien Registration Receipt Card or Permanent Resident Card, a foreign passport that contains a temporary I-551 stamp, or temporary I-551 printed notation on a machine-readable immigrant visa; an Employment Authorization Document which contains a photograph; in the case of a nonimmigrant alien authorized to work for a specific employer incident to status, a foreign passport with a Form I-94 or Form I-94A bearing the same name as the passport and containing an endorsement of the alien's non-immigrant status, as long as the period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the Form; a passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI; or, in the case of an individual lawfully enlisted for military service in the Armed Forces under 10 U.S.C. § 504, a military identification card issued to such individual may be accepted only by the armed forces.

The following documents are acceptable to establish identity for individuals 16 years of age or older: a driver's license or identification card containing a photograph issued by a state or an outlying possession of the United States (if the driver's license or identification card does not contain a photograph, identifying information shall be included); school identification card with a photograph; voter's registration card; U.S. military card or draft record; identification card issued by federal, state, or local government agencies or entities (if the identification card does not contain a photograph, identifying information shall be included); military dependent's identification card; native American tribal documents; United States Coast Guard Merchant Mariner Card; or driver's license issued by a Canadian government authority.

For individuals under age 18 who are unable to produce a document listed above, the following documents are acceptable: school record or report card; clinic doctor or hospital record; or daycare or nursery school record.

Patron - McClellan

HB361 Stalking; enhanced penalties. Provides that any person who commits a second or subsequent offense of stalking within five years of a conviction of a prior offense is guilty of a Class 6 felony. Currently, the Class 6 felony applies for a third or subsequent offense. The bill also provides that any person who commits an offense of stalking is guilty of a Class 6 felony when, at the time of the offense, there is in effect any court order prohibiting contact between the defen-

dant and the victim or the victim's family or household member.

Patron - McClellan

HB364 Transfer of firearms; criminal records check; penalties. Adds a definition of "firearms show vendor" and requires that a criminal history record information check be performed on the prospective transferee before the vendor may transfer firearms at a gun show. Under current law, only licensed dealers must obtain such a check. The bill also requires that the promoter of a gun show provide vendors with access to licensed dealers who will conduct the criminal history record information check.

Patron - McClellan

HB389 Criminal law; redefinition of the triggerman rule. Redefines the "triggerman rule," which currently provides that only the actual perpetrator of a capital murder is eligible for the death penalty and that accessories and principals in the second degree can be punished only as if guilty of first degree murder. This bill allows principals in the second degree and accessories before the fact to be charged as principals in the first degree in the cases of murder for hire, murder involving a continuing criminal enterprise, and terrorism. This bill allows, in all other cases of capital murder, a principal in the second degree to be tried as a principal in the first degree if he had the same intent to kill as the principal in the first degree. The bill allows an accessory before the fact to be tried as a principal in the first degree if he ordered or directed the willful, deliberate, and premeditated killing. This bill incorporates HB 954.

Patron - Gilbert

HB409 Financial exploitation of elderly and incapacitated; penalty. Provides that any person who knowingly exploits the impaired mental or physical capacity of an incapacitated adult or an adult (defined in the section as 60 years old or older) by deception, intimidation, undue influence, coercion, harassment, duress, or misrepresentation to use, obtain, convert, or take control of or endeavor to use, obtain, convert, or take control of the incapacitated adult's or adult's money, assets, property, or financial resources with the intent to deprive the incapacitated adult or adult of the use, benefit, or possession of the money, assets, property, or financial resources and to convert such money, assets, property, or financial resources to the perpetrator's own use or benefit is guilty of a Class 5 felony. However, any responsible person or a person who has a fiduciary relationship with the incapacitated adult or adult who commits such a violation is guilty of a Class 3 felony. It is not a defense that the accused did not know the age of the victim.

Patron - Watts

HB467 Ignition interlock installation requirement. Removes the requirement that any person whose driving privilege is conditioned upon driving a motor vehicle only when there is an ignition interlock installed in the vehicle have such a device installed on any vehicle he owns in whole or in part. The requirement that any vehicle he operates be so equipped is not changed. This bill was incorporated into HB 279.

Patron - Albo

HB473 Charitable gaming; jumbo bingo. Authorizes the conduct of a new charitable game known as jumbo bingo. The bill sets out the terms and conditions under which jumbo bingo may be conducted, provides for the licensing of jumbo bingo network providers, and sets the maximum prize amount for jumbo bingo. The bill defines the terms "jumbo bingo," "pari-mutuel play," and "jumbo bingo network pro-

vider," and contains technical amendments. The bill also raises the instant bingo prize amount from \$599 to \$1,000.

Patron - Albo

[F]HB489 Fees; additional fees for conviction of domestic violence offenses. Assesses an additional \$50 fee for conviction of domestic violence offenses to be retained by the locality to support investigation and prosecution of domestic violence cases and to provide services to victims in such cases. This is in addition to the fees, available to localities, assessed to support the Virginia Sexual and Domestic Violence Victim Fund.

Patron - Ware, O.

[F]HB494 Failure to report death of child by parent, guardian, etc.; penalty. Provides that any parent, guardian, or legal custodian of a child or a person standing in loco parentis to a child who, with intent to conceal the death, fails to report the death of the child to the local law-enforcement agency, the State Police, or an emergency health care provider within one hour of his discovery of the death is guilty of a Class 6 felony.

Patron - Dance

[F]HB528 Drug-free and gang-free zones; penalties. Provides enhanced penalties for gang activities or drug manufacture, distribution, or possession with intent to distribute within 1,000 feet of multifamily housing for older persons.

Patron - McQuinn

[F]HB563 Drug treatment courts. Authorizes the establishment of a drug treatment court in the City of Danville.

Patron - Marshall, D.W.

[F]HB589 Repo men; traffic laws applicable. Provides that the lienholder, or its agents or employees, are not authorized to violate any statute relating to the regulation of traffic or any local ordinance while engaged in the bona fide repossession of a vehicle, aircraft, boat, or vessel.

Patron - Merricks

[F]HB596 Presence of methamphetamine lab in same place as child, mentally incapacitated person, or physically helpless person; penalty. Provides that any adult who knowingly allows a child or a mentally incapacitated or physically helpless person to be present in the same dwelling, apartment, unit of a hotel, garage, shed, or vehicle where the components for manufacture or attempted manufacture of methamphetamine are present is guilty of a felony punishable by imprisonment for not less than 10 nor more than 40 years, five years of which shall be a mandatory minimum term of imprisonment. Current law provides for enhanced punishment for the manufacture of methamphetamine in the presence of a child and omits the mandatory minimum term of imprisonment.

Patron - Crockett-Stark

[F]HB607 Unlawful filming of another; penalty. Provides that the punishment for videotaping, photographing, or filming a nude or undergarment-clad nonconsenting person who is 18 years of age or older under circumstances where the person would have a reasonable expectation of privacy shall include a mandatory minimum term of confinement of 30 days.

Patron - LeMunyon

[F]HB608 Victims of unlawful filming; civil action. Creates a civil cause of action for victims of unlawful filming, videotaping, or photographing for which a victim may be awarded \$150,000 per offense or actual damages sustained, whichever is greater, together with the costs of litigation and reasonable attorney fees.

Patron - LeMunyon

[F]HB675 Grand larceny; threshold amount.

Increases from \$200 to \$500 the threshold amount of money or the value of the goods or chattel that the defendant must take before the crime rises from petit larceny to grand larceny. The same threshold is increased for certain property crimes.

Patron - Surovell

[F]HB690 Financial exploitation of elderly or vulnerable adults; penalty. Provides that it is a Class 5 felony to knowingly, by deception, intimidation, undue influence, coercion, harassment, duress, or misrepresentation, use, obtain, convert, or take control of an elderly or vulnerable adult's property or financial resources with the intent to temporarily or permanently deprive the adult of the use, benefit, or possession of the property or financial resources. If the violation is by a caregiver or person with a fiduciary relationship it is a Class 3 felony. The bill also allows forfeiture of personal property used in connection with the crime.

Patron - Plum

[F]HB700 Crimes against incapacitated or elder adults; penalty. Provides that any person who commits an offense set forth in Chapter 4 (crimes against the person), Chapter 5 (crimes against property), or Chapter 6 (crimes involving fraud) of Title 18.2, knowing or having reason to know that the victim of the offense is an incapacitated or elder adult is guilty of a separate and distinct Class 1 misdemeanor if the underlying offense is a misdemeanor and a separate and distinct Class 6 felony if the underlying offense is a felony. The bill also provides that if the offender is a person responsible for the care of the victim, punishment shall include a mandatory minimum term of confinement of 30 days if the underlying offense is a misdemeanor and a mandatory minimum term of confinement of six months if the underlying offense is a felony.

Patron - Filler-Corn

[F]HB704 Failure to report death of child by parent, guardian, etc.; penalty. Provides that any parent, guardian, or legal custodian of a child or a person standing in loco parentis to a child who, with intent to conceal the death, fails to report the death of the child to the local law-enforcement agency, the State Police, or an emergency health care provider within one hour of his discovery of the death is guilty of a Class 6 felony.

Patron - Filler-Corn

[F]HB717 Allowing child to be present in methamphetamine manufactory; penalty. Provides that any person 18 years of age or older who knowingly allows a child to be present in the same dwelling, apartment, unit of a hotel, garage, shed, or vehicle (i) during the manufacture or attempted manufacture of methamphetamine or (ii) where there are present at least two of the components of methamphetamine manufacture is guilty of a felony punishable by imprisonment for not less than 10 nor more than 40 years. Currently the prohibition applies only to a child in care or custody of the miscreant and does not punish for the presence of the child when the components of manufacture can be found in the residence or other specified place.

Patron - Kilgore

[F]HB749 Assault and battery on a campus police officer. Adds campus police officers to the list of officers who, when victims of assault and battery, subject the perpetrator to enhanced punishment, a Class 6 felony instead of a Class 1 misdemeanor.

Patron - Cline

[F]HB751 Recruitment of persons for criminal street gang; penalty. Provides that any person who, by telephone or by any electronically transmitted communication producing a

visual or electronic message, solicits, invites, recruits, encourages, or otherwise causes or attempts to cause another to actively participate in or become a member of what he knows to be a criminal street gang is guilty of a Class 5 felony.

Patron - Cline

HB793 Drug treatment court. Authorizes a drug treatment court in the County of Montgomery.

Patron - Rush

HB797 Carrying a handgun while under the influence of alcohol or drugs; penalty. Creates a Class 1 misdemeanor for any person carrying a handgun in a public place while under the influence of alcohol or drugs and prohibits a person from obtaining a concealed handgun permit for five years following such a conviction. The prohibition applies regardless of whether the person is carrying the handgun openly or concealed. Current law makes it a Class 1 misdemeanor to carry a concealed handgun in a public place while under the influence of alcohol or drugs, but does not speak to openly carrying a handgun while under the influence.

Patron - Morrissey

HB826 Bigamy; penalty. Provides that a person who, while already married, purports to marry another or cohabits with another under the appearance of being married is guilty of bigamy, which is punishable as a Class 4 felony.

Patron - Marshall, R.G.

HB854 Drug treatment court. Authorizes a drug treatment court in the County of Montgomery.

Patron - Yost

HB882 Financial exploitation of elderly or vulnerable adults; barrier crimes; penalty. Provides that it is a Class 5 felony to knowingly, by deception, intimidation, undue influence, coercion, harassment, duress, or misrepresentation, use, obtain, convert, or take control of an elderly or vulnerable adult's property or financial resources with the intent to temporarily or permanently deprive the adult of the use, benefit, or possession of the property or financial resources. If the violation is by a caregiver or person with a fiduciary relationship, it is a Class 3 felony. The bill also prohibits a person convicted of the offense from working at a nursing home, home care organization, hospice, assisted living facility, adult day care center, or state facility of the Department of Behavioral Health and Developmental Services.

Patron - Sickles

HB916 Harassment by computer by prisoners; penalty. Makes it a Class 1 misdemeanor for a prisoner or a person acting on behalf of a prisoner to use a computer, computer network, or social networking site to harass, intimidate, or threaten a crime victim.

Patron - Minchew

HB924 Conspiracy to commit larceny. Provides that if any person shall conspire, confederate, or combine with another or others in the Commonwealth to commit larceny or counsel, assist, aid, or abet another in the performance of a larceny, where the aggregate value of the goods or merchandise involved is less than \$200, he is guilty of a Class 1 misdemeanor. Currently, such a conspiracy, etc., is punishable only as a felony (one to 20 years imprisonment) and only when the aggregate value of the goods or merchandise involved is more than \$200.

Patron - Lingamfelter

HB925 Castle doctrine; self-defense and defense of others. Codifies a version of the "castle doctrine," allowing

the use of physical force, including deadly force, by a person in his dwelling against an intruder in the dwelling who has committed an overt act against him or another person in the dwelling, without civil liability.

Patron - Lingamfelter

HB929 Carrying concealed weapons by former attorneys for the Commonwealth. Provides an exemption for former attorneys for the Commonwealth and former assistant attorneys for the Commonwealth from the requirement to obtain a permit to carry a concealed weapon.

Patron - Lingamfelter

HB951 DUI ignition interlock. Provides that a person who is convicted of DUI is required to have an ignition interlock on the first offense as a condition of a restricted license. Currently, the requirement for an ignition interlock is imposed only upon a second or subsequent offense or when the offender's BAC is above 0.15 percent. The bill also adds passenger vehicles designed to transport more than 15 passengers to the types of vehicles that cannot be operated by a person who is required to have an interlock but who is otherwise permitted to operate a vehicle owned or provided by his employer in the course of his employment. The bill also provides for the court to allow a person to drive to and from the facility that installed or monitors the interlock system when he is subject to a restricted license. This bill was incorporated into HB 279.

Patron - Bell, Robert B.

HB952 Carrying concealed weapons; correctional officers. Allows a Department of Corrections correctional officer to carry a concealed handgun without a concealed handgun permit.

Patron - Bell, Robert B.

HB953 Assault and battery a felony when certain classes of people are victimized; penalty. Expands the class of people for whom, when they are victims of an assault or assault and battery, the offense is punished as a Class 6 felony. The expanded class would include a prison contractor as defined in § 53.1-261, a person directly involved in the care, treatment, or supervision of inmates in the custody of the Department of Corrections (without regard to whether he is an employee of the Department of Corrections), a contractor providing services in a juvenile correction center operated by the Department of Juvenile Justice, and a person directly involved in the care, treatment, or supervision of persons confined in a secure facility or detention home as defined in § 16.1-228.

Patron - Bell, Robert B.

HB954 Criminal law; redefinition of the triggerman rule. Redefines the "triggerman rule," which currently provides that only the actual perpetrator of a capital murder is eligible for the death penalty and that accessories and principals in the second degree can be punished only as if guilty of first degree murder. This bill allows principals in the second degree and accessories before the fact to be charged as principals in the first degree in the cases of murder for hire, murder involving a continuing criminal enterprise, and terrorism. This bill allows, in all other cases of capital murder, a principal in the second degree to be tried as a principal in the first degree if he had the same intent to kill as the principal in the first degree. The bill allows an accessory before the fact to be tried as a principal in the first degree if he ordered or directed the willful, deliberate, and premeditated killing. This bill was incorporated into HB 389.

Patron - Bell, Robert B.

HB957 Zero tolerance BAC after restoration of full driving privilege following DUI conviction. Provides that

the zero tolerance (0.02%) blood alcohol content restriction imposed upon a person following a DUI conviction (i) during the pendency of a restricted license, shall continue for two years following restoration of driving privileges or (ii) when no restricted license is issued, shall be imposed for two years upon restoration of driving privileges following a suspension or revocation.

Patron - Bell, Robert B.

HB962 Penalty for DUI maiming. Provides that the punishment for DUI maiming, a Class 6 felony, shall include a mandatory minimum term of confinement of one year.

Patron - Bell, Robert B.

HB981 Failure to report death of child or of a missing child by parent, guardian, etc.; penalty. Provides that any parent, guardian, or legal custodian of a child or a person standing in loco parentis to a child who, (i) with intent to conceal the death, fails to report the death of the child to the local law-enforcement agency, the State Police, or an emergency health care provider within one hour of his discovery of the death or (ii) with intent to conceal the fact, fails to report a missing child within 24 hours of his discovery that the child is missing is guilty of a Class 6 felony.

Patron - Scott, J.M.

HB982 Crimes against incapacitated adults; penalty. Provides that any person who commits an offense set forth in Chapter 4 (crimes against the person), Chapter 5 (crimes against property), or Chapter 6 (crimes involving fraud) of Title 18.2 knowing or having reason to know that the victim of the offense is an incapacitated adult is guilty of a separate and distinct Class 1 misdemeanor. The bill adds that if the offender is a person responsible for the care of the victim, punishment shall include a mandatory minimum term of confinement of 30 days if the underlying offense is a misdemeanor and a mandatory minimum term of confinement of six months if the underlying offense is a felony.

Patron - Scott, J.M.

HB986 Synthetic cannabinoids; bath salts; penalties. Amends provisions added to the Code last year regarding the criminalization of synthetic cannabinoids and chemicals known as "bath salts" to add newly identified chemical combinations. The bill also adds a more generic chemical description of synthetic cannabinoids so that new combinations will be illegal without the precise chemical combination being added to the Code.

Patron - Loupassi

HB987 Financial exploitation of elderly or incapacitated adults; penalty. Provides that it is a Class 5 felony to knowingly, by deception, intimidation, undue influence, coercion, harassment, duress, or misrepresentation, use, obtain, convert, or take control of an elderly or incapacitated adult's property or financial resources with the intent to temporarily or permanently deprive the adult of the use, benefit, or possession of the property or financial resources. If the violation is by a caregiver or person with a fiduciary relationship it is a Class 3 felony. The bill allows forfeiture of personal property used in connection with the crime.

Patron - Loupassi

HB1060 Arresting officer to ascertain citizenship of arrestee. Supplements the existing law that requires sheriffs to make a query into legal presence when a person is "taken into custody" at a jail. This bill expands such inquiries by requiring that an arresting officer inquire of every arrestee whether he is in the country legally. The bill further provides that when a law-enforcement officer believes that the person is

not legally present in the United States, he shall communicate to the judicial officer the facts and circumstances underlying his belief.

Patron - Anderson

HB1074 Prostitution; affirmative defense, solicitation of a minor. Provides that any person who is charged with the crime of prostitution shall have available the affirmative defense that he was induced by another through the use of force, threat, intimidation, coercion, or deception to engage in prostitution. The bill also provides that, in addition to the current Class 1 misdemeanor punishment for solicitation of prostitution generally, any person who solicits prostitution from a minor (i) 16 years of age or older and less than 18 years of age is guilty of a Class 6 felony or (ii) less than 16 years of age is guilty of a Class 5 felony.

Patron - Hugo

HB1103 Criminal history record information check; making false statements; penalty. Provides that any person who knowingly makes a materially false statement on criminal history background check forms required for the purchase and transfer of firearms is guilty of a Class 5 felony. Current law uses the phrase "willfully and intentionally" rather than "knowingly." The bill contains technical amendments.

Patron - Miller

HB1197 Lost or stolen firearms; failure to report; penalties. Creates a Class 3 misdemeanor for the offense of failing to report to law enforcement that a firearm a person owns or lawfully possesses has been lost or stolen. Subsequent violations of the law would be a Class 1 misdemeanor. The bill also creates a Class 1 misdemeanor for the knowingly false reporting of a lost or stolen firearm.

Patron - McClellan

HB1223 Possession of weapons in legislative buildings. Except those lawfully possessing a handgun, no person shall possess a weapon in legislative buildings and all persons, except General Assembly members, staff or any law-enforcement officer.

Patron - Hope

HB1257 Firearms; alcohol; penalties. Provides that it is a Class 1 misdemeanor for a person who is under the influence of alcohol or illegal drugs to carry a loaded firearm on or about his person in a public place and that a person found guilty is ineligible to apply for a concealed handgun permit for a period of five years. The bill also creates a Class 2 misdemeanor for a person who carries a loaded firearm on or about his person onto the premises of any restaurant or club licensed to sell and serve alcoholic beverages for on-premises consumption and consume an alcoholic beverage while on the premises. The bill contains technical amendments.

Patron - Sickles

HB1258 Ignition interlock permit replaces restricted license post-DUI. Replaces the restricted license issued following a DUI with mandatory ignition interlock on every vehicle driven by the offender. The offender would be issued an "ignition interlock permit." The bill contains technical amendments. This bill was incorporated into HB 279.

Patron - Miller

HB1275 Concealed handgun permits; demonstrated competency by applicants. Specifies that an applicant for a concealed handgun permit must demonstrate competence with a handgun by completing a National Rifle Association handgun safety or training course. Current law

requires a National Rifle Association "firearms" safety or training course.

Patron - Kory

SB4 Castle doctrine; self-defense and defense of others. Codifies a version of the "castle doctrine," allowing the use of physical force, including deadly force, by a person in his dwelling against an intruder in the dwelling who has committed an overt act against him or another person in the dwelling, without civil liability. This bill incorporates SB 64.

Patron - Stuart

SB14 Methamphetamine precursors; sale and tracking; penalties. Requires the Department of State Police to enter into a memorandum of understanding to establish the Commonwealth's participation in a real-time electronic record-keeping and monitoring system for the nonprescription sale of ephedrine or related compounds. Most pharmacies and retail distributors will be required to enter nonprescription sales of ephedrine or related compounds into the electronic system. The bill retains the existing sales limit of no more than 3.6 grams of ephedrine or related compounds per day per individual retail customer and adds a limitation of no more than 7.5 grams per 30-day period. The bill is effective January 1, 2013. This bill was incorporated into SB 294.

Patron - Stuart

SB16 Indecent liberties; penalty. Raises the victim age for indecent liberties from under the age of 15 years to under the age of 16 years. A person 18 years of age or older who, with lascivious intent, knowingly and intentionally participates in or proposes certain sexual activities with a child under the age of 16 will be guilty of a Class 5 felony.

Patron - Stuart

SB20 Rape accomplished by ruse. Provides that rape may be accomplished by ruse or trickery as well as, under current law, by force, threat, or intimidation.

Patron - Stuart

SB23 Adultery and fornication by persons forbidden to marry; penalty. Provides that it will be a Class 3 felony for parents or grandparents to commit adultery or fornication with their child or grandchild who is younger than 18 at the time of the offense.

Patron - Stuart

SB58 Criminal law; redefinition of the triggerman rule. Redefines the "triggerman rule," which currently provides that only the actual perpetrator of a capital murder is eligible for the death penalty and that accessories and principals in the second degree can be punished only as if guilty of first degree murder. This bill allows principals in the second degree and accessories before the fact to be charged as principals in the first degree in the cases of murder for hire, murder involving a continuing criminal enterprise, and terrorism. This bill allows, in all other cases of capital murder, a principal in the second degree to be tried as a principal in the first degree if he had the same intent to kill as the principal in the first degree. The bill allows an accessory before the fact to be tried as a principal in the first degree if he ordered or directed the willful, deliberate, and premeditated killing.

Patron - Obenshain

SB64 Castle doctrine. Encodes a version of the "castle doctrine," allowing the use of physical force, including deadly force, by a person in his dwelling against an intruder in the dwelling who has committed an overt act against him or

another person who is lawfully in the dwelling, without civil liability. This bill was incorporated into SB 4.

Patron - Stanley

SB66 Failure to report missing child; penalty. Provides that any parent, guardian, or other person responsible for the care of a child under the age of 12 who, with intent to conceal the fact that the child is missing, fails to report to law enforcement that the child is missing within a reasonable period of time after discovery of the fact is guilty of a Class 6 felony.

Patron - Stanley

SB72 Grand larceny; threshold amount. Increases from \$200 to \$750 the threshold amount of money or the value of the goods or chattel that the defendant must take before the crime rises from petit larceny to grand larceny. The same threshold is increased for certain property crimes.

Patron - Reeves

SB182 Penalty for DUI manslaughter. Provides that the punishment for DUI manslaughter is to include a one-year mandatory term of confinement and raises the mandatory minimum term for aggravated DUI manslaughter from one to five years.

Patron - Stuart

SB219 Text messaging and emailing while driving; penalty. Allows police officers to issue citations to violators who text message or email while operating a moving motor vehicle. Currently, police officers must have cause to stop or arrest a driver for some other violation before issuing a citation.

Patron - Barker

SB222 Financial exploitation of certain adults; penalty. Provides that it is larceny for a person to knowingly, by deception, intimidation, undue influence, coercion, harassment, duress, or misrepresentation, use, obtain, convert, take control of or endeavor to control, the money, assets, property, or financial resources of an incapacitated adult or an adult over 60 years of age, and convert the property to his own use or benefit. If the person is in a fiduciary relationship the penalty is a Class 3 felony. This bill was incorporated into SB 431.

Patron - Herring

SB223 Synthetic cannabinoids; bath salts; penalties. Amends provisions added to the Code last year regarding the criminalization of synthetic cannabinoids and chemicals known as "bath salts" to add newly identified chemical combinations. The bill adds a more generic chemical description of synthetic cannabinoids so that new combinations will be illegal without the precise chemical combination being added to the Code. This bill was incorporated into SB 273.

Patron - Herring

SB279 Informed consent; ultrasound. Requires that, as a component of informed consent to an abortion, at the appointment for the abortion procedure every pregnant female shall undergo ultrasound imaging to determine gestation age and shall be given the opportunity to view the ultrasound image of her fetus. This bill was incorporated in SB 484.

Patron - Smith

SB285 Crimes against incapacitated or elder adults; penalty. Provides that any person who commits an offense set forth in Chapter 4 (crimes against the person), Chapter 5 (crimes against property), or Chapter 6 (crimes involving fraud) of Title 18.2, knowing or having reason to know that the victim of the offense is an incapacitated or elder adult, is guilty